DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H23-0536-26**	**Applicant:**	**Mr Welch**
Proposal:	Details of construction management plan & method statement, estate road phasing & completion plan & precautions to be taken to prevent the deposit of mud on public highways by vehicles travelling from the site during construction of the development (Conditions 5, 6 & 8 of H23-0827-22)		
Location:	Stockwell Gate Whaplode Spalding		
Terminal Date:	3rd August 2026		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

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

National Guidance

National Planning Policy Framework December 2024

Section 4 - Decision-making
Section 5 - Delivering a sufficient supply of homes
Section 9 - Promoting sustainable transport
Section 12 - Achieving well-designed and beautiful places

Representations:

	Object	Support	No Obj.	Comments
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This application relates to the submission of details reserved by condition, following the grant of planning approval under reference H23-0827-22.

Application reference H23-0827-22 granted outline planning permission (with ALL matters reserved) for residential development of up to 42 dwellings, on land to the east of Stockwell Gate, Whaplode.

This application seeks approval for details relating to conditions 5, 6 and 8 of planning approval H23-0827-22.

These conditions relate to Details of construction management plan & method statement, estate road phasing & completion plan, and precautions to be taken to prevent the deposit of mud on public highways by vehicles travelling from the site during construction of the development.

Site Description

The application site lies to the eastern side of Stockwell Gate, within the village of Whaplode. The site, in its current form, predominantly comprises agricultural land.

To the south of the site lies agricultural buildings, glasshousing and associated structures. This land forms part of the outline approval. Two bungalows lie beyond this, further south.

There is residential development to the west, north and south/south-east. The site adjoins another agricultural field to the north-east, just beyond Whaplode River.

It should be noted that the application site, pertinent to the grant of Outline Planning Permission, has been subject to two Reserved matters applications. These are H23-0534-23 and H23-0171-26.

Consultation Responses - Initial Responses

Lincolnshire County Council Highways/SuDS

"LCC is not currently in a position to support the application and requests further assessment, supporting evidence, revisions and/or dialogue, as set out in the response.

Additional information required.

The submitted Construction Management Plan (CMP) and supporting information have been reviewed in relation to Conditions 5, 6 and 8.

It is noted that the document sets out the general approach to construction, traffic routing, and environmental management. However, the level of detail provided remains limited in several key areas, with a number of elements identified as "to be confirmed".

Furthermore, the approved site layout indicates roads intended for adoption, but no Section 38 submission has been technically approved by the Highway Authority. As such, the final highway layout, geometry, and construction specification remain unconfirmed at this stage.

The CMP lacks sufficient detail in several areas, including:
· Final site access arrangement and construction alignment
· Confirmed compound, storage, and wheel washing locations
· Construction programme and phasing detail
· Internal haul routes in relation to the final road layout

Given that these elements are dependent on the yet-to-be-approved highway design, Condition 5 should not be fully discharged at this stage, but is acceptable in principle.

The submitted information provides only a very high-level indication of phasing, with significant elements (including Phase 2 and overall programme) remaining undefined. In the absence of a technically approved Section 38 layout, and detailed and coordinated construction/phasing drawings, the Highway Authority cannot be satisfied that the proposed estate road phasing aligns

with adoptable standards, or Is deliverable as part of a coherent construction sequence.

Accordingly, Condition 6 should not be discharged at this time.

The submitted measures (wheel washing, sheeting of loads, road sweeping, daily inspections) are acceptable in principle and generally accord with good practice. However, the effectiveness of these measures is reliant upon the confirmed access arrangement, and the layout of the site compound and internal haul routes which remain unresolved pending highway technical approval.

Therefore, Condition 8 should not be fully discharged at this stage, notwithstanding that the approach is acceptable in principle.

It would be premature to fully discharge these conditions at this stage. Further consideration can be given once the highway layout and supporting technical details have been agreed with the Highway Authority and the outstanding information within the CMP has been resolved".

SHDC Environmental Protection Officer

"Construction management plan accepted. In addition we would advise being mindful of the IAQM guidance on the assessment of dust from demolition and construction jan 2024.

Please notify publicprotection@sholland.gov.uk if prolonged periods of piling are likely to be required".

South Holland Internal Drainage Board

"As Land Drainage Consent is required, the Board strongly recommends that this is sought from the Board prior to determination of this planning application".

The comments also raised concern regarding the proposed 'anticipated commencement date of 3rd August 2026', given the lack of application and subsequent consent from the IDB, which have an internal timeframe of eight-weeks.

Consultation Responses - Following Revised Detail

Following the submission of an amended/revised 'CONSTRUCTION MANAGEMENT PLAN & GENERAL INFORMATION' statement, a period of re-consultation was carried out.

The following comments were received.

Lincolnshire County Council Highways/SuDS

LCC is not currently in a position to support the application and requests further assessment, supporting evidence, revisions and/or dialogue, as set out in the response.

ADDITIONAL INFORMATION REQUIRED.

The revised Construction Management Plan (CMP) has been reviewed in relation to Conditions 5, 6 and 8.

The submission provides additional information regarding construction phasing, vehicle routing, environmental controls, wheel washing facilities and site management arrangements. The measures proposed to control mud, debris and dust on the public highway are considered acceptable and therefore the LHA has no objection to Condition 8 being discharged.

In the absence of a Section 38 submission, the LHA is unable to determine whether the proposed construction arrangements and phasing would accord with the final adoptable highway layout and specification. Consequently, the LHA is unable to provide further comments in respect of Conditions 5 and 6. This should be taken into account by the Local Planning Authority when determining whether these conditions can be discharged.

History

H23-0827-22. OUTLINE. Stockwell Gate, Whaplode. Residential Development . APPROVED, with

S106 - 25.05.2023.

H23-0534-23. RESERVED MATTERS. Land North of First Bungalow, Stockwell Gate, Whaplode. Erection of 37 dwellings including road layout, scale, appearance and landscaping - outline approval H23-0827-22. APROVED - 25.09.2024.

H23-0171-26. RESERVED MATTERS. Residential Development of Four Bungalows - outline approval H23-0827-22. PENDING CONSIDERATION.

Understanding of Recent Site History

The application site, as detailed above, has been subject to recent applications, of which two have been subsequently approved, and one remains outstanding, pending consideration.

The initial application on site relates to an Outline Planning Application (with ALL matters reserved), which granted permission for up to 42 dwellings. This application comprised the wider site in its entirety, and comprised an allocated site within the South East Lincolnshire Local Plan.

A reserved matters submission followed, under reference H23-0534-23.This sought to submit the matters previously reserved under outline approval H23-0827-22. However, this submission comprised only part of application site pertinent to the wider outline approval and sought the erection of 37 dwellings, with the southernmost part of the outline site being subject to a later submission.

Drawing no. 4162/100 Rev: P5 of this reserved matters approval (H23-0534-23), which comprises the site layout plan as contained within the list of approved plans (Condition 1 of H23-0534-23), clearly indicates the southernmost aspect of the wider outline site, as Phase 2 of the development.

A further reserved matters application has since been submitted, under reference H23-0171-26. Whilst submitted, this is pending consideration and ahs not yet been subject to the grant of planning permission.

Notwithstanding this, the southernmost aspect of the outline scheme, which has a clear intention of being brought forward, is subject to the conditions of the outline permission.

As such, in order for the detail provided under this discharge of conditions submission to be acceptable, and in order to contain adequate detail for their discharge, any such details must include that relevant to this southernmost part of the outline approval.

Whilst considered in respect of each condition below, it is evident that the details provided do not take account, nor seek to provide details in relation to, this southernmost aspect of the site. As such, the details provided for consideration relate solely to the larger, northern aspect of the outline site. As such, details have not been provided to satisfy all of the conditions subject to this submission, when considering the outline site/permission as a whole.

Planning Considerations

This application is to discharge conditions 5, 6 and 8 of outline planning permission H23-0827-22.

These conditions relate to:
Condition 5 - Details of construction management plan & method statement;
Condition 6 - Estate road phasing & completion plan; and
Condition 8 - Precautions to be taken to prevent the deposit of mud on public highways by vehicles travelling from the site during construction of the development.

It should be noted that each of these conditions (conditions 5, 6 and 8) are pre-commencement conditions.

Condition Details and Assessment

This submission has been accompanied by the relevant application form and a single supporting statement, titled 'CONSTRUCTION MANAGEMENT PLAN & GENERAL INFORMATION'.

Following initial consultation, Lincolnshire County Council, as Local Highway Authority, raised

objections and concerns regarding the detail submitted. Amongst other matters, this response sought 'additional information' to be submitted.

As such, a revised 'CONSTRUCTION MANAGEMENT PLAN & GENERAL INFORMATION' statement was provided (submitted via email on 13th July 2026).

The following assessment is in reference to the most recent, revised statement.

Condition 5 - Details of Construction Management Plan & Method Statement

Condition 5 of planning approval reference H23-0827-22 states the following:

"No development shall take place until a Construction Management Plan and Method Statement is submitted to, and approved in writing by, the Local Planning Authority.

The Construction Management Plan and Method Statement shall indicate measures to protect residential amenity, mitigate against 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 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 (temporary or permanent) connect to an outfall (temporary or permanent) during construction;
- measures to minimise the impact of noise, dust, vibration and smoke during the construction period.

The development shall take place in accordance with the approved Construction Management Plan and Method Statement.

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 and 4 of the South East Lincolnshire Local Plan, 2019."

The details submitted in respect of Condition 5 have been set out within the revised 'CONSTRUCTION MANAGEMENT PLAN & GENERAL INFORMATION' statement. This sets out that: "The Construction Management Plan forms part of the reserved matters application". However, this submission relates to the submission of details attached to the grant of outline planning permission. Notwithstanding this, the detail can be assessed accordingly.

The details provided in regard to Condition 5 are not considered to be acceptable, as to allow for the discharge of this condition. The submission contains various inconsistencies, and most notably, fails to adequately consider the requirements for the southernmost aspect of the development.

The detail in regard to condition 5 fail to consider, or provide any details, relating to the southernmost development. This southernmost aspect of the wider outline site (that relevant to these conditions) is indicatively illustrated within the outline permission, and was also subject to an indicative illustration within the subsequent reserved matters approval for the northern aspect of the site, and is also the subject of an ongoing reserved matters application, which remains pending consideration.

The southernmost development is relevant in this case, being subject to the outline planning permission to which these conditions pertain. The details provided do not seek a partial discharge, and in any case, the outline approval was not subject to phasing conditions and as such, the Local Planning Authority do not have the ability, in this instance, to consider a partial discharge.

As such, the details provided are insufficient.

Examples of inconsistencies, and lack of information regarding the southernmost aspect of the site, can be provided as follows:

The statement details the description of development as relating to "Residential development for up to 42 dwellings, including associated infrastructure", but proceeds to express the 'sequence of works' as follows:

"Commencement Date: 24 August 2026
Duration of the Works: 3 year programme
Phasing of the Works:
Phase 1 - Plots 1-3 & possible Plot 9.
Phase 2 - Plots 13-18
Phase 3 - Plots 10-12 & Plots 19-21
Phase 4 - Plots 4-8 & Plots 22-24
Phase 5 - Plots 25-37".

This fails to provide any detail regarding the plots sought within the southernmost aspect of the site, and therefore fails to provide adequate information for all 'the phasing of the development to include access construction'.

Furthermore, whilst revisions have been provided, the submission still contains areas of information that are said 'to be confirmed, later. For instance, the statement details that "Welfare and car parking to be located on site, locations are to be confirmed". Likewise, with regard to material storage, the statement details that "Material storage to be located onsite, area is to be confirmed". As such, insufficient detail has been provided in this regard.

The accompanying plan, titled 'Proposed Site Set Up' as shown within appendices of the supporting statement, illustrate areas for matters such as parking and material storage. This itself is unclear, given the aforementioned comments raised that state these are 'to be confirmed". Irrespective of this, the plan fails to provide any detail regarding the southernmost aspect of the site. This plan fails to illustrate the southernmost aspect of the site in its entirety, and in any case, when viewing the detail which is shown on the submitted plan, comprises an inconsistent layout when viewed in relation to the ongoing reserved matters application that remains under consideration.

In addition to other matters which also comprise insufficient information in this regard, the lack of detail means that construction access, particularly given that access to these plots will be achieved via a separate site entrance, has not been detailed for these southernmost plots.

It is also worth noting that LCC highways, as Local Highway Authority maintain that additional information is required in order to satisfy Condition 5.

Furthermore, it is also worth noting that Condition 5 requires that any details include: *"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 (temporary or permanent) connect to an outfall (temporary or permanent) during construction;*
- measures to minimise the impact of noise, dust, vibration and smoke during the construction period.

The supporting statement details that "Silt barriers to be installed as required. Drainage to be installed as early works during the project. Drainage to be as per drawing SW 22-150-002 and SW 22-150-00". It goe son to detail that "Consultation with South Holland Internal Drainage Board to be carried out prior to any detailed design".

It should be noted that the application has not been accompanied by drawings SW 22-150-002 or SW 22-150-00, as referred to within the supporting statement. As such, the LPA do not have detail of these arrangements.

Furthermore, whilst appreciated that such matters would fall outside of the planning regime, forming an independent consent regime, it is worth noting that the IDB have detailed that "At the time of writing these comments, the Board have not received any applications for consent in relation to this site. The Board have an eight-week internal timeframe for the review and processing of consent

applications. It is therefore unlikely that any forthcoming consents would be granted by the anticipated commencement date".

Overall, it is considered that the submission fails to provide any detail required by Condition 5, in relation to the southernmost aspect of the development. In any case, the details provided for the northern aspect of the site, that subject to Reserved Matters approval H23-0534-23, still fail to provide adequate information, as required by Condition 5 of planning approval H23-0827-22, and in such cases detail has been provided, various matters contain inconsistencies.

As such, the details provided for Condition 5 are insufficient and unacceptable. Therefore, Condition 5 should not be discharged.

Condition 6 - Estate Road Phasing & Completion Plan

"Condition 6 of planning approval reference H23-0827-22 states the following:

No development shall take place until an Estate Road Phasing and Completion Plan is submitted to, and 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.

The development shall take place in accordance with the approved Estate Road Phasing and Completion Plan.

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 details provided with regard to Condition 6 are inadequate and are unacceptable.

As addressed under the assessment of Condition 5, the statement details the description of development as relating to "Residential development for up to 42 dwellings, including associated infrastructure", but proceeds to express the 'sequence of works' as follows:

"Commencement Date: 24 August 2026
Duration of the Works: 3 year programme
Phasing of the Works:
Phase 1 - Plots 1-3 & possible Plot 9.
Phase 2 - Plots 13-18
Phase 3 - Plots 10-12 & Plots 19-21
Phase 4 - Plots 4-8 & Plots 22-24
Phase 5 - Plots 25-37".

Condition 5 requires details of the standards to which the estate roads **on each phase** will be completed during the construction period of the development. This detail has not been provided, and with regard to the phasing outlined, this fails to provide any detail regarding the plots sought within the southernmost aspect of the site, and therefore fails to provide adequate information for all 'the phasing of the development to include access construction'.

As such, the details provided for Condition 6 are insufficient and unacceptable. Therefore, Condition 6 should not be discharged.

Condition 8 - Precautions - Deposit of Mud on Public Highways

Condition 8 of planning approval reference H23-0827-22 states the following:

"No development shall take place until details of the precautions to be taken to prevent the deposit of mud on public highways by vehicles travelling from the site during construction of the development have been submitted to and approved in writing by the Local Planning Authority. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority. These precautions shall be made available before commencement of the construction of the development and be kept available and in full working order until such time as the Local Planning Authority agrees in writing to their withdrawal or the completion of the

development.

The permitted development shall be undertaken in accordance with the approved prevention details.

Reason: In the interests of highway safety during the construction process. 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 Policy 3 of the South East Lincolnshire Local Plan, 2019."

The Local Highway Authority, within their most recent consultation response have detailed that the "measures proposed to control mud, debris and dust on the public highway are considered acceptable" and therefore recommend that they have "no objection to Condition 8 being discharged".

Notwithstanding this, the details provided within the supporting statement, with regard to the precautions for the deposit of Mud on Public Highways, simply details that:
- "In order that the egress of mud from the site on to the highway is controlled measures will be put in place."
- "Roads will hae construction mud kept to a minimum with road sweepers attending site if required".
- "Site vehicles will have wheels washed down when required prior to leaving site to reduce unwanted debris being spread to the highway. Wheel washing is to be located close to the vehicular site entrance. There will be mobile wheel washing equipment on site throughout the construction period and every vehicle requiring wheels cleaning
prior to leaving site will be cleaned".

The accompanying plan, titled 'Proposed Site Set Up' as shown within appendices of the supporting statement, indicates that the 'wheel wash' would be located towards the rear of plot 23, towards to site entrance for Plots 1-37.

Given the phasing details within this submission indicates that plots 1-37 would be constructed within the first five phases, the highway and entrance to which the wheel washing facility would be located, would not be accessible during the construction of the southernmost plots, without the need to exist the site, and re-enter the site via that access point. Beyond this, as addressed above, this plan does not illustrate the access arrangements for these southernmost plots, given they are accessed via a separate access point.

As such, the details provided for Condition 8 are insufficient and unacceptable. They fail to provide adequate detail, particularly with regard to the southernmost plots. Therefore, Condition 8 should not be discharged.

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

In conclusion, for the reasons outlined above, it is considered that the details submitted in relation to Conditions 5, 6 and 8 comprise a lack adequate information and as such, are considered to constitute unacceptable detail in order to discharge the conditions.

As such, it is the recommendation that the details provided in respect of Conditions 5, 6 and 8 are unacceptable, and as such, are not discharged.