DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H16-0223-25**	**Applicant:**	**Seagate Homes Ltd**
Proposal:	Details of Construction Management Plan & Method Statement (Condition 19 of H16-0136-23)		
Location:	Ivanda Nursery Monks House Lane Spalding		
Terminal Date:	26th May 2025		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
04	Approach to Flood Risk

National Guidance

National Planning Policy Framework December 2024

Section 12: Achieving Well-designed Places
Section 14: Meeting the Challenges of Climate Change, Flooding and Coastal Change.

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

The application seeks approval of the details in respect of Condition 19 of planning permission H16-0136-23. Condition 19 requires the development to be undertaken in accordance with a Construction Management Plan and Method Statement which has first been approved in writing by the Local Planning Authority.

Site Description

The site relates to a former nursery located within the settlement boundary of Spalding. Planning permission was granted in September 2024 (reference H16-0136-23) for the residential development of 70 dwellings including the demolition of existing glasshouses.

History

H16-0136-23: Proposed residential development of 70 dwellings, including demolition of existing glasshouses. Approved 25.09.2024.
H16-0885-24: Details of Archaeological Mitigation Strategy (Condition 05 of H16-0136-23) :Approved 07.11.2024.
H16-0277-25: Details of gas/electricity external boxes, gas flues and soil vents (Condition 27 of H16-0136-23). Approved 08.04.2025.
H16-0220-25: Details of external materials of construction of buildings and hard surfaced areas (Condition 09 of H16-0136-23).. Approved 08.04.2025.
H16-0222-25: Details of foul water disposal and surface water disposal (Condition 17 and 18 of H16-0136-23). Approved 23.04.2025.
H16-0226-25: Details of estate road phasing and completion plan (Condition 30 of H16-0136-23). Approved 16.05.2025.

Consultation Responses

Highway and Lead Local Flood Authority

No objection, the details submitted to discharge Condition 19 are acceptable.

Environmental Protection

No comment to make.

Welland and Deepings Internal Drainage Board

No comments received.

Planning Considerations

Condition 19 Wording

The development hereby permitted shall be undertaken in accordance with a Construction Management Plan and Method Statement that shall first be approved in writing by the Local Planning Authority. The Plan and Statement shall indicate measures to mitigate the adverse impacts of vehicle activity and the means to manage the drainage of the site during the construction stage of the permitted development. It shall include;

·the on-site parking of all vehicles of site operatives and visitors;
·the on-site loading and unloading of all plant and materials;
·the on-site storage of all plant and materials used in constructing the development;
·wheel washing facilities;
·the routes of construction traffic to and from the site including any off-site routes for the disposal of excavated material and;
·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 (temporary or permanent) connect to an outfall (temporary or permanent) during construction.

The reason for the condition is:

In the interests of residential amenity and the safety and free passage of those using the adjacent public highway during construction 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 and 4 of the South East Lincolnshire Local Plan, 2019.

Condition 19 Detail

Condition 19 requires the Construction Management Plan and Method Statement to include measures to mitigate the adverse impacts of vehicle activity and the means to manage the drainage of the site during the construction phase of the development. Such measures are required to include on-site parking and storage facilities, wheel wash facilities along with the routes of construction vehicles to and from the site.

The highway authority has no objection to the details provided and whilst not required as part of the terms of the condition, details of the means by which noise, dust, emissions and piling operations will be controlled have been included to which the Environmental Protection Officer has no objection.

The terms of the condition also require 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. The initially submitted Construction Management Plan and Method Statement did not include such a strategy, which was subsequently requested and submitted by the applicant. The Internal Drainage Board were consulted on this strategy but no response has been received during the consultation period.

The submitted strategy states all drains have been identified and all waterways will be protected from silt run off from the site. Best practice policies will be adopted along with measures to prevent water pollution, which include development of a dedicated fuel storage area that is appropriately bunded, the installation of silt traps along with the monitoring of silt levels and netting when required to avoid material being blown into the water. The strategy is detailed and measured in its content, and is considered acceptable.

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

Condition 19 of application reference H16-0136-23 is discharged.