

Present:

Chairman: Councillor Tom Ashton

Vice-Chairman: Councillor Alison Austin

Councillors: Peter Bedford, David Brown, Paul Goodale, Jonathan Noble, Frank Pickett, Brian Rush, Paul Skinner, Yvonne Stevens, Peter Watson and Judy Welbourn

Officers: Assistant Director - Planning, Planner, Legal Advisor, Legal Services Lincolnshire and Democratic Services Officer

**95 APOLOGIES**

Apologies were tabled for Councillor Chelcei Trafford. No substitute member.

**96 MINUTES**

The committee agreed the minutes of the previous planning committee meeting held on the 9 March 2021

**97 DECLARATION OF INTERESTS**

Standing declarations of interest were tabled within the minutes for all members of the committee who were also:

Members of Lincolnshire County Council

Members of the South East Lincolnshire Joint Strategic Planning Committee

Representatives of the Internal Drainage Boards.

Referencing planning application B 21 0091 the following three committee members re-affirmed their position as a representative of the Black Sluice Internal Drainage Board, each stating individually that their position did not prejudice their determination of the application which they would do with an open mind: Councillors Tom Ashton, Peter Bedford and Frank Pickett.

**98 PUBLIC QUESTIONS**

No public questions

**99 PLANNING APPLICATION B 21 0091**

**Proposed change of use of existing agricultural building to residential dwelling**

**Red House Farm, Langrick Road, Brothertoft, Boston, PE20 3SW**

**H Robinson & Son, C/O Origin Design Studio**

The Planning Officer presented the report to the committee with an overview of the application and a number of supporting slides providing additional information in respect of the location, together with floor plans identifying increased sizing and elevations of the proposed dwelling along with indicative plans of the build materials.

Addressing the key issues for the recommendation to refuse the application, the Planning Officer referred members to Policy 23 of the South East Lincolnshire Local Plan and demonstrated how the proposals had failed to meet the requirements of said policy. The application had failed to establish whether the building was structurally sound and capable of conversion without needing significant extension, alteration and rebuilding. There was no justification for the building's retention, as it did not contribute to the character of the landscape nor was there any architectural merit in relation to the history of the area. The building was not listed and a significant part of the roof was missing.

The siting, scale and materials proposed would detract from the character and appearance of the existing area. The building would double in size with the internal floor space increasing by 4 times.

Therefore the result would be an over-intensive, prominent, and unsympathetic form of development that was contrary to the established spatial and visual characteristics of the area and failed to accord with Policies 2 and 3 of the South East Lincolnshire Local Plan.

Furthermore insufficient information had been provided to demonstrate how the sequential and exceptions tests relating to Flood Risk had been passed, as whilst the proposal was for the conversion of a building, the principle of the conversion had been proven to be unacceptable, with only part of the exception test having been satisfied. The proposal, therefore, failed to accord with Policy 2 (part 7), Policy 4 (part 1), and Policy 31 (part 2) of the South East Lincolnshire Local Plan (2011-2036) and Section 14 'Meeting the challenge of climate change, flooding and coastal change' of the National Planning Policy Framework (2019).

**Representation was received by the applicant Mr Robinson which included:**

Mr Robinson confirmed he had been resident at the application site for many years, his family had farmed at Brothertoft for 100 years and he and his wife wished to continue to live on the site.

He had been a Parish Councillor and a member of the Black Sluice Drainage Board for a long time demonstrating that he had actively served the local community.

The main reason for submitting the application was to provide suitable accommodation for carers for his wife who, following serious illness, required 24-hour live-in carers. The application, which Mr Robinson stressed was for three bedrooms and not four, included a bedroom for such support carers. The existing footprint was clearly defined and whilst some barns had been subject to damage, on a previous visit to the planning department Mr Robinson had been led to believe that planning on the site would not be a problem. The cladding on the north side had been suggested to reflect the original construction; however, if members felt an alternative was required then a compromise was agreeable. The family were environmentally-conscious providing a green oasis with grassland and numerous trees and hedgerows having been planted over the years. Parking was not

issue and electric charging points could be installed if required, together with ground aired heating if committee preferred. Furthermore, Mr Robinson confirmed that if required a separate access road could be installed, although there had been no objections from LCC Highways to the application. The neighbouring property was owned by the family but was tenanted and the tenants had no issues with the application. The Parish Council also had voiced no opposition to the application.

At this point in the proceedings the Chairman invited questions to Mr Robinson from committee members. One member asked if ground source heating was something that would be agreeable and Mr Robinson confirmed it could be easily incorporated on site and was something they would be willing to incorporate into the building.

**Committee deliberation followed which included:**

A member stated that they had to consider the application on planning reasons only and not on personal issues as sympathetic as he was to Mr Robinson. Stating he was in agreement with older buildings being bought back into use he felt that application was too large a building and out of keeping with the area. At this point Councillor Brian Rush moved the officer recommendation to refuse the application.

A member referenced the land registry map and the original layout of the site which identified it as larger than the application proposed. Referencing the NPPF he said he felt the development would improve the area and referencing back land development stated that most of that was new build and not on historic built sites. The cladding proposed was however not acceptable and brick would be more appropriate. At this point Councillor Jonathon Noble moved that the application be granted, contrary to officer recommendation. The Chairman officially seconded the recommendation.

Further comments in favour of the application were tabled including support of the design, the ground source heating and that the design was sympathetic to the area and would compliment it. The soundness of the structure was questionable but was outweighed by the positive contribution it would make to the area. Should the building be demolished it would leave a very stark lone dwelling. Referencing previous planning decisions on similar applications, a member noted precedents had already been set, identifying such applications which had been granted over the previous years. The member stated many had been in a far worse structural condition to begin with, than the one on the application. There was general agreement by members that historical farms and their buildings needed to be protected and the countryside preserved. Members questioned the comments within the report of agricultural need, stating that had not been a consideration on the historic applications referenced previously.

*Points of information were made:*

The Assistance Director – Planning noted that he understood that there were examples elsewhere which had been consented at differing times through the old plan and prior approval route and members needed to consider each application on its own merits. Should members be satisfied that Policy 23 had been met then the application could be considered as an open market residential property.

The Planning Officer further advised that the only reason the agricultural need was raised was because part of the covering application from the agent had said that it was

'because of personal circumstances and agricultural need'. That was why it had been considered, it had been identified by the agent.

Further member debate included concern that the committee was trying to make the proposal fit the policy and that the application was not a farming amenity that would rejuvenate the farming element of the area.

Additional support at concerns already tabled in respect of the cladding were noted and suggestions for conditions in respect of build materials were discussed.

The Chairman's concluding comments included recognition that the application was down to an entirely subjective interpretation of how it fitted within criterias 2 and 3 of Policy 23 of the Local Plan. Whilst being appreciative that the site had no merit in archeological or historic terms, the Chairman questioned if the argument that it made a contribution to the landscape, was enough to justify retention and, was it in keeping with its surroundings.

Supporting previous comments in respect of using matching or reclaimed brick and not cladding the Chairman stated he would look to condition reclaimed brick if possible and the only real criteria the application struggled to meet was whether or not it was structurally sound.

It was moved by Councillor Jonathon Noble and seconded by Councillor Tom Ashton that committee grant conditional permission, contrary to officer recommendation, as it felt the application was compliant with paragraph 79 of the NPPF and Policy 23 of the Local Plan and that the application would make a positive contribution to the area, subject to the conditions and reasons including conditions for material and renewables, and subject to a delegation to the Assistant Director – Planning to impose the said conditions.

Vote: 11                                      Against: 0                                      Abstain: 0

It is noted that Cllr Rush was unable to vote due to technical issues.

**RESOLVED:**

That committee grant the application contrary to officer recommendation subject to the following conditions and reasons and subject to to a delegation to the Assistant Director – Planning to impose the conditions.

1. The development hereby permitted shall be begun before the expiration of four years from the date of this permission.

**Reason:** Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in strict accordance with the application received on 10/03/2021 and in accordance with the associated plans referenced:

- J1751-PL-02 Rev P01 – Site Location Plan and Block Plan;

- J1751-PL-03 Rev P02 – Proposed Floor Plan;
- J1751-PL-04 Rev P02 – Proposed Elevations 1 of 3;
- J1751-PL-05 Rev P03 – Proposed Elevations 2 of 3;
- J1751-PL-06 Rev P03 – Proposed Elevations 3 of 3;
- J1751-PL-07 Rev P01 – Proposed Site Plan.

**Reason:** To ensure the development is undertaken in accordance with the approved details, in accordance with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan (2011-2036) and with the intentions of the National Planning Policy Framework (2019).

3. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) dated A02- February 2021, reference number J1751 Red House Barn by Origin Design Studio Ltd and the following mitigation measures detailed within the FRA:

- Finished floor levels to be set no lower than 3.05m above Ordnance Datum (AOD);
- Flood resilience measures to be incorporated into the proposed development as stated to a minimum of 300mm above finished floor level.

The mitigation measures shall be fully implemented prior to occupation and subsequently remain in place thereafter.

**Reason:** To reduce the risk of flooding to the proposed development and future occupants, in addition to providing the appropriate level of protection in accordance with the National Planning Policy Framework and Policies 2 and 4 of the South East Lincolnshire Plan (2011-2036).

4. The water consumption of the 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 Policy 31 of the South East Lincolnshire Local Plan (2011-2036)).

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 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 (2011-2036).

5. No development shall take place above ground level until details regarding the inclusion of the enhancement measures as outlined in the approved Ecology and

Protected Species Survey (Inspired Ecology Ltd, October 2020) have been submitted to and approved by the Local Planning Authority. The measures shall include:

- New hedgerows to be planted are to comprise native species;
- New trees and shrubs planted on the site are to comprise native locally appropriate species. Species that provide pollen, nectar and fruit should form part of the landscaping where possible in order to provide a food source for common birds;
- The grassed areas on the site are to be seeded with appropriate wildflower mixes;
- Specification, location and number of a bat roosting unit;
- Specification, location and number of bird boxes;
- Timetable for implementation of the above measures.

The approved works shall be carried out in accordance with the approved details.

**Reason:** In the interests of the natural environment in accordance with Policy 28 of the South East Lincolnshire Local Plan (2011-2036).

6. The precautionary measures outlined in the approved Ecology and Protected Species Survey Inspired Ecology Ltd, October 2020) in regards to bats, birds, badgers and other ground mammals shall be followed at all times during the construction of the approved development.

**Reason:** In the interests of the natural environment in accordance with Policy 28 of the South East Lincolnshire Local Plan (2011-2036).

7. If development has not commenced within 12 months of the date of this permission, prior to the commencement of development the building(s) shall be re-surveyed for the presence of protected species and if present, a scheme of mitigation shall be submitted to the Local Planning Authority for approval in writing. The development shall be undertaken in accordance with the scheme of mitigation.

**Reason:** In the interest of protected species and to accord with the Wildlife and Countryside Act 1981 (as amended), the National Planning Policy Framework 2019 and Policy 28 of the South East Lincolnshire Local Plan (2011-2036).

8. No development shall take place above ground level until a landscape management plan including management responsibilities and maintenance schedules has been submitted to and approved by the Local Planning Authority. The landscape management plan shall then be implemented within 1 month of its approval and followed as approved thereafter.

**Reason:** In the interests of visual amenity and in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan 2011-2036.

9. No development shall take place above ground level until details regarding the provision of electric vehicle charging points have been submitted to and approved in writing by the Local Planning Authority. The details shall include:

- The number of charging points;
- Location of charging points;
- Specification of charging points;
- Timetable for the implementation of the above measures.

The development shall then be carried out in strict accordance with the approved details.

**Reason:** In the interests of promoting sustainable transport in accordance with Section 9 of the National Planning Policy Framework 2019 and Policy 31 of the South East Lincolnshire Local Plan (2011-2036).

10. Notwithstanding the details shown on the approved plans, no development shall take place until details of the materials proposed to be used for the external walls and roof have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

**Reason:** To ensure that the new building is in keeping with the character of the area in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan (2011-2036).

11. Prior to the commencement of development, final details of measures that aim to reduce pollution and promote renewable and low carbon energy and details relating to the timing of their implementation, shall be submitted to and approved in writing with the Local Planning Authority.

The development shall be constructed in accordance with the approved measures.

**Reason:** To help reduce pollution and promote renewable and low carbon energy in new development schemes and to accord with Policies 2, 3, 30 and 31 of the South East Lincolnshire Local Plan 2011-2036 and to accord with the intentions of the National Planning Policy Framework (2019).

12. The development hereby permitted shall not be commenced until details of a comprehensive contaminated land investigation has been submitted to and approved in writing by the Local Planning Authority and until the scope of works approved therein have been implemented. The assessment shall include all of the following measures unless the LPA dispenses with any such requirements in writing:

a) A Phase I desk 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 study shall establish a 'conceptual model' of the site 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). A full desk top study and a non-technical summary shall be submitted in writing to the Local Planning Authority.

b) 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 and take into account the site's existing status and proposed new use. A copy of the site investigation and findings shall be submitted in writing to the Local Planning Authority.

**Reason:** To ensure potential risks arising from previous site uses have been fully assessed and in accordance with Policy 30 of the South East Lincolnshire Local Plan (2011-2036).

13. Where the risk assessment (see preceding condition) identifies any unacceptable risk or risks, a detailed remediation strategy to deal with land contamination and/or pollution of controlled waters affecting the site shall be submitted to and approved in writing by the Local Planning Authority. No works, other than investigative works, shall be carried out on the site prior to receipt of written approval of the remediation strategy by the Local Planning Authority.

**Reason:** To ensure the proposed remediation plan is appropriate and in accordance with Policy 30 of the South East Lincolnshire Local Plan (2011-2036).

14. Remediation of the site shall be carried out in accordance with the approved remediation strategy (see preceding condition). No deviation shall be made from this scheme.

**Reason:** To ensure site remediation is carried out to the agreed protocol in accordance with Policy 30 of the South East Lincolnshire Local Plan (2011-2036).

15. On completion of remediation, a copy of a closure report shall be submitted to the Local Planning Authority for approval in writing. The report shall provide validation and certification 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.

**Reason:** To provide verification that the required remediation has been carried out to the required standards in accordance with Policy 30 of the South East Lincolnshire Local Plan (2011-2036).

16. If, during development, contamination not previously considered is identified, then the Local Planning Authority 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 with the Local Planning Authority.

**Reason:** To ensure all contamination within the site is dealt with in accordance with Policy 30 of the South East Lincolnshire Local Plan (2011-2036).

*Committee adjourned for a comfort break at this point in the proceedings with reconvention of the meeting at 1140. All persons in attendance prior to the adjournment, in attendance on reconvention of the meeting.*



## 100 PLANNING APPLICATION B 16 0380 CD1

### Condition Discharge

Application for approval of conditions 11 (foul water), 12 (surface water), 14 (finished floor level), 16 (acoustic bund details), 17 (construction management plan) and 18 (geographical survey) attached to planning permission B/16/0380 (Outline application for the erection of up to 215 dwellings with all matters (scale, layout, landscaping, appearance) except access reserved with public open space and drainage infrastructure)

Land at Middlegate Road, Frampton, Boston, PE20 1BX

### Larkfleet Homes

Presenting the report the Assistant Director – Planning confirmed that it was tabled as when resolving to grant reserved matters in November 2018, committee members had requested that the drainage conditions be tabled back through committee once the final solutions had been defined.

For clarity of their determination, members were advised that the overall compliance for the site was in two parts with the first relating to conditions attached to the outline application whilst the second related to matters attached to the reserve matters which were subject to a separate discharge request detailed in the report.

Each request sought to cover a number of conditions but it was only the conditions relating to drainage, which were subject to the planning committee's determination. Condition 11 foul water and condition 12 surface water were the only two for consideration and both had been attached to the outline consent that had been agreed by the Inspector on appeal.

Members were reminded that in respect of drainage, the planning committee was not a statutory undertaker and the level of detail required was different to that considered by the statutory authority.

The applicant needed to achieve compliance with overlapping technical and legislative requirements with the statutory bodies who took a far more granular view of the proposal. Should committee agree the application today, but the statutory bodies find it non-compliant thereafter, then the applicant would be required to return to committee with any changes required.

A visual presentation followed identifying the key points on the site for collection and distribution of both types of drainage. The swales would run alongside a number of the main internal routes on the eastern and southern boundaries. The attenuation ponds would be located at the centre of the site, to the east of the main access and would bind the existing watercourse and hold c4300m<sup>3</sup>. They would be connected to a wider surface water system which would act as a holding point for the water, with the outfall from them being restricted by hydro-brakes. Perimeter land drains with a 300mm diameter to ensure a robust spare flow capacity, were also proposed along the southern and western boundaries and would be shared with properties on Middlegate Road and seek to capture excess run-off from those proposed properties.

**No public representation was received in respect of this item.**

**Committee deliberation followed which included:**

Concerns were raised in respect of ongoing drainage issues and members voiced their agreement that whilst they appreciated the proposals would not resolve existing issues, they were in agreement that they must not exacerbate them.

A member sought clarification in respect of the design of the headwalls for the outfalls asking if they related to foul or surface water and, which if not produced to an acceptable standard, they would not be progressed. The Assistant Director-Planning confirmed it referred to surface water and that unless they were to an agreed standard, they would not progress.

Further concern noted that the site was on running silt and although granted by the Secretary of State on appeal, moving forward applicants did need to be aware that schemes were adequate and stable.

In conclusion, the Chairman commended the detailed and technical report. He stated that the committee was very mindful of local concerns and ongoing issues and he noted that he was reassured with the drainage proposed for outside issues and satisfied that the conditions set out would not exacerbate existing issues. He further stated that in the absence of any technical report to counter the report, it would be difficult to refuse and he felt supported by the additional reassurance that the statutory bodies would finalise their decisions with due diligence.

It was moved by Councillor Paul Skinner and seconded by Councillor Tom Aston that committee agree that Condition 11 and Condition 12 were acceptable in line with officer recommendation and delegate authorisation to the Assistant Director – Planning to issue the final sign-off of the conditions.

**Vote: For 8. Against 4. Abstention 0.**

**RESOLVED: That committee agree condition 11 and condition 12 to be acceptable in line with officer recommendation, in line with the reasons noted below and agree a delegation of authorisation to the Assistant Director – Planning, to issue the final sign-off of the conditions, subject to any minor amendments that may be required:**

In light of the aforementioned report, Officers recommended to Members that the details provided in respect of conditions 11 & 12 relating to foul and surface water drainage were acceptable.

Members were therefore requested to endorse the view and conclusion of the Officers so that they might respond to the matters accordingly within the formal response to the discharge of condition request that had been made. The recommendation being that the details for conditions 11 and 12 be agreed.

Members were also asked to delegate authorisation to the AD – Planning, to issue the final sign-off, of the conditions, subject to any minor amendments required.

**Residential development consisting of 139 dwellings, including associated roads, public open space and drainage infrastructure**

**Land off London Road, Kirton, Boston, PE20 1JE**

**Ashwood Homes**

**Agent: Mrs Natalie Wallinger, NKW Design Ltd**

Prior to presentation of the report members were advised of an error on page 58 of the report under 5.7. Scenario 4 should read an education contribution of £88,000 and not the £430,531 as within the paper.

The Assistant Director – Planning presented the report and confirmed it was tabled to committee due to the scale of the development and the specific issues raised in respect of the changes presented regarding the affordable housing allocation and section 106 education contribution, against those granted within the initial application which committee had granted in September 2019.

The applicant had identified the need for a viability assessment to address an issue and it was their right to come back to committee to look to address the viability they had identified.

A visual overview of the previous scheme which committee had deemed acceptable identified phase 1 of the scheme already developed and phase 3 and phase 4. The timeline approved in 2019 had been subject to a legal agreement. The impact of Covid had resulted in a variety of raised costs, including abnormal costs for pumping on the site and increased slab levels. All costs had been based on accurate findings of the original scheme. The developers came forward in 2020 with a full viability report on an open book basis, looking at cost and profit, and the section 106 contributions. The independently assessed viability assessment had found the original scheme not viable. Thereafter ongoing negotiations had taken place and whilst not all matters had been agreed, the final offer was tabled before committee to see if it was agreeable.

The Council's own viability consultant had identified four scenarios and scenario 2 was the one the applicants had put forward. It provided 9 affordable houses with the split agreed with the housing manager to meet the Council's needs. The education contribution would remain the same as first agreed. The applicants had a proven track record across the wider borough and phase 1 of this development had been completed. Should permission be granted amendments would be made to condition 1 of the original conditions to commence within 2 years with condition 2 also requiring an amendment to include the new layout and amended affordable allocation.

**No public representation was received in respect of this application.**

**Committee deliberation followed which included:**

*It is recorded that Councillor Brian Rush sought a point of legal advice at this time in the meeting. Councillor Rush advised that he was a co-owner with his wife of a hair salon in Kirton and asked if he needed to declare a pecuniary interest in the item.*

*The Legal Officer advised that he did not need to do so but ultimately it was Councillor Rush's decision.*

*Councillor Rush stated he would not declare an interest but that would remain and listen to the debate but take no part and would not vote*

There was a preference by a number of members to see the actual development completed with recognition that a half-built derelict site would not be acceptable. There was agreement that affordable housing was required within the borough and a comment noted that over the 3 phases a 14% allocation would be provided which was contrary to the 20% identified within the Local Plan. Concerns further noted the reduction in the affordable allocation with reference to previous developers reducing their original allocations.

The Borough was in dire need of affordable housing for the rental market and it did not need £250k houses which local people could not afford.

Concern was also noted that the site had never been subjected to flooding although a member stated they felt the additional costs identified were for the increased height on the site from the road as required by the Environment Agency.

Stating that the original application had been granted in 2019 a member voiced concern that he felt it very strange that the developer would not have undertaken thorough ground testing in respect of the foundation and flood risk at that point, to see what was involved.

Concern noted that the education contribution would come from taxes via Lincolnshire County Council and a preference for increased affordable housing was more beneficial than the education contribution.

During the above deliberation, Councillor Alison Austin moved to grant the application in line with officer recommendation: Councillor Paul Skinner seconded the motion.

Councillor Jonathon Noble moved that scenario 4 be the preferred option. He stated that with the developer having agreed the 4 scenarios within the assessment, scenario 4 provided an alternative with increased affordable provision. Councillor Paul Goodale seconded the motion.

*A point of information was tabled:*

The Assistant Director – Planning reaffirmed to members the Council's own viability assessor identified the 4 scenarios, not the applicant. As such, if committee agreed scenario 4 then a delegation would be required for himself and the Chairman to allow further negotiations to take place with the developer, who still had the right to refuse to take forward scenario 4.

A further point of information advised that grants were available to developers for properties that were not subject to a section 106 agreement to enable them to provide increased affordable housing within a development, as had happened in the recent Heron Park development.

Summarising, the Chairman noted his sympathy with members and their comments in respect of the reduction in the affordable units. He stated however, he had to be guided by the independent assessment done for the planning authority. The committee could

not compel a developer to bring a site forward. If a developer found it not to be commercially viable, they could take their business elsewhere.

It was moved by Councillor Alison Austin and seconded by Councillor Paul Skinner that the committee grant the application in line with officer recommendation, subject to the completion of a section 106 agreement in relation to educational contributions and affordable housing allocation, subject to the amendments to conditions 1 and 2 of the original report and subject to further conditions and reasons:

Vote: For 6. Against: 3. Abstention: 2.

**RESOLVED:** That committee grant the application in line with officer recommendation, subject to the completion of the section 106 agreement in respect of education contributions and affordable housing allocation, subject to amendments to condition 1 and condition 2 below and subject to the remaining conditions and reasons:

- 1 The development hereby permitted shall be begun before the expiration of two years from the date of this permission.

**Reason:** Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby approved shall be carried out in accordance with the following approved plans:

- Ref: 1197/LP/SP – ‘Location Plan - Southern Phase’
- Ref: 90A-PL-01 Rev E – ‘Planning Layout - Southern Phase’
- Ref: 90A-HOL-001 – ‘Design Sheet - Holland’
- Ref: 90A-DEE-01 – ‘Design Sheet - Dee’
- Ref: 90A-EDN-001 – ‘Design Sheet - Eden’
- Ref: 90A AV-001 – ‘Design Sheet - Avon’
- Ref: 90A-CLY-001 – ‘Design Sheet - Clyde’
- Ref: 90A-SPAR-01 – ‘Design Sheet - Sparta’
- Ref: 90A-CORO-001 – ‘Design Sheet - Coronation’
- Ref: 90A-CORO-002 – ‘Design Sheet - Coronation’
- Ref: 90A-LCK-001 – ‘Design Sheet - Lock’
- Ref: 90A-MER-001 – ‘Design Sheet - Mere’
- Ref: 90A-MER-002 – ‘Design Sheet - Mere’
- Ref: 90A-NENE-001 – ‘Design Sheet - Nene’
- Ref: 90A-BAL-001 – ‘Design Sheet - Balmoral’
- Ref: 90A-BAL-002 – ‘Design Sheet - Balmoral’
- Ref: 90A-RIBB-001 – ‘Design Sheet - Ribble’
- Ref: 90A-HUM-001 – ‘Design Sheet - Humber’
- Ref: 90A-HUM-002 – ‘Design Sheet - Humber’
- Ref: 90A-A516-001 – ‘Design Sheet - A516’
- Ref: 90A-A516-002 – ‘Design Sheet - A516’
- Ref: 90A-A732-001 – ‘Design Sheet - A732’
- Ref: 90A-A902-001 – ‘Design Sheet - A902’
- Ref: 90A-A1336-001 – ‘Design Sheet - A1336’
- Ref: 1197/LA1 Rev A – ‘Landscape Proposals - Sheet 1 of 11’

- Ref: 1197/LA1 Rev A – ‘Landscape Proposals - Sheet 2 of 11’
- Ref: 1197/LA1 Rev A – ‘Landscape Proposals - Sheet 3 of 11’
- Ref: 1197/LA1 Rev A – ‘Landscape Proposals - Sheet 4 of 11’
- Ref: 1197/LA1 Rev B – ‘Landscape Proposals - Sheet 5 of 11’
- Ref: 1197/LA1 Rev B – ‘Landscape Proposals - Sheet 7 of 11’
- Ref: 90A-SG-01 – ‘Design Sheet - Single Garage’
- Ref: 90A-DG-01 – ‘Design Sheet - Double Garage’
- Ref: 90A-DSG-01 – ‘Design Sheet - Double Shared Garage’
- Ref: 90A-TSG-01 – ‘design Sheet - Triple Shared Garage’

And read in conjunction with the various recommendations of the supporting documents which accompany the application unless varied by other conditions attached to and forming part of this decision.

**Reason:** To ensure that the development is carried out in accordance with approved plans in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan (2011-2036).

3. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) dated August 2018, referenced MA11011-FRA-R01 by Millward, including the following mitigation measures detailed within the FRA:

- Finished floor levels to be set no lower than 500mm above existing ground level
- All dwellings to have at least two storeys

The mitigation measures shall be fully implemented prior to occupation and subsequently remain in place.

**Reason:** To reduce the risk of flooding to the proposed development and future occupants and to accord with Policies 2, 3, 4 and 31 of the South East Lincolnshire Local Plan (2011-2036) and the intentions of the National Planning Policy Framework (2019).

4. Prior to the construction of any building above damp proof course, a detailed scheme for drainage and water infrastructure shall be submitted to and agreed in writing by the Local Planning Authority. The details shall include:

- a scheme for the provision of mains foul sewage infrastructure on and off site
- details of connection point(s) and discharge rate(s)

Prior to the occupation of any dwelling within any phase of the development, the drainage and water infrastructure measures relating to that phase and dwelling must have been carried out in complete accordance with the approved scheme.

**Reason:** To prevent environmental and amenity problems arising from flooding and to accord with Policies 2, 3, 4 and 31 of the South East Lincolnshire Local Plan (2011-2036) and the intention of the National Planning Policy Framework (2019)

5. 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 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 (2011-0236).

6. No development shall take place above ground level until details of the materials proposed to be used in the construction of the external surfaces have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

**Reason:** No details of materials have been submitted, these details are required in the interests of the amenity of the area and to ensure that the new buildings are in keeping with the character of the area to accord with the objectives of Policies 2 and 3 of the South East Lincolnshire Local Plan (2011-2036) and the intentions of the National Planning Policy Framework (2019).

7. All landscape works relating to each completed part of the development shall be carried out in accordance with the approved details within 6 months of the completion of that part of the development. Any trees, plants, grassed areas which within a period of 5 years from the date of planting die, are removed or become seriously damaged or diseased shall be replaced in the first available planting season with others of similar size species or quality.

**Reason:** In the interests of visual amenity and to ensure an effective landscaping scheme is delivered, including planting of trees, and to ensure that the approved scheme is implemented satisfactorily, in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan (2011-2036).

8. Prior to the commencement of any part of the development above slab level, details shall be submitted to and approved by the Local Planning Authority for the provision of three (3) fire hydrants or other acceptable alternative along with a timetable for their installation relative to the phasing of the development. The fire hydrants (or other acceptable alternative) shall be installed at the relevant point of development in accordance with the agreed timetable.

**Reason:** To enable the protection and maintenance of the development and to accord with Policies 2 and 3 of the South East Lincolnshire Local Plan (2011-2036).

9. No development shall take place until the applicant has secured a programme of archaeological work, which shall include trial trenching, in accordance with a

written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

**Reason:** In order to ensure that satisfactory arrangements have been made for the investigation, retrieval and recording of any possible archaeological remains on the site and to accord with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan (2011-2036) and the intentions of the National Planning Policy Framework (2019).

10. The development hereby approved shall be carried out in accordance with the recommendations contained within the submitted Phase I Ecology Survey prepared by Hillier Ecology Limited.

**Reason:** To ensure that protected species and their habitats are protected and to provide enhancements to biodiversity in accordance with Policies 2, 3 and 28 of the South East Lincolnshire Local Plan (2011-2036).

11. Prior to the commencement of development above slab level, final details of measures that aim to reduce pollution and promote renewable and low carbon energy (including measures such as facilities for EV car charging) and details relating to the timing of their implementation, shall be submitted to and approved in writing with the Local Planning Authority. The development shall be constructed in accordance with the approved measures.

**Reason:** To help reduce pollution and promote renewable and low carbon energy in new development schemes and to accord with Policies 2, 3, 30 and 31 of the South East Lincolnshire Local Plan (2011-2036) and to accord with the intentions of the National Planning Policy Framework (2019).

12. 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 accords with Policies 2 and 3 of the South East Lincolnshire Local Plan (2011-2036).

13. 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 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 and to accord with Policies 2 and 3 of the South East Lincolnshire Local Plan (2011-2036).



14. 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 to, and approved in writing 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 accords with Policies 2 and 3 of the South East Lincolnshire Local Plan (2011-2036).

15. There shall be no vehicular access to the permitted development from Woodside Road. Effective measures, both physical and contractual, shall be incorporated into the development to prevent any such access being formed at any time.

**Reason:** Woodside Road is unsuitable, in terms of its carriageway width and construction standard and the absence of footways, to be able to accommodate additional vehicle movements from a residential development of the scale hereby permitted. This condition accords with Policies 2 and 3 of the South East Lincolnshire Local Plan (2011-2036).

16. Prior to the commencement of the development above ground level, a Construction Management Plan shall be submitted to the Local Planning Authority for approval in writing. The Construction Management Plan will prescribe how the construction of the site will be phased, where site accommodation and welfare facilities will be placed, hours of working, where site vehicles and the vehicles of site personnel will be parked and where materials will be delivered and stored within the site. Construction of the permitted development shall be undertaken in accordance with the approved Construction Management Plan.

**Reason:** In the interests of the safety and free passage of the public, in the interests of residential amenity and to accord with Policies 2 and 3 of the South East Lincolnshire Local Plan (2011-2036).

The Meeting ended at 1.20 pm