SOUTH HOLLAND DISTRICT COUNCIL

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Town and Country Planning Act 1990

Planning Permission

Reference: H16-0421-15 **Received:** 12th May 2015 **Type:** FULL

Name: D & R Property Services Ltd
5 The Wentworths
Long Sutton
Spalding
Lincolnshire
PE12 9RT

Agent: G R Merchant Ltd
Unit 4 Wrights Mews
12A Park Road
Holbeach
Spalding
Lincolnshire
PE12 7EE

Description: Residential development for 15 dwellings

Location : 24 GREEN LANE SPALDING

South Holland District Council hereby give notice that PERMISSION HAS BEEN GRANTED for the development in accordance with the application and plans submitted, subject to any condition(s) set out below:

1 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:
Dwg. No's: 2775-15-01B, 2775-15-02B, 2775-15-03, 2775-15-04C, 2775-15-05B, 2775-15-06B and 13514/01.
Flood Risk Assessment (prepared by Geoff Beel Consultancy, dated November 2014).
Environmental and Noise Vibration Assessment (prepared by Acoustic Associates Peterborough, dated December 2014).

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

3 Notwithstanding the submitted information before the commencement of the development hereby permitted a schedule of external materials of construction of buildings and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. Samples shall be

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provided as may be required by the Local Planning Authority of the materials in the schedule and the use of such samples shall be approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the schedule and samples so approved.

Reason: To ensure that the Local Planning Authority retains control over the external materials of construction 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 Policy SG14 of the South Holland Local Plan 2006.

4 The development hereby permitted shall not be commenced until a scheme to deal with any contamination of land or pollution of controlled waters has been submitted to and approved in writing by the Local Planning Authority (LPA) and until the measures approved in that scheme have been implemented. The scheme shall include all of the following measures.
i) a desk-top study carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk-top study shall establish a 'conceptual site model' and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/Quantitative Risk Assessment (or state if none required). Two full copies of the desk-top study and a non-technical summary shall be submitted to the LPA without delay upon completion.
ii) if identified as being required following the completion of the desk-top study, a site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle, in order that any potential risks are adequately assessed taking into account the sites existing status and proposed new use. Two full copies of the site investigation and findings shall be forwarded to the LPA without delay upon completion.
iii) thereafter, a written method statement detailing the remediation requirements for land contamination and/or pollution of controlled waters affecting the site shall be submitted to and approved in writing by the LPA, and all requirements shall be implemented and completed to the satisfaction of the LPA. No deviation shall be made from this scheme. If during redevelopment contamination not previously considered is identified, then the LPA shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing by the LPA.
iv) two full copies of a full closure report shall be submitted to and approved in writing by the LPA. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post-remediation sampling and monitoring results shall be included in the closure report to demonstrate that the required remediation has been fully met.

Note
The applicant is advised that the phased risk assessment required by the Contaminated Land Scheme Condition should be carried out in accordance with the procedural guidance of the

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Environmental Protection Act 1990 Part 11A.

The applicant's attention is also drawn to the document entitled "Developing Land Within Lincolnshire - A guide to submitting planning applications to develop land that may be contaminated", which can be obtained through the Local Environmental Health Department.

Reason: To assess whether the site is polluted and to address any pollution to ensure a *satisfactory development.*
This Condition is imposed in accordance with Policy SG13 of the South Holland Local Plan 2006.

5 Notwithstanding the submitted details, before the commencement of the development hereby granted, full details of the means of surface 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.

Reason: To ensure that the site is adequately drained, to avoid pollution, and to prevent increased risk of flooding.
This Condition is imposed in accordance with Policies SG11 and SG13 of the South Holland Local Plan 2006, and national guidance contained in Section 10 of the National Planning Policy Framework, 2012.

6 Before any dwelling is commenced, all of that part of the estate road and associated footways that forms the junction with the main road and which will be constructed within the limits of the existing highway, shall be laid out and constructed to finished surface levels in accordance with details to be submitted and approved by the Local Planning Authority.

Reason: In the interests of safety of the users of the public highway and the safety of the users of the site.
This Condition is imposed in accordance with Policy SG14 and SG15 of the South Holland Local Plan 2006.

7 Before the commencement of development hereby permitted, 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 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 Policy SG14 of the South Holland Local Plan 2006.

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8 Before the commencement of development hereby permitted, a detailed scheme of construction management to minimise disturbance during the construction process through noise, dust, vibration and smoke shall be submitted to and approved in writing by the Local Planning Authority and the construction process shall be carried out in accordance with the scheme so approved.

Reason: In the interests of the amenity of local residents.
This Condition is imposed in accordance with Policy SG17 of the South Holland Local Plan 2006.

9 A minimum of 10% of the predicted energy needs of the development hereby permitted shall be met through renewable energy production equipment in accordance with details that shall be submitted to and approved in writing by the Local Planning Authority. The details and equipment so approved shall be provided and made operational prior to the first use of the development hereby permitted and thereafter 10% of the energy needs of the development shall be met through renewable energy production equipment.

Reason: In the interests of sustainable development and the protection of the environment.
This Condition is imposed in accordance with Policy SG7 of the South Holland Local Plan 2006.

10 The development hereby permitted shall be carried out in accordance with the proposed mitigation measures outlined in the submitted Environmental Noise and Vibration Assessment (prepared by Acoustic Associates Peterborough, dated December 2014, in particular Section 7.2 and the accompanying appendices. With specific reference to the proposed acoustic fence, this shall be completed before the occupation of the first dwelling on site and thereafter so maintained.

Reason: In the interests of the amenity of future occupants.
This Condition is imposed in accordance with Policy SG17 of the South Holland Local Plan 2006.

11 Before each dwelling is occupied the roads and/or footways providing access to that dwelling, for the whole of its frontage, from an existing public highway, shall be constructed to a specification to enable them to be adopted as Highways Maintainable at the Public Expense, less the carriageway and footway surface courses.

To ensure safe access to the site and each dwelling/building in the interests of residential amenity, convenience and safety.
This Condition is imposed in accordance with Policy SG14 and SG15 of the South Holland Local Plan 2006.

12 No dwellings shall be commenced before the first 50 metres of the estate road from its junction with the public highway, including visibility splays, as shown on drawing number 2775-15-06B has been completed.

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Reason: In the interests of safety of the users of the public highway and the safety of the users of the site and to enable calling vehicles to wait clear of the carriageway of Green Lane.
This Condition is imposed in accordance with Policy SG14 and SG15 of the South Holland Local Plan 2006.

13 The scheme of landscaping and tree planting shown on dwg. no. 2775-15-06B shall be carried out in its entirety within a period of twelve months beginning with the date on which development is commenced. 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.

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 Condition is imposed in accordance with Policy SG18 of the South Holland Local Plan 2006.

14 Before the first occupation of the development hereby permitted the applicant shall submit to and have approved in writing by the Local Planning Authority details of the design and location of secure cycle storage for each dwelling on the site. No dwelling shall be occupied until the approved secure cycle storage has been provided and shall thereafter be retained.

Reason: To ensure that adequate secure facilities are provided for cyclists using the site, in order to encourage cycling as an alternative means of transport to the private car.
This Condition is imposed in accordance with Policy SG15 of The South Holland Local Plan 2006.

The Local Planning Authority has acted positively and proactively in determining this application by assessing the application against all material considerations, including national guidance, planning policies and representations that have been received during the public consultation exercise and subsequently determining to grant planning permission within the statutory timeframe in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Copies of all documentation submitted in connection with this application can be viewed online at www.sholland.gov.uk/doitonline/plandev/plansearch.aspx

Note(s):

The applicants attention is drawn to the comments received by Network Rail on 8th June 2015 regarding the responsibilities of the developer in respect of neighbouring railway land.

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Paul Jackson
Place Manager

7th August 2015 **H16-0421-15**

This decision refers only to that required for the purposes of the Town and Country Planning Acts and not for Building Regulations or any other legislation.