Report of: Development Manager

To: Planning Committee - 8 November 2017

(Author: Mark Simmonds - Planning Officer)

Purpose: To consider Planning Application H09-0326-17

Application Number: H09-0326-17 Date Received: 4 April 2017

Application Type: OUTLINE

Description: Residential development

Location: Land off Wignals Gate Holbeach Spalding

Applicant: D Brown Building Contractors Ltd

Agent: Andrew M Wright Ltd

Ward: Holbeach Town

Ward Councillors: Cllr F Biggadike

Cllr T Carter

Cllr Paul Foyster

You can view this application on the Council's web site at
http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H09-0326-17

1.0 REASON FOR COMMITTEE CONSIDERATION

1.1 Significant development, high number of resident objections received and policy issues merit Committee consideration.

2.0 PROPOSAL

2.1 This application seeks outline planning permission with some matters reserved for residential development to the land off Wignal's Gate, Holbeach. The original submitted plans show an illustrative layout of 100 new dwellings (mixture of house types) and open space provision to the south-western side of Holbeach.

2.2 Further to discussions with the LPA, the scheme is now reduced to 77 dwellings to allow for less buildings to the south. The public open space is reduced to 5.1ha, which equates to 20% of the site.

3.0 SITE DESCRIPTION

3.1 The site is located outside of the settlement limits of Holbeach to the south of Wignals Gate.

3.2 The site also falls outside the settlement parameters as outlined by the Local Plan 2006 and in the emerging South East Lincolnshire Plan (SELP) Inset Map 5. The site was withdrawn as a Preferred Housing Site due to impacts relating to landscape character and air, water and soil quality during the local plan process.
3.3 The application site is located behind frontage development and runs to the side of Holbeach Cemetery. It has open boundaries on all sides except for the residential properties on Wignal's Gate. Currently vacant agricultural fields, the site can be described as generally level. A group of 10 dwellings lie to the north perimeter of the site and the application site is bounded to the west, south and east by drains. Further agricultural fields exist beyond.

3.4 The site can be accessed from Wignals Gate, the end of which abuts the Northern site boundary. An electricity substation is sited to the north east of the site.

4.0 RELEVANT PLANNING POLICIES

4.1 The Development Plan

South Holland District Local Plan, July 2006

The South Holland Local Plan 2006 was formally adopted on 18 July 2006. Following a direction from the Government Office for the East Midlands under paragraph 1(3) of Schedule 18 to the Planning and Compulsory Purchase Act 2004, as of 18 July 2009 only certain Local Plan policies have been extended and continue to form part of the development plan. In the context of those saved policies referred to below, it is considered that the Local Plan was adopted in general accordance with the Planning and Compulsory Purchase Act 2004 (albeit under the transitional arrangements). Those policies referred to below are considered to accord with the thrust of guidance set out in the National Planning Policy Framework, and in the context of paragraph 215 of the NPPF should therefore continue to be given substantial weight in the decision making process.

SG1 - General sustainable development
SG2 - Distribution of development
SG3 - Settlement hierarchy
SG4 - Development in the Countryside
SG6 - Community Infrastructure and Impact Assessment
SG11 - Sustainable Urban Drainage Systems (SUDS)
SG12 - Sewerage and development
SG13 - Pollution and contamination
SG14 - Design and Layout of New Development
SG15 - New development: facilities for road users, pedestrians and cyclists
SG16 - Parking Standards in New Development
SG17 - Protection of residential amenity
SG18 - Landscaping of new development
HS4 - New housing in Spalding and the Area Centres (non allocated sites)
HS8 - Affordable housing
HS11 - Open space in new residential development

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), March 2012

Paragraph 7 - Sustainable development
Paragraph 14 - The presumption in favour of sustainable development
Paragraph 17 - Core planning principles
Section 6 - Delivering a wide choice of high quality homes
Section 7 Requiring good design
Section 10 - Meeting the challenge of climate change, flooding and coastal change

Planning Practice Guidance (PPG), 2014

5.0 RELEVANT PLANNING HISTORY

5.1 No relevant planning history.
6.0 REPRESENTATIONS

6.1 Holbeach Parish Council

This development is not in our Parish Plan. We have 2 large developments in the Pipeline, and one is very close to this application. We consider this land has customer service requirements on it (water and electricity) and not a sensible site for housing. Holbeach CANNOT cope with any more sized developments.

6.2 Ward Members

Cllr Paul Foyster - comments in response to the amended proposal. "I object in principal to any additional large scale housing developments in Holbeach, we've more than our fair share. However, this is not very big, I am pleased to see these revisions and do like the outline drawings. The Parish badly needs more open space and provided that is made available to the Parish council I think perhaps we could reluctantly live with this one. At least the residents of the new development and those nearby would have the use of an appropriate new open space."

Cllr F Biggadike - Site is adjacent to the Holbeach New River for disposal of surface water, has electrical substation on site for power, has an 18 inch water main for domestic use, is a five minute walk to the regular public bus service and is next to the new Holbeach cemetery.

Cllr Nick Worth (in capacity of County Councillor) - This is neither in the current 2006 local plan settlement boundary or within the Final consultation version of the SE Local Plan. It is not a preferred option in the local plan going forward as housing numbers for Holbeach have clearly been identified within the large application to the west of Holbeach and the Manor Farm application, which is more than sufficient for the next twenty years. Although the council as a whole does not have a five year land supply, it clearly has enough already identified in Holbeach. Residents clearly have serious concerns about the additional traffic and impact on existing road infrastructure this will generate on top of the Manor Farm application. This is a serious test of the new local plan, it is not included for very sound reasons and therefore should be refused.

6.3 LCC County Highways

Requests that any permission given shall include conditions.

6.4 Environment Agency

Development shall be carried in accordance with the approved FRA and the following mitigation measures:

- Finished floor levels are set no lower than 300mm above surrounding existing ground levels;
- Flood resilient construction to be used.

6.5 Anglian Water

Advises condition relating to the submission of a foul water strategy prior to commencement.

6.6 South Holland Internal Drainage Board

No works within 9m of the edge of the drainage/flood risk management infrastructure.

6.7 SHDC Environmental Protection

Full contaminated land condition.

6.8 SHDC Environmental Services

Access roadways to all residential properties should be constructed to an adoptable standard under an agreement with Lincolnshire County Council so that they will become public highways. This will enable refuse/recycling collections to be carried out from outside individual properties.
without the need for communal collection points at the point where private driveways adjoin public highways.

6.9 **LCC Education**

A contribution is requested to mitigate against the impact of development through a Section106 agreement.

6.10 **Police**

No objections to the outline, would like to be consulted at detailed stage. General Secured by Design advice provided.

6.11 **LCC Historic Environment Officer**

This application is for a large new development, there is not enough information supplied by the applicant regarding the potential impact on the Historic Environment. There is insufficient information regarding the proposal's impact on the setting, on the archaeological potential of the site, or of the proposed impact of the development. This information should be supplied in the form of a Heritage Statement.

The developer should expect, if this application continues, to undertake as a minimum nonintrusive archaeological surveys, and depending on results trial excavation prior to determination.

6.12 **SHDC Housing Strategy**

Depending on what stage the emerging Local Plan is at when this application is determined the council will require either 1/3 (current policy) or 1/4 (emerging policy) of the development to be provided as affordable housing to meet district wide housing needs.

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.

6.13 **Public**

The following objections have been received (27 objections, 4 support, 16 comments).

- Increase in traffic & highway infrastructure;
- Highway speed and safety;
- Loss of prime agricultural land;
- Contamination;
- Against Local Plan Policy;
- Impact on local services (schools, GP surgery’s and dentists);
- Site is outside of development boundary;
- Too many houses in Holbeach.

In response to the amended proposal one comment received surprised that it has been reduced by 23 houses, which will decrease the S106 requirement and affordable homes numbers no doubt.

7.0 **MATERIAL CONSIDERATIONS**

7.1 The key material issues for consideration in this application are:

- Policy;
- The appearance and character of the development and likely impact upon local services in Holbeach;
- Highway safety; and
- Archaeology & Heritage.
7.2 Policy

7.3 The vast majority of the site is located just outside of the defined settlement limits of Holbeach as outlined in the South Holland Local Plan, 2006. In this instance, the relevant policy context is Policy HS7 - New Housing in Open Countryside including Other Rural Settlements. HS7 states that new housing development will only be permitted where:

1) it is proven to be essential to meet the needs of agricultural, forestry or other workers and complies with Policy HS12; or
2) the proposal is for small scale, rural exception affordable housing that complies with Policy HS9.

7.4 Policy HS9 - Rural Exception states that on rural sites not identified for development in the Local Plan, affordable housing to meet local needs may be exceptionally permitted. (In this case, an affordable housing contribution will be required as recommended by Housing Strategy and will be subject to further S106 negotiations) but it is not an ‘exception site’.

7.5 Since the proposed development is for 77 dwellings, this is not considered to be a 'small' scale development. The proposal does not comply with Policy HS7. Furthermore, Policies SG2, SG3 and SG4 emphasises the importance of adopting a sequential approach which gives priority to the use of previously developed land and buildings within defined settlement limits, then to greenfield land within defined settlement limits and finally to land adjacent to defined settlement limits. With Holbeach classed as an ‘Area Centre’ under Policy SG3 - Settlement Hierarchy, the town provide a range of services, local employment opportunities and act as a focal point for the rural areas.

7.6 It is felt that the pattern and density of the proposal is well contained within the core of the town despite no supporting evidence to demonstrate need and that no other site or solution exists to accommodate the proposed development within defined settlement limits.

The development proposal, is not considered to result in an unacceptable impact upon the landscape character of an area.

7.7 The Design and Access Statement briefly highlights 5 Preferred Housing sites identified in the SELP, but no individual analysis of each. It goes on to explain that in the South East Lincolnshire Strategic Housing Land Availability Assessment - Findings (July 2016), the land referenced 'Hob039' was considered, 'suitable' and that the site has a classification of 'developable'. It explains the following in support of the site for housing development:

- ‘The site is in scale with the 1,420 dwellings which the emerging Local Plan seeks to be developed in Holbeach.
- Environmental impacts - it will not have adverse impacts on natural, built or historic assets.
- Infrastructure - It will not lead to the loss of, nor place undue burdens on, existing infrastructure, such as open space, green infrastructure or community facilities.
- Location - It is accessible to Holbeach’s existing services and facilities and is located adjacent / within Holbeach’s existing built-up area (defined settlement limit).
- Site characteristics - The site is behind frontage development and runs to the side of the Cemetery. It has open boundaries on all sides except for the residential properties fronting Wignal’s Gate. SHDC Environmental Protection identify that the site is on a list of potentially contaminated sites requiring further investigation.
- Transport - Services and facilities are potentially accessible by foot, bicycle and public transport. Bus stops are on Wignal's Gate and Main Road. The frontage on to Hallgate appears sufficient to accommodate the required radii and visibility splays. The offset with Wignal's Gate is sufficient and has right/left configuration suitable for safe access.

7.8 The issues above are considered to still apply to the site as it stands today and on balance, the merits outweigh the concerns relating to landscape character and air, water and soil quality with appropriate conditions as recommended by Environmental Health.
7.9 At the heart of the National Policy Framework (NPPF), is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision-taking. Paragraph 49 of the NPPF states that "housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites". In that circumstance, Paragraph 14 of the NPPF is quite clear that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies outlined in the NPPF as a whole; or specific policies in the NPPF indicate that development should be restricted.

7.10 The Council cannot currently demonstrate a 5-year supply of deliverable sites as per the provisions of NPPF. In the context of the objectively assessed need identified in the Council's Strategic Housing Market Area Assessment (SHMA), and including a 20% buffer by virtue of a persistent under delivery of housing, the Council can only currently demonstrate a 3.93 year supply of deliverable sites (as of 31/8/17). As per the provisions of Paragraph 49 of the NPPF, the Council's Local Plan polices relevant to the supply of housing are considered out-of-date and the presumption in favour of sustainable development applies.

7.11 Given the location of the site to local services and amenities. There is a clear precedent that the area is need of growth to accommodate the needs of its residents and there is not considered to be a policy objection to the development in principle and on the matter of sustainability when assessed against Policy SG1 of the Local Plan 2006. Much of this land at the moment is requires extensive management and maintenance. By reusing part of it for an alternative but sustainable use as illustrated by the proposal, it will encourage the reuse of redundant land together with creating an opportunity to provide good quality, functional and manageable public open space and other planning obligation such as Affordable Housing and Education. As such, as per the provisions of the NPPF, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies outlined in the NPPF as a whole; or specific policies in the NPPF indicate that development should be restricted.

7.12 In light of all this information and policy deliberations, it is considered that a development of the size proposed is not out of keeping with the likely strategic future role and function of Holbeach. A such, as per the provisions of the NPPF, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies outlined in the NPPF as a whole; or specific policies in the NPPF indicate that development should be restricted.

7.13 The principle of residential development in policy terms is acceptable. The number of new dwellings proposed is not considered to be excessive or of a nature that would cause significant detrimental harm to the amenity of the area. However, the remainder of this section of the report considers the other material considerations to be taken into account in determining whether any adverse impacts of granting permission.

7.14 The appearance and character of the development and likely impact upon Holbeach

7.15 As the proposal is in outline form only and it is accepted that the layout of the plots and scale of the development is purely illustrative with all matters reserved apart from the access, actual details of design, house types, landscaping and appearance are yet to be confirmed by the applicant and formally considered by the LPA.

7.16 The number of units proposed would result in a development of approximately 9 dwellings to the hectare. This is considered to be appropriate for this location and corresponds to the assessment located in the SHLAA. It is felt that the proposal is of relatively low density compared to the character of the surrounding area. This will allow for amenity and outlook to be well preserved for both the new development and the existing, as well as a good proportion of land (20%) to be dedicated to providing public open space. The proposed development is well located despite falling just outside defined settlement limits, and is not considered to result in an unacceptable impact upon the residential amenity and landscape character of the area.

7.17 Concerns raised regarding overlooking, loss of privacy/outlook, noise, etc are matters that will be further considered at reserved matters stage when detailed plans, layouts, boundary
treatments, and material confirmation becomes available as well as a comprehensive landscaping scheme. The presence of an additional houses in exposed area of land would define this space by creating a sense of enclosure to an otherwise, open piece of land.

7.18 Concerns relating to the pressure and strain of existing infrastructure (utilities, services and facilities) are noted. However, there have been no objections from infrastructure providers and developer contributions towards building the capacity of local services will be expected to be delivered through an S106 Agreement. Furthermore, the emerging SELP will be required to plan fully for the provision of all types of infrastructure to support the future growth of the District.

7.19 **Highway safety**

7.20 Resident concerns regarding Highway safety, access to and from the site has been raised. The County Highways Authority recognises that the application is in outline with only access to be considered. Highway raises no objection to the proposal in principle, and recommends a number of pre-commencement and pre-occupation conditions, in terms of construction of carriageways and footways.

7.21 The issue of speeding traffic and pedestrian safety raised by concerned residents has been considered by the Highway Authority and the development in its outline form is considered acceptable and it is requested that the application is approved subject to conditions. The control of vehicular speed along the main road is a matter outside of the development proposal.

7.22 **Archaeology & Heritage**

7.23 The consultation response from the Historic Environment Officer clearly requests for further information to be supplied by the applicant regarding the potential impact on the Historic Environment.

7.24 This absence of information on the significance and proposed impact upon designated and non-designated heritage assets is not in accordance to the National Planning Policy Framework.

'It in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.' National Planning Policy Framework Section 12, para 128.

7.25 The Heritage Statement submitted in support of this proposal provides a visual settings analysis and a site walkover survey. It does not include non-intrusive archaeological surveys and trial excavations as recommended by the Historic Environment Officer.

7.26 In order to assess the impact of the development upon historic environment in line with national guidance, a pre-commencement condition will be imposed to ensure the relevant works on site is carried out and the findings is submitted to the Local Planning Authority prior to the development.

7.27 **Conclusion**

7.28 Whilst the development complies with local plan policy the lack of a 5 year housing land supply means that the guidance within the NPPF takes precedence and the development is considered to be sustainable in nature and to comply with NPPF guidance and will help deliver much needed housing.

7.29 Objections raised by residents about highway and amenity issues will be addressed in detail at reserved matters stage where a more considered approach to design and layout can be negotiated. This application purely relates to the principle of the development which on balance
and in light of the recommendations made by statutory consultees, the merits of a residential development on a site adjacent to the current settlement boundary, the likely future role and function of Holbeach and associated potential housing growth targets is considered sustainable and acceptable in principle.

8.0 RECOMMENDATIONS

8.1 Authorised to Grant Permission subject to the applicant entering into a Section 106 agreement for the provision of 1/3 of the dwellings to be delivered as affordable housing, Education contribution and the carrying out of further archaeological investigations and those Conditions listed at Section 9.0 of this report

9.0 CONDITIONS

1. Application for approval of reserved matters must be made not later than three years beginning with the date of this permission, and the development must be begun before the expiration of two years from the final approval of reserved matters or in the case of approval on different dates, the final approval of the last such matter to be approved.


2. The development hereby permitted shall be carried out in accordance with the following approved plans: Drw No PD01 Rev P2, dated 27.03.17; Drw No PD02 Rev P3, dated 27.03.17; Drw No PD03 Rev P3, dated 27.03.17

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

3. Before each dwelling is occupied the roads and/or footways providing access to that dwelling, for the whole of its frontage, from an existing public highway, shall be constructed to a specification, to first be submitted to and approved by the Local Planning Authority, to enable them to be adopted as Highways Maintainable at the Public Expense, 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 safe access to the site and each dwelling/building in the interests of residential amenity, convenience and safety. This Condition is imposed in accordance with Policies SG14 and SG15 of the South Holland Local Plan, 2006.

4. No dwellings (or other development as specified) shall be commenced before the first 60 metres of estate road from its junction with the public highway, including visibility splays, as shown on drawing number 36916/13 REV A dated 30.03.17 has been completed.

   Reason: In the interests of safety of the users of the public highway and the safety of the users of the site and to enable calling vehicles to wait clear of the carriageway of Wignals Gate. 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 SG14 and SG15 of the South Holland Local Plan, 2006.

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

   Reason: In the interests of safety of the users of the public highway and the safety of the users of the site. This 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 SG14 and SG15 of the South Holland Local Plan, 2006.
6. No development shall take place until a surface water drainage scheme for the site, based on sustainable urban drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall:
a) 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;
b) Provide attenuation details and discharge rates which shall be restricted to 1.4 litres per second per hectare;
c) Provide details of the timetable for and any phasing of implementation for the drainage scheme; and 
d) 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 development shall be carried out in accordance with the approved drainage scheme and 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 site is adequately drained, to avoid pollution, and to prevent increased risk of flooding. 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 SG11 and SG12 of the South Holland Local Plan, 2006 and national guidance contained in Section 10 of the National Planning Policy Framework, 2012.

7. No development shall be commenced until a scheme for the provision and phasing of a minimum of one third of the total residential units as affordable housing on the site to meet local housing needs has been submitted to and approved in writing by the Local Planning Authority. The scheme shall identify how the affordable housing is to be provided in each phase, whether by means of a non-profit registered provider or otherwise, and the timing of delivery. In the submission of the details of the design and layout of each phase, the location of each affordable housing unit shall be indicated, along with the size and tenure, the type of affordable housing, and arrangements for ensuring that the affordable housing to be provided meets identified local housing need. Not more than 50% of the total number of the approved dwellings within each phase, excluding the affordable element, shall be occupied until there has been a material commencement on the affordable housing units in that phase and not more than 90% of the approved dwellings, excluding the affordable element, shall be occupied until all the affordable housing units have been completed.

Note: In order to comply with this condition it may be necessary for the applicant/developer to enter into a planning obligation and/or agreement. You are therefore asked to bear this in mind when determining the timing of your submissions.

Reason: To ensure that affordable dwellings are provided to meet identified local need, and remain affordable in perpetuity. 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 HS8 of the South Holland Local Plan 2006.
8. No development shall take place until a written scheme of archaeological investigation has been submitted to and approved in writing by the Local Planning Authority. This scheme should include the following and should be in accordance with the archaeological brief supplied by the Lincolnshire County Council Historic Environment advisor on behalf of the Local Planning Authority:

1. An assessment of significance and proposed mitigation strategy (i.e. preservation by record, preservation in situ or a mix of these elements).
2. A methodology and timetable of site investigation and recording
3. Provision for site analysis
4. Provision for publication and dissemination of analysis and records
5. Provision for archive deposition
6. Nomination of a competent person/organisation to undertake the work
7. The scheme to be in accordance with the Lincolnshire Archaeological Handbook.

The archaeological site work shall only be undertaken in accordance with the approved written scheme.

Reason: To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation in accordance with national guidance contained in Section 12 of the National Planning Policy Framework, 2012. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works.

9. The applicant shall notify the Lincolnshire County Council Historic Environment Department in writing of the intention to commence at least fourteen days before the start of archaeological work required in connection with Condition 8 above in order to facilitate adequate monitoring arrangements.

Reason: To ensure satisfactory archaeological investigation and retrieval of archaeological finds in accordance with national guidance contained in Section 12 of the National Planning Policy Framework, 2012.

10. A copy of the final report required in connection with Condition 8 above shall be submitted within three months of the work being carried out to the Local Planning Authority and the Lincolnshire Historic Environment Record. The material and paper archive required as part of the written scheme of investigation shall be deposited with an appropriate archive in accordance with guidelines published in The Lincolnshire Archaeological Handbook.

Reason: To ensure satisfactory arrangements are made for the recording of possible archaeological remains in accordance with national guidance contained in Section 12 of the National Planning Policy Framework, 2012.
11. The development hereby permitted shall not be commenced until a scheme to deal with any contamination of land or pollution of controlled waters has been submitted to and approved in writing by the Local Planning Authority (LPA) and until the measures approved in that scheme have been implemented. The scheme shall include all of the following measures:

i) a desk-top study carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk-top study shall establish a 'conceptual site model' and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/Quantitative Risk Assessment (or state if none required). Two full copies of the desk-top study and a non-technical summary shall be submitted to the LPA without delay upon completion.

ii) if identified as being required following the completion of the desk-top study, a site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle, in order that any potential risks are adequately assessed taking into account the sites existing status and proposed new use. Two full copies of the site investigation and findings shall be forwarded to the LPA without delay upon completion.

iii) thereafter, a written method statement detailing the remediation requirements for land contamination and/or pollution of controlled waters affecting the site shall be submitted to and approved in writing by the LPA, and all requirements shall be implemented and completed to the satisfaction of the LPA. No deviation shall be made from this scheme. If during redevelopment contamination not previously considered is identified, then the LPA shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing by the LPA.

iv) two full copies of a full closure report shall be submitted to and approved in writing by the LPA. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post-remediation sampling and monitoring results shall be included in the closure report to demonstrate that the required remediation has been fully met.

Note
The applicant is advised that the phased risk assessment required by the Contaminated Land Scheme Condition should be carried out in accordance with the procedural guidance of the Environmental Protection Act 1990 Part 11A. The applicant's attention is also drawn to the document entitled "Developing Land Within Lincolnshire - A guide to submitting planning applications to develop land that may be contaminated", which can be obtained through the Local Environmental Health Department.

Reason: To assess whether the site is polluted and to address any pollution to ensure a satisfactory development. This 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 SG13 of the South Holland Local Plan, 2006.

12. The development hereby permitted shall be carried out in accordance with the measures set out in the Flood Risk Assessment by Geoff Beal Consultancy, April 2017 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 are set no lower than 300mm above surrounding existing ground levels;
- Flood resilient construction to be used.

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 national guidance contained in Section 10 of the National Planning Policy Framework, 2012.
13. No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding. This Condition is imposed in accordance with Policy SG14 and SG15 of the South Holland Local Plan 2006.

14. No dwelling shall be occupied until details of the landscape management and maintenance schedule for the areas of incidental open space, refuse/recycling collection points and parking courts have been submitted to and approved in writing by the Local Planning Authority. Thereafter these areas shall be maintained in accordance with the approved details.

Reason: To ensure that provision is made for the management and maintenance of communal areas. This Condition is imposed in accordance with Policies SG1 and HS11 of the South Holland Local Plan 2006.

15. 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

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
Appendix B Plan A