

## SOUTH HOLLAND DISTRICT COUNCIL

**Report of:** Development Manager

**To:** Planning Committee - 13 November 2019

**(Author:** Richard Fidler - Development Manager)

**Purpose:** To consider Planning Application H02-0189-19

**Application Number:** H02-0189-19                      **Date Received:** 20 February 2019

**Application Type:** FULL

**Description:** Erection of 108 dwellings with associated garaging, roads and sewers

**Location:** Crease Drove Crowland

**Applicant:** Ashwood Homes                      **Agent:** NKW Design Ltd

**Ward:** Crowland and Deeping                      **Ward Councillors:** Cllr B Alcock  
Cllr J R Astill  
Cllr N Pepper

You can view this application on the Council's web site at

<http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H02-0189-19>

### **1.0 REASON FOR COMMITTEE CONSIDERATION**

1.1 This application was deferred at the Planning Committee on 26 June 2019.

### **2.0 PROPOSAL**

2.1 This application was deferred at the Planning Committee on 26 June 2019 for officers to negotiate with the developer amendments in line with the recommendations of the Committee, namely - concerns regarding the distribution of affordable homes; car parking, and its poor relationship to associated housing; the distance of the easement between the proposed development and the nearby commercial development, and how 'agent of change' had affected this; drainage issues on the site and solutions being sought; maintenance of dykes (should they need to be kept), and maintenance of the easement; maintenance of the acoustic fence, and location of the open space.

2.2 A copy of the previous report is appended.

2.3 Following discussions with officers, the applicant made the decision to only make amendments to the parking arrangements. The parking to Plots 20 to 23 has been increased, Plots 66 to 69 re-planned and parking moved for Plots 105 to 108.

2.4 Subsequently an updated noise assessment was submitted.

2.5 The applicant has also responded to the reasons for deferment.

2.6 The Council has obtained counsel's advice with regard to the interaction of residential development with the existing business use, Crowland Cranes.

### 3.0 SITE DESCRIPTION

3.1 As previous report.

### 4.0 RELEVANT PLANNING POLICIES

4.1 As previous report.

### 5.0 RELEVANT PLANNING HISTORY

5.1 As previous report plus Crowland Cranes have submitted H02-0889-19 Change of use of land to crane storage and demonstration area (B2 Use) - approved under H02-0421-17. Modification of Condition 5 to allow external storage/stacking height to change from 2 metres to 5 metres. This is currently under consideration..

### 6.0 REPRESENTATIONS

6.1 As previous report, plus consultation took place on the amended plans and these responses are set out as follows:

#### 6.2 SHDC Environmental Protection

The methodology used in the acoustic assessment carried out by Acoustic Associates seems appropriate. The assessment makes reference to World Health Organisation guidelines for internal and external noise levels.

Acoustic Associates have indicated that the assessment takes into account noise from the storage and demonstration area at Crowland Cranes site.

The assessment proposes noise mitigation measures for a number of properties along with an acoustic fence. Should permission be granted ask that these measures be conditioned.

#### 6.3 Sir John Hayes MP

Remains concerned about the proximity of the development to the industrial area in Crowland. It is concerning that many gardens will back onto the testing ground of Crowland Cranes - would have thought this would be a health and safety issue. Furthermore Crowland Cranes is a long established local business and significant employer therefore seeks assurance that Crowland Cranes will not be requested to make any changes to its current working practices if any concerns are raised by residents from the new development.

Been advised that the developer was asked to evenly distribute the affordable housing throughout the development, but understand the allocated rented properties have all been positioned together.

The quality of new housing in Crowland is just not good enough.

Reiterates his objection to this proposal and requests it be determined by the Planning Committee.

#### 6.4 Public

Responses received from 11 local residents. The points raised are summarised as follows:

-revised noise assessment has been carried out in the field on the opposite side of the road and not on the proposed site. A further environmental noise assessment must surely be carried in the correct area and with the road in use with the 'usual' amount of traffic passing in order to gain the exact and correct values to make a true and justifiable decision regarding this matter.  
-can sometimes hear what sounds like shot blasting being carried out from the Crowland Cranes site as well as the alarm system, so for the new residents this will be awful and

detrimental to their quality of life and is a health and safety issue. They won't be able to spend time in their gardens, surrounding recreational areas or in some cases open windows without noise abuse.

- concern about what is going to happen to an established healthy native tree on the site;
- applicant not taken seriously issues raised by the Planning Committee, only amending most insignificant request relating to parking;
- no reference to other concerns ie distribution of affordable housing, distance of easement between the proposed development and nearby commercial development, drainage issues on the site and solutions being sought, maintenance of the dykes and easement, maintenance of the acoustic fence and location of the open space;
- no mention of easement behind Monks Meadow being gated;
- additional concern that development could lead to an increase in ground water level which could give rise to rising damp in Monks Meadow properties;
- all previous objections still stand;
- as developer has refused to address the issues requested by the Planning Committee believe officer recommendation should be for refusal.

Crowland Cranes have provided the Construction Plant Hire Association (CPA) "Requirements for Mobile Cranes Alongside Railways Controlled by Network Rail" together with advice from the CPA, which is that testing of cranes should not take place over high risk areas and consider that housing would constitute a high risk area and that the CPA Good Practice Guide could equally be applied to a crane undergoing overload testing.

In particular the 'collapse radius' according to Crowland Cranes clearly demonstrates how the calculation is made and also backs up previous statement/advice on the 30m zone requested.

Further comment received as follows:

"As highlighted in the previous deferred application, it is our experience and industry leading opinion, that the proposed residential development is too close in proximity to the existing Crane, test & storage yard, creating a high risk to public / residential safety. Our continued concerns are that housing should not be built within 30 metres of the boundary, to the existing crane storage facility, this recommendation was accepted and completed previously by the developers on application H02-673-18, on our similar concerns voiced in relation to public safety. The works undertaken on the designated site at Crowland Cranes are classed as 'High Risk' with safety precautions required to be taken similar to those of live railways, this is clearly illustrated and confirmed by the 'crane collapse' document issued to the planning department, by our industry body CPA 'Good Practice Guide' This document & subsequent email correspondence confirms documented safety precautions, other than our own concerns & opinions, that a safe zone to a test area should be applied / adhered. In addition to the safety concerns noted above, we also would like planners to ensure our supplied noise survey (report No. JG/J3225/16483-1) is recognised and our true records of industrial noise contamination recorded / recognised by this planning committee. The noise report issued to planners by the applicant (report no. SEM/J3311/17369-1) clearly shows the radiated noise emitting from our original test yard, not the latest addition storage / demonstration area, which is 40 metres closer to the proposed yard, not the latest addition storage / demonstration area, which is 40 metres closer to the proposed development. For clarity of this situation, a correct noise survey should be completed, taking in to consideration the noise impact our existing business will have on close proximity residential properties."

### Applicant

#### 1. Distribution of affordable housing.

We have already split the affordable housing at the request of the planning officer, from 1 area (on the Southern boundary of the site) containing all 27 houses all located near Crowland Cranes. To 12 properties on the southern part of the site and 15 properties to the northern area of the site. Both of these area have a mix of Social Rented and Shared Ownership properties.

This committee has recently passed another development with affordable housing only in two clusters, one of cluster of 19 properties and the other 2 properties.

Housing Associations prefer to take blocks of units as it assists them with maintenance of the properties and also leads to less complaints of antisocial behaviour being made from the Open Market Housing.

There is no policy stating a need to distribute affordable housing around a site, or setting acceptable cluster sizes. The proposals do not create any conflict with the Local Plan in this regard, and this would not form the basis of a valid reason for refusal.

## 2. Poor relationship of parking spaces to its associated dwelling.

We have reviewed the layout and addressed most of the issues raised. Plot 1 we have already provided a statement as to the garage position, and this has remained as the original layout with the garage at the rear with personnel door into the garden. The garage and parking is within the curtilage of the plot so does actually exceed the requirements of Appendix 6 of the local plan which looks for 2 spaces including the garage and we are providing three.

Plot 55 has a similar arrangement the garage and parking space is within the curtilage of the plot. It also has a personnel door from the garage to the garden.

We have now provided 2 parking spaces to the 1 bed affordable homes.

## 3. Easement between the proposed houses and the nearby commercial development.

There is no requirement under the outline consent (H02/0158/17) to provide any easement between the houses and the nearby commercial site. That consent was granted in March 2019, some 15 months after the Council approved the application by Crowland Cranes (H02/0421/17) to allow them to store cranes on land to the south of the site. The Council have clearly already concluded that the application site is suitable for housing, and there has been no material change of circumstances since that decision was made.

However, if the Council consider that there is a risk of cranes falling, then we assume they will take immediate action, as this would be a clear threat to public safety, given the Crowland Cranes site's proximity to the highway. Clearly the council will wish to take measures, outside the planning process, to ensure that public safety is maintained.

We have provided a 3m easement which is to serve two purposes. The first is to aid the maintenance of the riparian drain that should be between this site and the commercial site. The second is to provide a route for walking / exercise around the development.

The suggestion that we should provide a 30m buffer strip in case a crane should fall over would remove around 26 plots from the scheme and would make the scheme unviable.

## 4. Understanding amenity issues and clarification on how the agent of change has played into this and been considered.

The design of the properties and garden areas which are affected by noise created by the adjoining commercial premises has taken into account the noise generated by this neighbouring site. The specific plots that are effected by elevated noise levels are detailed in the sound report SEM/J3311/17369-1 dated September 2019.

This report gives details of the mitigation measures required to each property to mitigate the noise to an acceptable level. This is a matter which can be controlled by a suitably worded planning condition. Once mitigation measures have been put in place, the proposed development would not restrict the operations of any existing nearby businesses.

## 5. Understanding Drainage issues and solutions to these.

Detailed design will deal with any storm or foul water drainage issues.

The design currently looks to attenuate the storm water on site which will be then discharged at an agreed rate into the IDB's drain. There will be a formal agreement with the IDB to discharge into their system and the appropriate Surface Water Development Contribution will be paid to the IDB. This is normally dealt with by condition. The draft consent issued to us has this as condition 8. There is no clear reason for any further information to be required at this stage, and we trust that Officers will explain this to the members of the Planning Committee.

The foul water will discharge into the Anglian Water Services system the point of connection being agreed with Anglian Water Services. The route to the connection point will be via the adopted highways route. This will be undertaken as part of a section 104 agreement with Anglian Water Services.

Anglian Water do not have any assets currently on this site and the existing pump station in Monks

Meadow is over 15m away from the boundary of the site. So, no properties are affected by Anglian Water's existing infrastructure.

Anglian Water Services have confirmed that the Crowland Water Recycling Centre has available capacity for the flows from this development.

This is normally dealt with by condition. The draft consent issued to us has this as condition 9. Again, we can see no justification for any further information being required at this stage, and we trust Officers will explain this to the Committee members.

6. More information on maintenance of easements and acoustic fence.

With regards maintenance of easements, these along with all other open space on this development will be managed and maintained by the management company set up for this development. This is normally dealt with by condition. The draft consent issued to us has this as condition 13.

The maintenance of the acoustic fencing will be the responsibility of the property owner to which the fence encloses the garden.

7. Why is open space located in two sections.

The open space is located in two sections to break the frontage of the development up and to look to give a more pleasant open aspect into the development. This will ensure that the development will have an attractive appearance from the street. The open space, which includes areas at the street frontage, the centre of the site, and around the site's edges, would be easily accessible to all properties. The layout of open space complies with Local Plan Policy 3, which requires it to be accessible to all.

We note that wider requirements for play facilities have been met from previous developments in Crowland, to which Ashwood homes have already contributed around £260,000, and there is no suggestion that any further such facilities are now required.

8. Check Environmental Health have been consulted on the updated noise assessment by Crowland Cranes and taken into account in response?

We have not been party to any updated noise assessment by Crowland Cranes or been provided any copy of such an assessment by Crowland Cranes or the planning department.

We have contacted Steve Branson (Environmental Health) as to any further information he requires from us. He required confirmation that the Crowland Cranes site adjacent to the development was occupied when the sound monitoring was undertaken. The consultants who provided the final report and recommendations for the individual properties have corresponded with Steve to confirm that the site was occupied and the mitigation measures recommended accounted for the noise being generated by the site.

## 7.0 CONSIDERATIONS

### 7.1 Planning Considerations

7.2 As previous report, plus the key issue is whether the amendments, additional information and response from the applicant are considered to adequately address the Committee's reasons for deferring the application.

### 7.3 Distribution of affordable housing

7.4 As stated this remains unchanged. This was previously amended at the request of Planning Officers and as pointed out by the applicant on a recent application in Holbeach for 82 dwellings, the affordable housing was accepted in two clusters of 19 and 2 dwellings. The amount and tenure mix proposed is policy compliant.

### 7.5 Relationship of parking spaces to its associated dwelling

- 7.6 This has been addressed in the amended layout plan submitted. Officers are of the view this issue has been satisfactorily resolved.
- 7.7 Easements
- 7.8 The applicant has confirmed these would be maintained by the management company. There was previously a suggestion that these could be gated however the applicant has confirmed this would not be the case and the area around the site would be open as a walkway/amenity space as it is on several of the applicant's other developments.
- 7.9 Noise, relationship with adjacent commercial development and Health and Safety
- 7.10 The updated noise assessment has been reviewed by Environmental Health, who are satisfied that this takes into account the expansion of Crowland Cranes and the mitigation measures recommended are acceptable.
- 7.11 With regard to health and safety this is a consideration but not a planning consideration as it is dealt with under other legislation. The legal advice relating to this matter is that essentially the health and safety of the cranes falls to the operator and on this basis officers are of the view that health and safety is not considered to be a material planning consideration in the determination of this application.
- 7.12 The relationship with the commercial operation is a key consideration. It is correct that the outline planning permission for residential development on this site was issued after planning permission had been granted for the expansion of Crowland Cranes. That permission included a requirement for a further noise assessment to inform the layout and design of any reserved matters application. No conditions were imposed requiring a specific distance from Crowland Cranes. Of the applicant's other two sites which were granted planning permission for residential development on Crease Drove, the open space was positioned on the road frontage to serve a number of purposes: to continue the set back on the Harvester Way development granted on appeal, in the interests of the street scene, plus to provide an improved outlook for dwellings set back from the road and Crowland Cranes and for noise protection. It was not specified due to a fear of cranes failing and falling.
- 7.13 The owner of Crowland Cranes is understandably concerned at the potential impact of adjacent residential development on the operation of the business. The information he has provided on industry guidelines does relate to railways rather than residential dwellings and the legal advice we have received is that the safety and operation of the cranes is Crowland Cranes' responsibility. In terms of the separation distance there is a bund, and hedge approved as part of the boundary treatment for the expansion of Crowland Cranes plus the easement for the ditch then acoustic fences plus rear gardens before the rear of houses. The submitted acoustic assessment the findings of which are not disputed by Environmental Health are mitigation measures can be provided to limit the impact to an extent which would allow a conditional planning permission to be granted. This is how the applicant as the agent of change introducing the new land use is seeking to manage the impact of that change upon the existing commercial operation on the adjacent land. This would appear to comply with the NPPF paragraph 182 which states "Where the operation of an existing business...could have a significant adverse effect on new development in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed."
- 7.14 Drainage
- 7.15 These matters may be dealt with by conditions.
- 7.16 Maintenance
- 7.17 The applicant has confirmed a management company would be responsible for all areas apart from the acoustic fence, which is a 1.8m close-boarded fence which would be the responsibility of the individual property occupier.

## 7.18 Location of open space

7.19 The applicant has provided a response in terms of how it relates to the layout. It had been suggested that the amenity space could be relocated alongside the boundary with Crowland Cranes to increase the separation distance. However the applicant has declined to do this citing viability in reducing dwelling numbers and it is not required as mitigation measures can be put in place to address noise issues. It is officers' view that the amount of open space proposed is policy compliant and forms an integral part of the layout put forward.

## 7.20 Conclusion

7.21 There have been limited changes to the application since it was deferred by the Planning Committee in June. An updated noise assessment report has been submitted which takes into account the extension to Crowland Cranes and Environmental Health accept its findings and the mitigation measures proposed. The issues relating to the relationship with Crowland Cranes and health and safety matters have been explored with the Council receiving legal advice on these matters. The view of officers' remains that there are not sufficient reasons to merit refusing this application and the recommendation therefore remains to grant planning permission.

## 7.22 **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.

## 8.0 **RECOMMENDATIONS**

- 8.1 **Authorised to grant permission subject to the applicant entering into a Section 106 agreement for the provision of 27 affordable housing units and financial contributions of £71,280 towards the expansion and reconfiguration of the existing waiting room and reception area at Abbeyview Surgery and £383,527 towards primary provision at South View Community Primary School and secondary and sixth-form education provision at The Deepings School and those Conditions listed at Section 9.0 of this report.**

## 9.0 CONDITIONS

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:

1250-LP;  
1250-004-G;  
A732-DS-01;  
A902-DS-01;  
AIRE-DS-01;  
AVON-DS-01;  
CLYDE-DS-01;  
DEE-DS-01;  
HOLL-DS-01;  
LOCK-DS-01;  
MERE-DS-01;  
MERE-DS-02;  
90A-NENE-001;  
RIBB-DS-01;  
TAY-DS-01;  
TAY-DS-02;  
DG-01;  
DSG-01;  
SG-01;  
TG-01;

Flood Risk Assessment (prepared by Inspire Design & Development, dated April 2019);  
Lincolnshire Environmental Records Centre Data Search Report (prepared by Greater Lincolnshire Nature Partnership, dated 14th December 2016);  
Geophysical Survey (prepared by Archaeological Project Services, dated October 2016);  
Environmental Noise Assessment Prepared by Acoustic Associates Peterborough Reference SEM/J3311/17369-1 Dated September 2019 -;  
Extended Phase 1 Habitat Survey (prepared by CBE Consulting, dated 23rd December 2016);  
Combined Phase I Desk Study & Phase II Exploratory Investigated for Ashwood Homes (prepared by GeoDyne Geotechnical & Environmental Consultants, dated 8th March 2019); and  
Report on an Archaeological Evaluation (prepared by Pre-Construct Archaeology Ltd, dated January 2018).

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



3. No part of the development hereby permitted shall be commenced until such time as details for the structural improvement and widening of the carriageway of Crease Drove, including highway drainage and street lighting, for the section between Monks Meadow and Harvester Way, together with the provision of a 1.8 metre wide footway along the east side of the carriageway have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include a construction programme for the works which must in any event be completed in their entirety, in accordance with the approved details, prior to the occupation of any dwelling hereby permitted.

Reason: In the interests of safety of all users of the public highway and to ensure the provision of safe and suitable access to the permitted development for residents and their visitors. 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 2 of the South East Lincolnshire Local Plan, 2019.

4. Before each dwelling is occupied, the roads and 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 Public Highway, less the carriageway and footway surface courses. The carriageway and footway surface courses shall be completed within three months from the date upon which the erection is commenced of the penultimate dwelling.

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 and that the roads and footways are completed within a reasonable period following completion of the dwellings.

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

5. No dwelling shall be commenced before the first 60 metres of estate road from its junction with the public highway, including visibility splays, have been completed, as illustrated on dwg. no. 1250-004-G have been completed to binder course level.

Reason: To ensure construction and delivery vehicles, and the vehicles of site personnel may be parked and/or unloaded off the existing highway, in the interests of highway safety and the amenity of neighbouring 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 Policy 2 of the South East Lincolnshire Local Plan, 2019.

6. Before any dwelling is occupied, 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, to avoid the creation of pedestrian trip hazards within the public highway from surfacing materials, manholes and gullies that may otherwise remain for an extended period at dissimilar, interim construction levels.

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

7. 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:

- a) Be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development;
- b) 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;
- c) Provide attenuation details and discharge rates which shall be restricted to 1.4 litres per second;
- d) Provide details of the timetable for and any phasing of implementation for the drainage scheme; and
- e) 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.

The 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, 2019.

8. Prior to 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.

9. No development shall take place until a written scheme of archaeological investigation for the monitoring of groundworks on plots 61, 62, 63, 64, & 69, 70, 71, 72, 73 (around Trench 10) and 95, 96, 97, 98, 99, 100, 101, 102 (around Trenches 4 and 5) has been submitted to and approved in writing by the Local Planning Authority. The archaeological site work shall only be undertaken in accordance with the approved written scheme.

Reason: The site has been subject to prior archaeological evaluation which revealed evidence for possible Iron Age activity and that from a later date. The two areas identified require further work in the form of archaeological monitoring and recording during all groundworks. 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 29 of the South East Lincolnshire Local Plan, 2019.

10. 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 before the development commences and the construction process shall be carried out in accordance with the scheme so approved. It shall also include a method statement, detailing how construction traffic, site personnel vehicles, materials deliveries and site accommodation will be managed to safeguard highway safety, free passage along Crease Drove and residential amenity.

Reason: In the interests of the amenity of local 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 and 3 of the South East Lincolnshire Local Plan, 2019.

11. 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 shall be submitted to and approved in writing by the Local Planning Authority before the development commences. 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.

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.

12. Details of the landscape management and maintenance schedule for the areas of publicly accessible open space, 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 prior to the commencement of the development hereby permitted beyond oversite. 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.

13. Before the commencement of the development hereby permitted, full details of the existing and proposed site levels and proposed floor levels of the buildings and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the details so approved.

Reason: To reduce the risk of flooding of the 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 Policy 4 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 14 of the National Planning Policy Framework, 2019.

14. Prior to the commencement of the development hereby permitted, details of a scheme for the provision of bird and bat boxes to be installed on dwellings within the site shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented prior to the completion of the development hereby approved, and shall thereafter be retained.

Reason: To enhance the potential for the site to be used by species such as roosting bats and nesting birds.

This Condition is imposed in accordance with Section 15 of the National Planning Policy Framework, 2019.

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

16. Prior to its installation, details of the proposed boundary treatment, including a schedule of 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.

The boundary of the open space to Crease Drove shall be bounded by railings.

Reason: In the interests of the character and appearance of the development, the visual amenity of the area in which it is set, highway and pedestrian safety, and the safety of people using the open space.

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

17. Before the commencement of the development hereby permitted beyond oversight 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. The development shall be constructed in accordance with the materials 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 Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

18. No dwelling shall be occupied until a scheme for the provision of infrastructure to ensure the availability of water supplies to the Fire Service in the event of an emergency, have been submitted to and approved in writing by the Local Planning Authority. The details as approved, including timings, shall be fully implemented before any dwelling is occupied and shall be retained thereafter.

Reason: In the interests of fire safety. 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 5 of the South East Lincolnshire Local Plan, 2019.

19. Prior to the commencement of the first use of the development hereby permitted details of provision for the storage/parking of at least 2 bicycles for all approved dwellings shall be approved in writing by the Local Planning Authority.

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.

20. The development hereby permitted shall be carried out in accordance with the recommendations set out in Section 3.0 of the submitted Environmental Noise Assessment Prepared by Acoustic Associates Peterborough Reference SEM/J3311/17369-1 Dated September 2019 , in particular a 1.8m acoustic fence shall be installed at the rear of gardens of dwellings along the southern boundary and enhanced acoustic performance to ventilators shall be provided to south-facing bedrooms of dwellings along the southern boundary.

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.

21. The development hereby permitted shall be carried out in accordance with the measures set out in the Flood Risk Assessment (prepared by Inspire Design and Development Ltd, dated April 2019) forming part of this planning application, unless otherwise agreed in writing by the Local Planning Authority, in particular the following measures shall be fully implemented before the property is first occupied:

- Finished floor levels shall be set no lower than 2.6m AOD, at a minimum of 1m above lowest existing ground level on site; and
- Flood resilient/resistant construction shall be incorporated to a minimum of 300mm above finished floor levels.

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, 2019.

22. 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 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.

23. 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>

24. This planning permission is subject to an Agreement under Section 106 of the Town & Country Planning Act 1990 dated \*\*\*\*\* and can only be implemented as a consequence of meeting the provisions of that Agreement.

25. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to Environmental Health. An investigation and risk assessment must be undertaken in accordance with details to be agreed with Environmental Health. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by Environmental Health. Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved by Environmental Health.

**Lead Contact Officer**

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**Appendices attached to this report:**

Appendix A Plan A  
Appendix B Report 26-06-19

# MapThat Scale Print Title

