

SOUTH HOLLAND DISTRICT COUNCIL

Report of: Development Manager

To: Planning Committee - 13 November 2019

(Author: Polly Harris-Gorf - Principal Planning Officer)

Purpose: To consider Planning Application H04-0508-19

Application Number: H04-0508-19

Date Received: 20 May 2019

Application Type: FULL

Description: Erection of 136 dwellings with associated garaging, roads and sewers

Location: Land off: Towndam Lane Donington Spalding

Applicant: Ashwood Homes

Agent: N K W Design Ltd

Ward: Donington, Quadring and
Gosberton

Ward Councillors: Cllr H J W Bingham
Cllr S C Walsh
Cllr J L King

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

<http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H04-0508-19>

1.0 REASON FOR COMMITTEE CONSIDERATION

1.1 The application raises matters of policy and design that are worth Committee consideration.

2.0 PROPOSAL

2.1 This is a full application for the erection of 136 dwellings with associated garaging, roads and sewers. There would be 34 affordable units, 24 for rent and 10 for shared ownership, with 4 house types comprising 7 x 1 beds; 16 x 2 beds, 10 x 3 beds and 1 x 4 bed. The 102 market units include 11 different house types, comprising 19 x 2 beds, 46 x 3 beds and 37 x 4 beds.

The application has been revised since submission from 150 dwellings, and design and layout changes made.

2.2 Access will be via a junction with Towndam Lane, the majority of the scheme will then be served by an adopted road, however there are also a number of private drives.

2.3 Open space will be in a linear form to the east of the site, incorporating the Internal Drainage Board's 9 metre easement to the drain. Due to the existence of the drains it is not proposed to have links to the adjacent development to the north or skate park. A pumping station is proposed in the south east corner of the site together with a mown path through the easement for the drain to the southern boundary.

2.4 The application is supported by a design & access statement, flood risk assessment, heritage statement, biodiversity survey and report, travel plan and a Combined Phase I Desk Study & Phase II Exploratory Investigation in relation to potential ground contamination.

3.0 SITE DESCRIPTION

3.1 The application site is an irregular parcel of land of some 5.5 hectares, to the east of Town Dam Lane. The land is allocated for development for residential development (Don006) within Policy 11 Distribution of New Housing of the South East Lincs Local Plan (SELLP). This is discussed below.

3.2 The site consists of a disused garden nursery, that previously housed glass houses, water tanks and open land. It is bordered to the north, south and east by open ditches of variable depth. Beyond the ditches to the south and east is arable farmland. Beyond the ditch to the north is a residential development currently being constructed by the applicant and a recreational area containing a skate park to the north east. There is a further area of open grassland between the western site boundary and a large dwelling. Towndam Lane borders the approximate northern half of the western site boundary, with dwellings on the opposite side of the road.

4.0 RELEVANT PLANNING POLICIES

4.1 The Development Plan

South East Lincolnshire Local Plan, March 2019

Policy 1 - Spatial Strategy;
Policy 2 - Development Management;
Policy 3 - Design of New Development;
Policy 4 - Approach to Flood Risk;
Policy 6 - Developer Contributions;
Policy 10 - Meeting Assessed Housing Requirements;
Policy 11 - Distribution of New Housing;
Policy 17 - Providing a Mix of Housing;
Policy 18 - Affordable Housing;
Policy 28 - The Natural Environment;
Policy 29 - The Historic Environment;
Policy 30 - Pollution;
Policy 32 - Community Health and Well-being;
Policy 36 - Vehicle and Cycle Parking.

If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, Section 38 (6) to the Town and Country Planning Act as amended by the 2004 Act states that the determination must be made in accordance with the plan unless material considerations indicate otherwise.

National Guidance

National Planning Policy Framework (NPPF), 2019

Section 2 - Achieving Sustainable development;
Section 4 - Decision Making;
Section 5 - Delivering a Sufficient Supply of Homes;
Section 8 - Promoting healthy and safe communities;
Section 11 - Making Effective Use of Land;
Section 12 - Achieving Well-Designed Places;
Section 14 - Meeting the Challenge of Climate Change, Flooding and Coastal Change;
Section 15 - Conserving and Enhancing the Historic Environment.

Planning Practice Guidance (PPG)

5.0 RELEVANT PLANNING HISTORY

5.1 None for this site.

H04-0333-17 Erection of 73 dwellings on adjacent land approved 22/01/18.

6.0 REPRESENTATIONS

6.1 Ward Members

Cllr S C Walsh - There has been a high level of development within Donington over the past 2-3 years with little regard for the sustainability of current infrastructure e.g Highways, Sewerage systems etc. The access roads leading to the estate are insufficient to meet the increased number of vehicles. There are well known and documented issues with drains. The local schools are at full capacity and to accommodate the increased numbers of potential pupils need a significant amount of investment not only in buildings but also in sustainable income for increased overheads - teachers salaries etc. The local GP surgeries are at or nearing full capacity and again it is not just increasing building size that is important, it is the ability to secure sustainable income to attract new GPs to the area. The area is already struggling to recruit new GPs. There also needs to be secure employment for attracting new people into the area and providing for existing residents with an ability for local businesses to expand or move into the area to meet the needs of all residents.

Cllr J L King - For the record there is not a bus stop outside the primary school its only for the school buses. It's not a very frequent service, as said many times the schools are oversubscribed so people will have to drive their children too other schools when we are supposed to be reducing our carbon footprint. There is no provision for Drs dentists etc in the village. The open space looks to be adjacent to a dyke that runs at the rear of the building line.

6.2 Donington Parish Council

In relation to the original scheme for 150 dwellings, feel, although in the adopted Local Plan, would be an overdevelopment and also raise concerns with infrastructure and sewerage treatment capacity.

6.3 Environment Agency

No objection subject to imposition of a condition requiring finished floor levels to set 300mm above existing ground level.

6.4 SHDC Strategic Housing

Should the development be permitted the current policy requires 25% of the development to be provided as affordable housing to meet district wide housing needs. The affordable housing should be delivered in accordance with the affordable housing as described in Annex 2 of the National Planning Policy Framework dated February 2019, or any Planning Policy Statement, Guidance Notes or Circulars which may amend, supplement or supersede this.

As per Policy 18: Affordable Housing of the Local Plan the affordable contribution should be provided with a tenure split of about 70% in favour of Rented and 30% Intermediate housing for sale dwellings.

In accordance with Policy 17: Providing a mix of housing and to meet needs identified within the Strategic Housing Market Assessment (2014 & 2017 update) Strategic Housing would recommend that a mix of property types and sizes are provided for the affordable housing contribution, comprising of approximately 25% as one beds, 40% as two beds, 30% as three beds and 5% as four beds.

From reviewing the plans and supporting information the affordable housing contribution the developer is proposing to deliver 34 affordable units, 24 for rent and 10 for shared ownership, with 4 house types comprising 7 x 1 beds; 16 x 2 beds, 10 x 3 beds and 1 x 4 bed . This equates to 25% of the scheme, split 70% rented and 30% intermediate for sale such as Shared Ownership.

As per Policy 6: Developer Contributions of the Local Plan it would be preferable for the affordable housing to be secured through a s106 agreement. The s106 agreement should include an agreed affordable housing scheme detailing the tenure split, property types and sizes, plot numbers, internal floor areas, design standards and the phasing of the affordable housing units.

It would be preferable for the homes to be built to the 'Nationally Described Space Standards'.

Ideally the affordable housing should be spread proportionately across the scheme to enable a mixed and sustainable community. From reviewing the plans it appears as though the affordable has been split between three parcels of the site in clusters of 14, 12 and 8. Previous schemes have been guided to deliver the affordable in clusters of no more than eight dwellings.

The developer should also seek to secure a Registered Provider for the affordable dwellings at the earliest opportunity. The Strategic Housing Team can provide a list of RPs with stock in the local area should the developer require this. The RP should be prepared to enter into a Nominations Agreement with the Council to ensure that the rented homes are let to households from the Council's Housing Register.

6.5 SHDC Environmental Protection

Recommend imposition of conditions requiring a scheme of construction management and a scheme to deal with any contamination.

6.6 LCC Highways/Suds

No objection subject to a number of conditions including a surface water drainage scheme and provision of a 2m wide footway for the whole of the site's frontage to Towndam Lane to connect the development to the existing footway network.

6.7 LCC Education

Request a contribution of £621,893 to be secured by Section 106 agreement, to be spent as follows:

£248,081 towards an 11th classroom and ancillary facilities at Donington Cowley Endowed Primary School;

£373,812 towards a new sports hall at Donington Thomas Cowley Secondary.

6.8 LCC Historic Environment

No archaeological input required.

6.9 Anglian Water

Comment that with regard to the used water network the sewerage system at present has available capacity for these flows. The foul drainage is in the catchment of Donington Water Recycling Centre which currently does not have capacity to treat the flows from the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure there is sufficient treatment capacity should planning permission be granted.

6.10 Police

No objections to the principle of the development plus set out a number of points that it is requested are considered to help reduce the opportunity for crime and increase the safety and sustainability of the development.

6.11 NHS

Request Section 106 contribution of £89,760 to be spent at Gosberton medical centre, to increase the practice's consulting room and treatment room capacity as well as creating more administration space.

6.12 Black Sluice Internal Drainage Board

Comment in relation to the original scheme that full details of any surface water schemes should be submitted to the local planning authority for consideration and approval. Surface water drainage into the open watercourse should be limited to greenfield run-off rates and points out consent would be required for SuDS infrastructure within their byelaw distance.

6.13 Lincolnshire Wildlife Trust

Site does not seem to be adjacent to locally or nationally designated sites. Submitted landscape plan for 150 dwellings is a good plan including thought provision for wildlife in some native tree planting that is of benefit to wildlife and seed mixes, incorporating wildflower meadow mixes around the edge of the site.

6.14 Public

In relation to the original consultation 23 objections were received from local residents. No further representations were received in response to the re-consultation on the amended proposals for 136 dwellings. The points raised are summarised as follows:

- Inadequate infrastructure/amenities - schools are full, no doctors or dentists, no entertainment for children;
- Increased traffic and inadequate road access;
- Overdevelopment with lack of green space;
- Out of character with other properties in the area;
- Will put excess pressure on sewerage system;
- Application contains errors in respect of nearest bus stop;
- Bus service is poor and expensive;
- Put pressure on limited parking provision within the market place;
- Electricity supply needs to be upgraded;
- Increase in anti-social behaviour and burglaries which correlates to the number of additional house being built. Village has virtually no Police presence.

Chair of Governors Donington Primary School comments in addition to the Section 106 comment made by the Local Authority, the following should also be noted:

- the school requires additional ancillary space in the event of an 11th classroom (staff room, office space, 1:1 work areas, playground etc)
- the traffic/parking at the school should be a consideration with regards to the additional traffic the development will create. Parents will use cars to 'drop off' their children en route to work. A safe solution is required

7.0 **CONSIDERATIONS**

7.1 **Planning Considerations**

The main issues in this case are:

- Principle;
- Character/appearance;
- The likely impact upon the amenity of nearby residents;
- Highway issues;
- Other material considerations such as S106 planning obligations, flooding, drainage, contamination, ecology, refuse collection and public open space

7.2 Principle of the development

7.3 As indicated in paragraph 47 of the National Planning Policy Framework, 2019, planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

7.4 The site is within Donington Settlement Limit as defined in the South East Lincolnshire Local Plan (SELLP), 2019. Policy 1 (Spatial Strategy) indicates that within Main Service Centres, including Donington, development will be permitted that supports their role as a service centre for the settlement itself, helps sustain existing facilities or helps to meet the service needs of other local communities. No objections are therefore raised in principle.

7.5 Policy 11 of the SELLP indicates that the amount of new housing on the site should be approximately 110. However, it should be noted that explanatory text accompanying Policy 11 states that "The housing site allocations for each settlement identified by Policy 11 indicate the capacity of the sites shown on the Inset Maps. This is only a broad indication based upon 30 dwellings per hectare for sites within the Boston urban area and Spalding, and 20 dwellings per

hectare for all the Main and Minor Service Centres. The settlement-specific Housing Papers will highlight those few sites where this assumed ratio of dwellings per hectare is different. The stated capacity is not necessarily a maximum or, in some cases, a minimum capacity that would be expected on each site; viability, design, constraints and the most efficient use of land in delivering new homes should be the primary considerations in meeting housing needs." Consequently, proposed allocated sites should be assessed on their own planning merits.

- 7.6 Policy 17 of the South East Lincolnshire Local Plan stresses that providing a mix of property types is important in meeting housing needs, as well as delivering sustainable development for the community. The proposal is considered to be satisfactory in this respect.
- 7.7 Character/Appearance
- 7.8 The proposed design of dwellings is typical of those seen on the applicant's other schemes in the district and on the adjacent site and are considered to be acceptable in design terms.
- 7.9 In terms of density the scheme has been reduced from 150 dwellings to 136. This still exceeds the figure referred to in the South East Lincolnshire Local Plan, which is based on 20 dwellings to the hectare. That is a broad indication and the density proposed at approximately 25 dwellings per hectare is considered acceptable, given the mix of housing and the character of the surrounding residential development, including the development by the applicant to the north, which is around 27.5 dwellings per hectare.
- 7.10 The majority of dwellings would be served by the adopted road, however there are a number of private drives, refuse collection points are to be provided and no carry distances exceed 30 metres. The majority only serve a small number of properties. Parking provision is on curtilage and spaces are provided in accordance with Local Plan requirements.
- 7.11 The affordable housing would be distributed throughout the development within 3 areas. This is considered to be acceptable. The number of units proposed and the tenure mix is in accordance with the policy requirement and would be secured by a Section 106 agreement.
- 7.12 The area of open space, whilst located on the edge of the development, does have biodiversity benefits by being located adjacent to a drain. The landscaping and planting mix would also contribute to this. It also provides the opportunity for an informal footpath along the southern edge of the site. The applicant was requested to consider connections to the development to the north and the skate park, but there are issues with levels and drains to cross, so this has not been explored further.
- 7.13 Impact on amenity
- 7.14 The site is relatively self-contained thus its main relationship with other dwellings is on the development under construction to the north. Finished floor levels would only be raised 300mm and there are adequate distances between properties.
- 7.15 Disturbance during construction is inevitable but its impact may be mitigated by conditions.
- 7.16 Highway Safety
- 7.17 There is no objection from the Highway Authority subject to standard conditions and the provision of a footway to Towndam Lane to connect to the existing footway. This is necessary to serve the development.
- 7.18 Other material considerations
- 7.19 Flood Risk
- 7.20 As an allocated site the sequential test is deemed to have been passed. Mitigation measures

only require finished floor levels to be raised by 300mm which will be secured by condition.

7.21 Foul and Surface Water Drainage

7.22 These matters may be addressed through the imposition of conditions. Representations on this issue are noted, however Anglian Water have addressed these in its response.

7.23 Contamination

7.24 A Combined Phase I Desk Study & Phase II Exploratory Investigation in relation to potential ground contamination was submitted with the application. Environmental Protection were in general agreement with this document including the need to do further investigation in respect of a former above ground diesel tank with this to be secured by condition.

7.25 Section 106 contributions

7.26 As stated above policy compliant affordable housing provision is proposed. In addition the requested education and health requests would be provided.

7.27 **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.

7.28 Conclusion

7.29 For the reasons set out above it is considered that the details provided by this application represent an acceptable form of development. The site is allocated for development in the South East Lincolnshire Local Plan and would deliver policy compliant Planning Obligations.

8.0 RECOMMENDATIONS

8.1 Grant permission subject to those conditions listed in Section 9.0 of this report and the completion of a Section 106 agreement to secure 25% affordable housing provision and payments towards NHS and education provision.

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:

Application form;

1241-LP;

1241-004 I;

DEE-DS-01;

CLYD-DS-01;

AIRE-DS-01;

AVON-DS-01;

NENE-DS-01;

MERE-DS-01;

LOCK-DS-01;

RIBB-DS-01;

STAM-DS-01;

STAM-DS-02;

HUM-DS-01;

HUM-DS-02;

MERE-DS-02;

BAIN-DS-01;

A516-DS-01;

A516-DS-02;

A732-DS-01;

A902-DS-01;

SG-DS-01 Single Garage;

DG-DS-01 Double Garage;

DSG-DS-01 Double Shared Garage;

TSG-DS-01 Triple Shared Garage;

Extended Phase I Survey by Hillier Ecology Ltd dated May 2019;

Flood Risk Assessment & Drainage Strategy by Inspire Design & Development Ltd dated May 2019;

Heritage Statement by Archaeological Project Services dated December 2018;

Combined Phase I Desk Study & Phase II Exploratory Investigation by GeoDyne Ltd dated 22 February 2019;

Travel Plan by Local Transport Projects dated May 2019.

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

3. 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 Towndam Lane and residential amenity.

The Construction Management Plan and Method Statement shall include:

- 1 Phasing of the development to include access construction
- 2 The parking of vehicles of site operatives and visitors
- 3 Loading and unloading of plant and materials
- 4 Storage of plant and materials used in construction
- 5 The Routes of construction traffic to and from the site including any off site routes for the disposal of excavated material

The Construction Management Plan Method Statement shall be adhered to throughout the construction period.

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.

4. 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.

5. The development hereby permitted shall be carried out in accordance with the measures set out in the Flood Risk Assessment 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 any property is first occupied:

-finished floor levels of dwellings shall be set at 300mm above existing ground level.

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.

6. The development hereby permitted shall include the provision of a 2.0 metre wide footway for the whole of the site's frontage to Town Dam Lane to connect the development to the existing footway network. The works, as approved by the Local Planning Authority, shall also include appropriate arrangements for the management of surface water run-off from the highway.

Reason: To ensure the provision of safe and adequate pedestrian access to the permitted development, without increasing flood risk to the highway and adjacent land and property.

This Condition is imposed in accordance with Policies 2, 3 and 33 of the South East Lincolnshire Local Plan, 2019.

7. 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 (or other development as specified).

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.

8. No dwelling shall be commenced before the first 50 metre of estate road from its junction with the public highway, including visibility splays, 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 Condition is imposed in accordance with Policy 2 of the South East Lincolnshire Local Plan, 2019.

9. 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.

10. 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:

- be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development;
- 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;
- provide attenuation details and discharge rates which shall be restricted to ***** litres per second;
- provide details of the timetable for and any phasing of implementation for the drainage scheme; and
- 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.

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.

11. Before the commencement of the development hereby granted, details of the means of foul 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 and to avoid pollution.
This Condition is imposed in accordance with Policy 30 of the South East Lincolnshire Local Plan, 2019.

12. The water consumption of *the/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 *the/each individual* 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.

13. 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.

14. 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 unless the LPA dispenses with any such requirement in writing.

i) 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 without the express written agreement of the LPA. 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.

ii) 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 Environmental Protection Act 1990 Part 11A

Reason: To assess whether the site is polluted and to address any pollution to ensure a satisfactory 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 30 of the South East Lincolnshire Local Plan, 2019.

15. 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.

Reason: 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.

16. An equipped children's play areas shall be provided within the site. The timing of the implementation, location, detailed design, layout, specification of the equipment, and the management and maintenance regime of the play area shall be submitted to and approved in writing by the Local Planning Authority. The play area shall be provided in accordance with the details so approved, and thereafter so maintained.

Reason: To ensure that adequate play provision is made for the occupiers of the development hereby permitted and that the facility is adequately managed and maintained.

This Condition is imposed in accordance with Policy 32 of the South East Lincolnshire Local Plan, 2019.

17. 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.

18. Prior to the commencement of the development hereby permitted beyond oversight, a plan illustrating all areas of publicly accessible open space shall be submitted to and approved in writing by the Local Planning Authority. The areas so approved shall be laid out and made available for use in accordance with a specification and phasing that shall first be agreed in writing by the Local Planning Authority, and shall thereafter be so maintained.

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.

19. A management plan for the areas of publicly accessible open space and any outdoor play areas, including management responsibilities and maintenance schedules, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted beyond oversight. 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.

20. 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.

21. 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 prior to their installation 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 Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

22. 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>

23. 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

Background papers:- Planning Application Working File

Lead Contact Officer

Name and Post: Richard Fidler , Development Manager
Telephone Number: 01775 764428
Email: rfidler@sholland.gov.uk

Appendices attached to this report:

Appendix A Plan A

MapThat Scale Print Title

