

Ashley King (Developments) Ltd.
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Lincs Gateway Business Park
Spalding
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TOWN AND COUNTRY PLANNING ACT 1990

FULL

Reference: H14-1218-21 **Date of Decision:** 13th October 2023

Applicant: Ashley King (Developments) Ltd.
1 Goodison Road
Lincs Gateway Business Park
Spalding
PE12 6FY

Location: Land At Yews Farm Spalding Road Pinchbeck

Description: Hybrid planning application seeking full planning permission for 100 new homes, landscaping and infrastructure and outline planning permission (all matters reserved except access) for up to 300 new homes, landscaping and infrastructure.

South Holland District Council hereby give notice that permission has been GRANTED (or equivalent) subject to the following condition(s):

1 FULL ELEMENT CONDITIONS

The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2 The development hereby permitted shall be carried out in accordance with the following approved plans:

74-LP-02
74-SL-01 Rev D
74-MSL-01 Rev B
74-CMP-01

74-CMP-02
 AIRE-001
 AVON-001
 CLYDE-001
 DEE-001
 HUMBER-001
 LOCK-001
 MERE-001
 RIBBLE-V-001
 RUTLAND-001
 SEVERN-001
 SEVERN-002
 TAY-002
 TAY-003
 074-DG-003
 074-DSG-002
 19.0-SG-001
 074-TSG-005
 074-TSG-006
 4158.Yews.Ashwood.TCP
 4158.Yews.Ashwood.AIP
 Phase 1 Masterplan (prepared by 3D Planning Ltd, dated September 2021)
 Written Scheme of Investigation for Archaeological Evaluation (prepared by Archaeological Project Services, dated November 2020)
 Archaeological Evaluation (prepared by Archaeological Project Services, dated June 2021)
 Written Scheme of Investigation for Archaeological Mitigation (prepared by Archaeological Project Services, dated March 2022)
 Flood Risk Assessment & Drainage Strategy (Rev P4, prepared by Inspire Design & Development Ltd, dated April 2022)
 Biodiversity Net Gain Assessment (prepared by Allied Ecology, dated September 2022)
 Preliminary Ecological Appraisal (not incl. Biodiversity Net Gain Assessment element since that is covered by the above) (prepared by Inspired Ecology Ltd, dated November 2021)
 Shadow Habitats Regulations Assessment (prepared by Allied Ecology, dated August 2022)
 Arboricultural Implications Assessment (prepared by Andrew Belson, dated 8th December 2021)
 Environmental noise assessment (prepared by Acoustic Associates, dated April 2021)
 Recommendations on glazing and ventilation (prepared by Acoustic Associates, dated December 2021)
 Landscape Schedules (prepared by Leflay Design, dated August 2022)
 Transport Assessment (Rev P1, prepared by Inspire Design & Development Ltd, dated October 2021)
 Combined Phase I Desk Study and Phase II Exploratory Investigation (prepared by GeoDyne Limited, dated 20th January 2021)

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

3 Notwithstanding the submitted details (with specific reference, but not restricted, to Dwg.

No: AHL-1511-01-DR-001P6) before the commencement of the development hereby permitted, full details of the existing and proposed site levels and proposed floor levels of the buildings, hard surfaced areas and garden/amenity areas, including any mitigation measures arising as a consequence (for example increased height of boundary treatment), shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed and retained in accordance with the details so approved.

Note: Site levels and finished floor levels have not been approved. Where levels are raised above existing ground levels, the submission shall be supported by cross-sectional drawings showing the relationship with adjoining uses and buildings to enable the Local Planning Authority to be satisfied that sufficient mitigation measures will be in place.

Reason: To reduce the risk of flooding of the development and ensure that the Local Planning Authority retains control over the finished site and floor levels of the development, in the interests of the amenity of adjacent residents and its visual and architectural relationship with adjacent development. 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 2, 3 and 4 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 14 of the National Planning Policy Framework, 2023.

- 4 The development hereby permitted shall be carried out in accordance with the measures set out in the Flood Risk Assessment & Drainage Strategy (Rev P4, prepared by Inspire Design & Development Ltd, dated April 2022) forming part of this planning application, unless otherwise agreed in writing by the Local Planning Authority.

Note: The above approved plan does not constitute approval of site levels or finished floor levels, which require discharging as part of condition 3 above.

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, 2023.

- 5 The applicant shall notify the Lincolnshire County Council Historic Environment Department in writing of the intention to commence at least fourteen days before the start of archaeological work set out in the Written Scheme of Investigation for Archaeological Mitigation (prepared by Archaeological Project Services, dated March 2022) in order to facilitate adequate monitoring arrangements.

Reason: To ensure satisfactory archaeological investigation and retrieval of archaeological finds in accordance with national guidance contained in Section 16 of the National Planning Policy Framework, 2023.

This Condition is imposed in accordance with Policy 29 of the South East Lincolnshire Local Plan, 2019.

- 6 A copy of the final report required in connection with Condition 5 above shall be submitted

within three months of the work being carried out to the Local Planning Authority and the Lincolnshire Historic Environment Record. 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, 2023.

This Condition is imposed in accordance with Policy 29 of the South East Lincolnshire Local Plan, 2019.

- 7 Unless agreed otherwise with the Local Planning Authority, no part of the development hereby permitted shall be commenced until such time as the roundabout junction on the B1356, Spalding Road, at the northern end of the Spalding Western Relief Road, is completed to a suitable stage to be opened for use by the public. There shall be no vehicular access to the permitted development from Blue Gowt Lane or from Market Way.

Reason: In the interests of providing safe and suitable access to the permitted development without causing hazard or hinderance to other road users.

This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

- 8 The development hereby permitted shall be undertaken in accordance with a Construction Management Plan and Method Statement that shall first be submitted to, and approved in writing by, the Local Planning Authority.

The Construction Management Plan and Method Statement shall indicate measures to mitigate against the adverse impacts of vehicle movements and vehicle parking and provide details of the means to manage the surface water drainage of the site during the construction of the permitted development. It shall include;

- the phasing of the development to include access construction;
- the on-site parking of vehicles of site operatives and visitors;
- the on-site loading and unloading of plant and materials;
- the on-site storage of plant and materials used in constructing the development;
- wheel washing facilities;
- a strategy stating how surface water run off on and from the development will be managed during construction and protection measures for any sustainable drainage features. This should include drawing(s) showing how the drainage systems (permanent or temporary) connect to an outfall (temporary or permanent) during construction;
- measures to minimise disturbance during the construction process through noise, dust, vibration and smoke

Reason: In the interests of residential amenity, the safety and free passage of those using the adjacent public highway and 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 during construction.

This Condition is imposed in accordance with Policies 2, 3, 4 and 30 of the South East Lincolnshire Local Plan, 2019.

- 9 The permitted development shall be undertaken in accordance with an Estate Road

Phasing and Completion Plan, which shall first be approved in writing by the Local Planning Authority. The Plan shall set out how the construction of the development will be phased and standards to which the estate roads on each phase will be completed during the construction period of the development.

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.

This Condition is imposed in accordance with Policy 2 of the South East Lincolnshire Local Plan, 2019.

- 10 Prior to the occupation of the 50th dwelling, the adoptable estate roads and footways shall be completed up to the northern and western boundaries of the application site (i.e. the red line boundary indicated on dwg. no 74-LP-02).

Reason: In the interests of achieving a comprehensive development and ensuring that further development on this strategic site is not unduly hindered by virtue of ransom strips. It is for this reason that if the adoptable estate roads and footways up to the northern and western site boundaries were not to be provided, this application would be refused.

This Condition is imposed in accordance with Policies 15 and 35 of the South East Lincolnshire Local Plan, 2019.

- 11 Notwithstanding the submitted details the permitted development shall be undertaken in accordance with a surface water drainage scheme which shall first have been approved in writing by the Local Planning Authority.

The scheme shall:

- be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development;
- provide flood exceedance routing for storm event greater than 1 in 100 year
- 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;
- provide attenuation details and discharge rates which shall be restricted to the greenfield run-off rates for the undeveloped site or to a rate that shall be agreed with the Local Planning Authority as advised by the surface water receiving body;
- provide details of the timetable for and any phasing of implementation for the drainage scheme; and
- 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.

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.

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, 2023.

- 12 Prior to the construction above damp proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any phase, the foul water drainage works relating to that phase must have been carried out in complete accordance with the approved scheme.

Reason: To prevent environmental and amenity problems arising from flooding.

This Condition is imposed in accordance with Policy 30 of the South East Lincolnshire Local Plan, 2019.

- 13 Prior to the occupation of any dwelling, details of a secure, covered, convenient space to store at least two bicycles within each residential plot shall be submitted to and approved in writing by the Local Planning Authority. These arrangements shall be implemented prior to the occupation of each individual dwelling.

Reason: To ensure that adequate secure facilities are provided for cyclists using the site. This Condition is imposed in accordance with Policy 36 of the South East Lincolnshire Local Plan, 2019.

- 14 The development hereby permitted shall be carried out in accordance with the recommendations set out in Section 3 of the submitted Recommendations on glazing and ventilation for Yew Tree Farm (prepared by Acoustic Associates, dated December 2021).

Details of the acoustic barrier to be installed as assumed in Paragraph 1.2 of that report shall be submitted to and approved in writing prior to the occupation of any of Plots 80 and 82 - 89, and shall be retained for the lifetime of the development.

Reason: In the interests of residential amenity.

This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

- 15 Notwithstanding the submitted details before the commencement of the development hereby permitted beyond oversight, the approval of the Local Planning Authority is required to a scheme of landscaping and tree planting for the site (including screening of bin collection points) indicating, inter alia, the number, species, heights on planting and positions of all the trees, together with details of post-planting maintenance. Such scheme as is approved by the Local Planning Authority 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.

NOTE: The submitted landscaping proposals shall demonstrate that Biodiversity Net Gain will be achieved on site, using the Biodiversity Metric 3.1 (or any successor).

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, and that Biodiversity Net Gain will be achieved.

This Condition is imposed in accordance with Policies 2, 3 and 28 of the South East Lincolnshire Local Plan, 2019 and the Environment Act 2021.

- 16 Notwithstanding the submitted details (Dwg.No: 74-BT-01D) prior to its installation, details of the proposed boundary treatments, including a schedule of fencing levels, heights and 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 and retained thereafter.

Note: Where levels are raised above existing ground levels, the submission shall be supported by cross-sectional drawings showing the relationship with adjoining uses and buildings to enable the Local Planning Authority to be satisfied that sufficient mitigation measures will be in place.

Reason: In the interests of the character and appearance of the development and the amenity of the area in which it is set including the amenity of nearby occupiers.

This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

- 17 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 oversight. The management of these areas shall be carried out in accordance with the details so approved.

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.

- 18 Before the commencement of development 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. Thereafter these areas shall be maintained in accordance with the approved details.

Reason: To ensure that adequate provision is made for the management and maintenance of the those areas.

This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

- 19 Notwithstanding the elevation drawings that have been submitted, details of additional elevational treatments for Plots 1, 2, 11, 67, 68 and 69 shall be submitted to and approved in writing by the Local Planning Authority prior to construction of these plots beyond

oversite.

Reason: In the interest of visual amenity given the prominent location of these dwellings. 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 12 of the National Planning Policy Framework, 2023.

- 20 Details of the design and positions of all external boxes for gas and electricity supplies and of any gas flues and soil vent pipes shall be submitted to and approved in writing by the Local Planning Authority prior to their installation and there shall be no variation from the details so approved.

Reason: To ensure that the Local Planning Authority retains control over these details of the development 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.

- 21 The development hereby permitted shall be carried out in accordance with the recommendations set out in Section 5.0 of the submitted Preliminary Ecological Appraisal (prepared by Inspired Ecology Ltd, dated November 2021).

Reason: In the interests of biodiversity.

This Condition is imposed in accordance with Policy 28 of the South East Lincolnshire Local Plan, 2019.

- 22 Three swift nest bricks shall be incorporated within the external walls of each dwelling hereby approved and shall be retained thereafter.

Reason: In the interests of biodiversity.

This Condition is imposed in accordance with Policy 28 of the South East Lincolnshire Local Plan, 2019.

- 23 Before the commencement of development hereby permitted, a Biodiversity Management Plan, setting out how the biodiversity enhancements will be managed and monitored for a 30-year period, shall be submitted to, and approved in writing by, the Local Planning Authority.

The development shall be undertaken and thereafter maintained in accordance with the approved details.

Reason: In the interests of maintaining the biodiversity enhancements.

This Condition is imposed in accordance with Policy 28 of the South East Lincolnshire Local Plan, 2019.

- 24 Full details of the Local Area for Play (LAP), including type of equipment and any enclosure, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any dwelling. The LAP shall be constructed in accordance with such details and shall be completed prior to the occupation of the 50th dwelling.

Reason: To ensure suitable play equipment is provided.

This Condition is imposed in accordance with Policy 32 of the South East Lincolnshire Local Plan, 2019.

- 25 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.

26 OUTLINE ELEMENT CONDITIONS

Application for approval of reserved matters must be made not later than three years beginning with the date of this permission, and the development must be begun before the expiration of two years from the final approval of reserved matters or in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: As required by Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 27 No development shall take place without the prior written approval of the Local Planning Authority of all details of the following matters:
- i) the layout, scale and external appearance of the building(s) (including a schedule of external materials to be used);
 - ii) the means of access to the site;
 - iii) the landscaping of the site (including boundary treatment); and
 - iv) the two areas of public open space indicated on dwg. no. 74-MP-01 (to be included in the first Reserved Matters application)

The development shall be carried out as approved.

Reason: To meet the requirements of Section 92 of the Town and Country Planning Act 1990.

- 28 The development hereby permitted shall be carried out in accordance with the following approved plans:

74-LP-01

74-MP-01

4158.Yews.Ashwood.TCP

Phase 1 Masterplan (prepared by 3D Planning Ltd, dated September 2021)

Written Scheme of Investigation for Archaeological Evaluation (prepared by Archaeological Project Services, dated November 2020)

Archaeological Evaluation (prepared by Archaeological Project Services, dated June 2021)

Written Scheme of Investigation for Archaeological Mitigation (prepared by Archaeological Project Services, dated March 2022)

Flood Risk Assessment & Drainage Strategy (Rev P4, prepared by Inspire Design & Development Ltd, dated April 2022)

Preliminary Ecological Appraisal (not incl. Biodiversity Net Gain Assessment element since that is covered by separate condition) (prepared by Inspired Ecology Ltd, dated November 2021)

Shadow Habitats Regulations Assessment (prepared by Allied Ecology, dated August 2022)

Transport Assessment (Rev P1, prepared by Inspire Design & Development Ltd, dated October 2021)

Combined Phase I Desk Study and Phase II Exploratory Investigation (prepared by GeoDyne Limited, dated 20th January 2021)

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

- 29 Prior to the occupation of any dwelling, a management plan for the two areas of open space indicated on dwg. no. 74-MP-01, including management responsibilities and maintenance schedules, shall be submitted to and approved in writing by the Local Planning Authority. The ongoing management of these areas shall be carried out in accordance with the details so approved for the lifetime of the development.

Reason: To ensure that adequate provision is made for the management and maintenance of these areas of open space.

This Condition is imposed in accordance with Policy 32 of the South East Lincolnshire Local Plan, 2019.

- 30 Prior to the occupation of the 50th dwelling, the two areas of open space indicated on dwg. no. 74-MP-01 shall be completed in accordance with the agreed Reserved Matters details.

Reason: To ensure delivery of the open space that is required by Policy 15 of the South East Lincolnshire Local Plan, 2019. Failure to deliver this open space would be contrary to policy and this application would be otherwise refused.

- 31 Notwithstanding the submitted details before the commencement of the development hereby permitted, full details of the existing and proposed site levels and proposed floor levels of the buildings, hard surfaced areas and garden/amenity areas, including any mitigation measures arising as a consequence (for example increased height of boundary treatment), shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed and retained in accordance with the details so approved.

Note: Site levels and finished floor levels have not been approved. Where levels are raised above existing ground levels, the submission shall be supported by cross-sectional drawings showing the relationship with adjoining uses and buildings to enable the Local Planning Authority to be satisfied that sufficient mitigation measures will be in place.

Reason: To reduce the risk of flooding of the development and ensure that the Local Planning Authority retains control over the finished site and floor levels of the

development, in the interests of the amenity of adjacent residents and its visual and architectural relationship with adjacent development. 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 2, 3 and 4 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 14 of the National Planning Policy Framework, 2023.

- 32 The development hereby permitted shall be carried out in accordance with the measures set out in the Flood Risk Assessment & Drainage Strategy (Rev P4, prepared by Inspire Design & Development Ltd, dated April 2022) forming part of this planning application, unless otherwise agreed in writing by the Local Planning Authority.

Note: The above approved plan does not constitute approval of site levels or finished floor levels, which require discharging as above.

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, 2023.

- 33 The applicant shall notify the Lincolnshire County Council Historic Environment Department in writing of the intention to commence at least fourteen days before the start of archaeological work set out in the Written Scheme of Investigation for Archaeological Mitigation (prepared by Archaeological Project Services, dated March 2022) in order to facilitate adequate monitoring arrangements.

Reason: To ensure satisfactory archaeological investigation and retrieval of archaeological finds in accordance with national guidance contained in Section 16 of the National Planning Policy Framework, 2023.

This Condition is imposed in accordance with Policy 29 of the South East Lincolnshire Local Plan, 2019.

- 34 A copy of the final report required in connection with Condition 33 above shall be submitted within three months of the work being carried out to the Local Planning Authority and the Lincolnshire Historic Environment Record. 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, 2023.

This Condition is imposed in accordance with Policy 29 of the South East Lincolnshire Local Plan, 2019.

- 35 Unless agreed otherwise with the Local Planning Authority, no part of the development hereby permitted shall be commenced until such time as the roundabout junction on the B1356, Spalding Road, at the northern end of the Spalding Western Relief Road, is

completed to a suitable stage to be opened for use by the public. There shall be no vehicular access to the permitted development from Blue Gowl Lane or from Market Way.

Reason: In the interests of providing safe and suitable access to the permitted development without causing hazard or hinderance to other road users.

This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

- 36 The development hereby permitted shall be undertaken in accordance with a Construction Management Plan and Method Statement that shall first be submitted to, and approved in writing by, the Local Planning Authority.

The Construction Management Plan and Method Statement shall indicate measures to mitigate against the adverse impacts of vehicle movements and vehicle parking and provide details of the means to manage the surface water drainage of the site during the construction of the permitted development. It shall include;

- the phasing of the development to include access construction;
- the on-site parking of vehicles of site operatives and visitors;
- the on-site loading and unloading of plant and materials;
- the on-site storage of plant and materials used in constructing the development;
- wheel washing facilities;
- a strategy stating how surface water run off on and from the development will be managed during construction and protection measures for any sustainable drainage features. This should include drawing(s) showing how the drainage systems (permanent or temporary) connect to an outfall (temporary or permanent) during construction;
- measures to minimise disturbance during the construction process through noise, dust, vibration and smoke

Reason: In the interests of residential amenity, the safety and free passage of those using the adjacent public highway and 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 during construction.

This Condition is imposed in accordance with Policies 2, 3, 4 and 30 of the South East Lincolnshire Local Plan, 2019.

- 37 The permitted development shall be undertaken in accordance with an Estate Road Phasing and Completion Plan, which shall first be approved in writing by the Local Planning Authority. The Plan shall set out how the construction of the development will be phased and standards to which the estate roads on each phase will be completed during the construction period of the development.

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.

This Condition is imposed in accordance with Policy 2 of the South East Lincolnshire Local Plan, 2019.

- 38 Prior to the occupation of the 50th dwelling, all of the adoptable estate roads and footways shall be completed up to the boundary of the application site (i.e. the red line boundary indicated on dwg. no 74-LP-01).

Reason: In the interests of achieving a comprehensive development and ensuring that further development on this strategic site is not unduly hindered by virtue of ransom strips. It is for this reason that if the adoptable estate roads and footways up to the northern and western site boundaries were not to be provided, this application would be refused. This Condition is imposed in accordance with Policies 15 and 35 of the South East Lincolnshire Local Plan, 2019.

- 39 When application is made for Reserved Matters approval, the submitted details shall include suitable provision for pedestrian and cycle access to Blue Gowt Lane and/or Market Way.

Reason: To promote non-motorised travel between the permitted development and Pinchbeck village.

This Condition is imposed in accordance with Policies 2, 3 and 36 of the South East Lincolnshire Local Plan, 2019.

- 40 Notwithstanding the submitted details the permitted development shall be undertaken in accordance with a surface water drainage scheme which shall first have been approved in writing by the Local Planning Authority.

The scheme shall:

- be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development;
- provide flood exceedance routing for storm event greater than 1 in 100 year
- 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;
- provide attenuation details and discharge rates which shall be restricted to the greenfield run-off rates for the undeveloped site or to a rate that shall be agreed with the Local Planning Authority as advised by the surface water receiving body;
- provide details of the timetable for and any phasing of implementation for the drainage scheme; and
- 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.

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.

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, 2023.

- 41 Prior to the construction above damp proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any phase, the foul water drainage works relating to that phase must have been carried out in complete accordance with the approved scheme.

Reason: To prevent environmental and amenity problems arising from flooding.

This Condition is imposed in accordance with Policy 30 of the South East Lincolnshire Local Plan, 2019.

- 42 Prior to the occupation of any dwelling, details of a secure, covered, convenient space to store at least two bicycles within each residential plot shall be submitted to and approved in writing by the Local Planning Authority. These arrangements shall be implemented prior to the occupation of each individual dwelling.

Reason: To ensure that adequate secure facilities are provided for cyclists using the site. This Condition is imposed in accordance with Policy 36 of the South East Lincolnshire Local Plan, 2019.

- 43 Notwithstanding the submitted details when application is made to the Local Planning Authority for approval of reserved matters, that application shall be accompanied by a scheme of landscaping and tree planting indicating (including screening of bin collection points), inter alia, the number, species, heights on planting and positions of all trees in respect of the land to which that application relates, together with details of post-planting maintenance and such a scheme shall require the approval of the Local Planning Authority before any development is commenced. Such scheme as is approved by the Local Planning Authority 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.

Note: The applicant is recommended to employ a qualified and experienced landscape designer to produce a landscaping scheme for the development.

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 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 2 and 3 of the South East Lincolnshire Local Plan, 2019.

- 44 Notwithstanding the submitted details prior to its installation, details of the proposed boundary treatments, including a schedule of fencing levels, heights and 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 and retained thereafter.

Note: Where levels are raised above existing ground levels, the submission shall be supported by cross-sectional drawings showing the relationship with adjoining uses and

buildings to enable the Local Planning Authority to be satisfied that sufficient mitigation measures will be in place.

Reason: In the interests of the character and appearance of the development and the amenity of the area in which it is set including the amenity of nearby occupiers.

This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

- 45 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.

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.

- 46 The development hereby permitted shall not be commenced before details of the means of storage and disposal of refuse and recycling, as well as appropriate management and maintenance, have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the first occupation of relevant dwellings and shall thereafter be retained.

Note: For residential development, reference should be made to the Council's published PRIVATE DRIVES - WASTE VEHICLE COLLECTION SERVICE - GUIDANCE NOTE when submitting these details.

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 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 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

- 47 Prior to the commencement of the development hereby permitted beyond oversight, a plan illustrating all areas of publicly accessible open space (other than the two areas of public open space indicated on dwg. no. 74-MP-01) 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.

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.

- 48 A management plan for the areas of publicly accessible open space (other than the two areas of public open space indicated on dwg. no. 74-MP-01) 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 oversight. The management of these areas shall be carried out in accordance with the details so approved.

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.

- 49 Before the commencement of development 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. Thereafter these areas shall be maintained in accordance with the approved details.

Reason: To ensure that adequate provision is made for the management and maintenance of the those areas.

This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

- 50 Details of the design and positions of all external boxes for gas and electricity supplies and of any gas flues and soil vent pipes shall be submitted to and approved in writing by the Local Planning Authority prior to their installation and there shall be no variation from the details so approved.

Reason: To ensure that the Local Planning Authority retains control over these details of the development 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.

- 51 When application is made for Reserved Matters approval, this shall be accompanied by a report prepared by a qualified noise consultant. This report shall identify any measures or works necessary to ensure that there is no possible nuisance caused to nearby residential properties. Those measures and works so approved by the Local Planning Authority shall be implemented in full before the impacted dwellings are occupied.

Reason: To ensure that there is no noise nuisance to nearby residents. 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 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

- 52 Development shall not commence until a construction methodology has been submitted to and approved in writing by the Local Authority. The construction methodology shall demonstrate consultation with the Asset Protection Project Manager at Network Rail. The

development shall thereafter be carried out in accordance with the approved construction methodology unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the Local Planning Authority retains control over these matters, in the interests of safety on the operational railway.

This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

- 53 Trespass proof fencing (approx. 1.8m high) shall be installed adjacent to Network Rail's boundary and provision made for its future renewal and maintenance. Network Rail's existing fencing/wall shall not be removed or damaged.

Reason: To ensure that the Local Planning Authority retains control over these matters, in the interests of safety on the operational railway.

This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

- 54 Details of the external illumination of all buildings and areas of the site adjacent to the operational railway (including details of luminance) shall be submitted to and approved in writing by the Local Planning Authority prior to the first use of those buildings and areas and there shall be no external illumination other than that so approved.

Reason: To ensure that the Local Planning Authority retains control over these matters, in the interests of safety on the operational railway.

This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

- 55 The development hereby permitted shall be carried out in accordance with the recommendations set out in Section 5.0 of the submitted Preliminary Ecological Appraisal (prepared by Inspired Ecology Ltd, dated November 2021).

Reason: In the interests of biodiversity.

This Condition is imposed in accordance with Policy 28 of the South East Lincolnshire Local Plan, 2019.

- 56 Three swift nest bricks shall be incorporated within the external walls of each dwelling hereby approved and shall be retained thereafter.

Reason: In the interests of biodiversity.

This Condition is imposed in accordance with Policy 28 of the South East Lincolnshire Local Plan, 2019.

- 57 When application is made to the Local Planning Authority for approval of the reserved matters, that application shall be accompanied by a Biodiversity Net Gain Plan to demonstrate a measurable net gain of biodiversity on-site.

This shall be supported by a Biodiversity Management Plan setting out how the biodiversity enhancements will be managed and monitored for a 30-year period.

NOTE: The Biodiversity Metric 3.1 (or any successor) should be used to calculate the percentage increase in biodiversity.

The development shall be undertaken and thereafter maintained in accordance with the approved details.

Reason: In the interests of achieving Biodiversity Net Gain on-site.

This Condition is imposed in accordance with Policy 28 of the South East Lincolnshire Local Plan, 2019.

- 58 The water consumption of *the/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 *the/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.

Notes:

THE FOLLOWING NOTE RELATES TO THE FULL AND OUTLINE ELEMENTS

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 by identifying matters of concern within the application and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal.

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

THE FOLLOWING NOTE RELATES TO THE FULL AND OUTLINE ELEMENTS

This planning permission is subject to Agreements (one on the outline permission and one on the full permission) under Section 106 of the Town & Country Planning Act 1990 dated 11th October 2023 and can only be implemented as a consequence of meeting the provisions of that Agreement.

THE FOLLOWING NOTE RELATES TO THE FULL ELEMENT

All roads within the development hereby permitted must be constructed to a satisfactory engineering standard. 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. For guidance please refer to <https://www.lincolnshire.gov.uk>.

THE FOLLOWING NOTE RELATES TO THE OUTLINE ELEMENT

Please note: It is imperative that drainage associated with the site does not impact on or cause damage to adjacent railway assets. Surface water must flow away from the railway, there must be no ponding of water adjacent to the boundary and any attenuation scheme within 30m of the railway boundary must be approved by Network Rail in advance. There must be no connection to existing railway drainage assets without prior agreement with Network Rail.

THE FOLLOWING NOTE RELATES TO THE OUTLINE ELEMENT

Please note the list of tree species that are acceptable and unacceptable for planting in proximity to the railway boundary.

Acceptable:

Birch (Betula), Crab Apple (Malus Sylvestris), Field Maple (Acer Campestre), Bird Cherry (Prunus Padus), Wild Pear (Pyrus Communis), Fir Trees - Pines (Pinus), Hawthorn (Cretaeagus), Mountain Ash - Whitebeams (Sorbus), False Acacia (Robinia), Willow Shrubs (Shrubby Salix), Thuja Plicatata "Zebрина"

Not Acceptable:

Acer (Acer pseudoplatanus), Aspen - Poplar (Populus), Small-leaved Lime (Tilia Cordata), Sycamore - Norway Maple (Acer), Horse Chestnut (Aesculus Hippocastanum), Sweet Chestnut (Castanea Sativa), Ash (Fraxinus excelsior), Black poplar (Populus nigra var, betulifolia), Lombardy Poplar (Populus nigra var, italica), Large-leaved lime (Tilia platyphyllos), Common lime (Tilia x europea)

THE FOLLOWING NOTE RELATES TO THE OUTLINE ELEMENT

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.



Phil Norman
Head of Planning
South Holland District Council

BUILDING REGULATIONS:

This decision refers only to planning permission as granted under the Town and Country Planning Act 1990. The works that you are proposing may also require Building Regulations and this planning permission does not give authority under Building Regulations to commence work. Please contact the Building Control section for further information on 01775 764557 or bcadmin@sholland.gov.uk

RIGHTS OF APPEAL

Appeals to the Secretary of State

If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or grant consent subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990 or Section 20 of the Planning (Listed Building and Conservation Areas) Act 1990.

Timescales for appealing

The deadlines for appeals are calculated from the **date of decision** and are as follows for the types of applications below:

12 Weeks	6 Months	8 Weeks
Householder Applications	Planning Permission	Consent to Display Adverts
Minor Commercial Development	Listed Building Consent	
Agricultural Determinations	Other Prior Approval Applications	
Householder Prior Approval Applications		

<https://www.gov.uk/appeal-householder-planning-decision>

<https://www.gov.uk/appeal-planning-decision>

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planning-inspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

Enforcement Notices

If an enforcement notice was served prior to the planning application being determined then the deadline for appealing is 28 days from the date of the **planning refusal**.

If an enforcement notice is served after the planning application is determined then the deadline for appealing is 28 days from the date of the **enforcement notice** OR the **timescales stated above for each application type** from the date of the planning refusal - whichever is sooner.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in

giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under the order.

Purchase Notices

If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grant it subject to conditions the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of the Part VI of the Town and Country Planning Act 1990 or Section 32 of the Planning (Listed Building and Conservation Areas) Act 1990.

Compensation

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.

These circumstances are set out in Section 114 and related provisions of the Town and Country Planning Act 1990 and Section 27 of the Planning (Listed Building and Conservation Areas) Act 1990.