

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H15-0562-26 **Applicant:** Salboy Construction Ltd.

Proposal: Details of estate road phasing and completion plan - Condition 8 of H15-0133-26

Location: Nursery Lane Quadring Spalding

Terminal Date: 7th August 2026

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
33	Delivering a More Sustainable Transport Network
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework December 2024

Section 2 - Achieving sustainable development
Section 4 - Decision-Making
Section 9 - Promoting sustainable transport
Section 12 - Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
HIGHWAYS & SUDS SUPPORT	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This application seeks to discharge condition 8 of planning permission H15-0133-26.

Full planning permission was granted under permission H15-0014-22 for the erection of 59 dwellings and associated works on 01 September 2022. Permission H15-0014-22 was amended

under application H15-0133-26 on 13 May 2026.

Condition 8 requires details of an Estate Road Phasing and Completion Plan to be submitted and approved by the Local Planning Authority.

Site Description

The application site is located within Quadring, with the access road historically forming part of a horticultural nursery. Access is taken from Main Road to the south-west. The site lies to the rear of properties fronting Main Road and Water Gate, with open agricultural land beyond the north-western and north-eastern boundaries. The development is well advanced, with construction significantly progressed across the site.

Relevant Planning History

H15-1469-05: (Full Application) Replacement and extension to existing greenhouses - approved 10 January 2006

H15-0055-07: (Section 73) Continuation of permission without complying with Condition 2 of H15/1469/05 relating to noise levels - approved 28 March 2007

H15-1207-18: (Outline Application) Residential development - up to 60 dwellings - approved 19 September 2019

H15-0942-20: (Reserved Matters) Residential Development of 9 dwellings - Phase 1 (Outline approval H15-1207-18) - approved 18 January 2021

H15-0538-21: (Modified S106 Agreement) Modification of 106 Agreement relating to adjustment (deferral) of affordable housing, education contribution and health care facilities contribution (H15-1207-18) - approved 22 December 2021

H15-0726-21: (Discharge of Conditions) Details of contamination, surface water drainage, foul drainage, construction management, prevention of mud on highway, boundary treatment, public open space, management plan (POS) and meter boxes, flues etc (Conditions 4, 9, 10, 11, 12, 14, 15, 18 & 19 of H15-1207-18) - approved 15 October 2021

H15-0014-22: (Full Application) Erection of 59 dwellings & associated works - approved 01 September 2022

H15-0894-22: (Discharge of Conditions) Details of contamination of land or pollution of controlled waters, archaeological investigation, management & maintenance schedule for areas of landscaping, open space, refuse/recycling collection & parking courts/private drives, construction management & site & floor levels (Conditions 3, 5, 10, 11 & 13 of H15-0014-22) - approved 09 September 2024

H15-0022-24: (Modified S106 Agreement) Modification of 106 Agreement in relation to affordable housing (planning approval H15-0014-22) - approved 22 March 2024

H15-0147-24: (Discharge of Conditions) Details of contamination of land or pollution of controlled waters, archaeological investigation, management & maintenance schedule for areas of landscaping, open space, refuse/recycling collection & parking courts/private drives, construction management & site & floor levels (Conditions 3, 5, 10, 11 & 13 of H15-0014-22) - withdrawn 09 September 2024

H15-0133-26: (Section 73 Application) Erection of 59 dwellings & associated works - approved under H15-0014-22. Modification of Condition 18 to amend wording relating to Biodiversity Net Gain Plan to demonstrate a minimum of 10% on-site gain - approved 13 May 2026

Consultation

Lincolnshire County Council - Highways and SUDS: No response received.

Key Planning Considerations

Condition 8 sets out the following:

"Within six months from the date of this decision, an Estate Road Phasing and Completion Plan shall be submitted to and approved in writing by the Local Planning Authority. The permitted development shall be undertaken in accordance with the approved Estate Road Phasing and Completion Plan.

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."

The application is accompanied by a document entitled 'Retrospective Estate Road Completion, Management and Maintenance Plan' and a kerb layout plan. The estate roads serving the development have already been substantially completed and are operational. According to the submitted information, the estate roads have been constructed generally in accordance with Lincolnshire County Council's (LCC) Development Road Specification. LCC's highways team have not provided a consultation response for the current application and as such, it is unclear if the roads have been constructed to an adoptable standard.

According to the submitted information, the roads and footways have been surfaced with asphalt and a mixture of kerbs and dropped kerbs are proposed throughout the site. A site visit has been undertaken and it is agreed that the roads and footways appear to be complete.

According to the submitted information, the roads shall remain private roads rather than being adopted by LCC and as such, Salboy Construction Ltd will be responsible for the ongoing maintenance of the roads. The submitted document sets out that "Salboy Construction Ltd shall ensure that the private roads are maintained in a safe and serviceable condition at all times".

The submitted kerb layout plan is inconsistent with the originally approved layout from permission H15-0014-22. The discrepancies have been discussed with the applicant's agent; however, no amended information has been received. As the plan shows a different layout to the approved layout, the submitted information cannot be approved.

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.

Conclusion

The submitted details are inconsistent with permission H15-0014-22 and as such, the submitted information does not address the requirements of condition 8 of planning permission H15-0133-26.

Recommendation

It is recommended that permission is refused under delegated authority.