

Present:

Chairman: Councillor Tom Ashton

Vice-Chairman: Councillor Alison Austin

Councillors: Peter Bedford, David Brown, Katie Chalmers,
Jonathan Noble, Paul Skinner, Yvonne Stevens,
Peter Watson and Judy Welbourn

Officers: Assistant Director - Planning, Legal Officer Planning,
Democratic Services Delivery Manager, Senior Democratic
Services Officer and Democratic Services Apprentice

108 APOLOGIES

There were apologies for absence from Councillors Paul Goodale and Chelcei Trafford.

109 MINUTES

The minutes of the meeting held on 29th June 2021 were agreed as a correct record and signed by the Chairman.

110 DECLARATION OF INTERESTS

Standing declarations of interest were recorded for the following Members of the Committee:

Councillors Tom Ashton, Alison Austin and Paul Skinner in their respective roles as Lincolnshire County Councillors.

Councillors Tom Ashton and Peter Bedford in their respective roles as members of the South East Lincolnshire Joint Strategic Planning Committee and Councillors Jonathan Noble and Paul Skinner in their roles as substitute members' of that Committee.

Councillors Tom Ashton, Peter Bedford and Paul Skinner in their respective roles as representatives of the Internal Drainage Boards.

Councillor Paul Skinner declared that he was one of the Ward Members for Fishtoft and lived near the application site for the two applications on the agenda, but this would not affect his decisions, he had not expressed an opinion on the applications and he would consider it with an open mind.

Councillor Jonathan Noble, also a Ward Member, declared that he had been contacted by one of the objectors and had called-in Planning Application B/20/0488, but stated that he was not prejudiced or predisposed in any way with respect to the applications.

Councillor Peter Bedford and the Chairman, Councillor Tom Ashton, declared that they were Members of Witham Forth Internal Drainage Board, of whom the applicant was also a member, but that this did not prejudice them with respect to the applications.

111 PUBLIC QUESTIONS

None.

112 PLANNING APPLICATION B/20/0488

Outline application for 46 residential dwellings and associated works with all matters reserved for later approval

Land adj and to the rear of Fishtoft Scouts, Gaysfield Road, Fishtoft, Boston, PE21 0SF

John Saul Ltd C/O Clive Wicks Associates

The Assistant Director - Planning presented the application as set out in the report.

Registered speakers addressed the Committee as follows, in summary.

Mr Roly Ashley, a neighbour, spoke in objection to the application on the following grounds on behalf of local residents. The Local Plan being out of date; the availability of nearby alternative brownfield sites; lack of facilities and economic growth in the village; congestion on the main road; inadequate drainage; highway safety due to lack of footpaths; inability of village roads to deal with heavy lorries; and the dangers of the blind road junction proposed.

Mr Clive Wicks, the applicant's agent, described pre-application consultations as extensive. The site was one of the safest in terms of flood risk, was allocated in the Local Plan, and would contribute towards the borough's overall need for housing. The layout was of good quality, the design attractive, there would be no over-looking and the open space would be in an appropriate location. There would be measures to protect wildlife, significant tree planting and a drain to deal with surface water run-off. The applicant would also provide toilet and parking facilities and a pedestrian crossover for the scout hall in addition to education and NHS contributions. All consultees approved of the application, which was in accordance with the Local Plan and the NPPF. There would be no adverse effect on properties on Gaysfield Road, though their view would be affected. The scheme was sustainable and would promote economic growth.

Parish Councillor Joff Williams spoke on behalf of Fishtoft Parish Council as its vice-chairman. The parish council opposed the application on several grounds. With respect to access and traffic volumes, the Highways Agency assessment was not agreed due to the significant additional traffic that the development would generate and the cumulative impact on the roads would be severe. The reduction in height of the proposed dwellings would not provide privacy for existing dwellings, as they would still be two-storey with upstairs windows. The character of the area would not be maintained, as the proposed 5-year plan was inadequate, as were the requirements for the maintenance of the open space. Brownfield sites were available across the borough and should be used before development on farmland. The number of units was in excess of the Local Plan allocation. There were inadequate local services and the NHS contribution would not address the financial impact of this number of new residents. There were also flood risk and archaeological impact concerns.

Councillor Judith Skinner, addressing the Committee as one of the Ward Members, asserted that the proposal was contrary to the aims of sustainable development, as the village had few local services and limited public transport. There was a substantial number of objections from local residents and properties in Gaysfield Road would suffer from worsening conditions after rainfall that would not be mitigated by an attenuation pond and the watercourse to be used was already at capacity. A management committee should be set up to deal with drainage if the application was granted. The access to the development was not satisfactory adjacent to the scout hut and would adversely affect road safety at school pick-up and drop-off times. The road was inadequate for additional traffic as could be seen if the Highways Authority and the Committee visited the site. There would be an adverse impact on the amenity and open aspect of existing dwellings that were mostly bungalows. Councillor Skinner added that the foul water was pumped to Freiston not Fishtoft.

Before opening the matter for debate, the Chairman confirmed that the Local Plan was up-to-date.

In response to speakers' comments, the Assistant Director agreed it was unusual for access not to be specified at this stage, but that it was within the applicant's rights and should not prevent Members' determination. Even if there had been records of previous flooding, it would not preclude this development, as there was always a technical solution. Land levels raised by 300 mm-one of speakers-ODN – environment agency recommendation. Condition 11 equals not significant. This site was on good agricultural land; however, it had been allocated for development in the local plan; therefore, the principle had been set and it would be unreasonable not to grant permission. The area had been considered in detail during the local plan consultation exercise.

Members' comments included:

- Satisfaction with the amount of detail in the application and confidence that the attached conditions would ensure the Reserved Matters application would look very similar to the indicative plan.
- The principle had been determined already and it would be extremely difficult to revisit the local plan decision.
- The layout was satisfactory, the proposal was attractive and nearby properties would not be overlooked, and development would attract facilities to the area.
- Sympathy for the objectors, but there was no reason not to approve the application.

A Member objected to the proposal on several grounds. It represented tandem back-land development; adverse impact on neighbour amenity and character of the area; lack of amenities and public transport; use of prime agricultural land contrary to the NPPF, which stated poor quality agricultural land should be used instead of which there were ample alternative sites; visual intrusion and massing of properties.

In response, the Assistant Director pointed out that the design was a matter for Reserved Matters. Tandem development and effect on the character of an area was not necessarily harmful; it was the context. The site was part of land adopted in the Local Plan and the principle of development already accepted. There was no right to a view and amenity of neighbouring properties was a matter for reserved matters, which would consider window positions, separation distances etc.

Discussing the correct name of the drainage catchment area, the Assistant Director pointed out that it appeared within the statutory response from Anglian Water and if the name was incorrect, it did not affect his recommendation. Under separate legislation, Anglian Water could require the developer to do whatever was necessary to provide a connection and, as the applicant was required to seek Anglian Water's agreement for the proposal in accordance with condition 8, Members should have full confidence in this respect.

In response to a view that the proposed road junction should be moved further down to avoid the section where traffic backed up, the Assistant Director pointed out that the Highways authority had no objections to the application.

As to whether the Reserved Matters application would be brought to the Committee, the Assistant Director stated that this could be recommended, but stressed it would have to be considered on its own merits.

It was proposed by Councillor Yvonne Stevens and seconded by Councillor Peter Bedford that outline planning permission be granted as recommended by the Planning Officers.

Vote: 8 for, 2 against

RESOLVED: That outline planning permission be granted as recommended by the Planning Officers, subject to the satisfactory conclusion of a S106 Legal Agreement to secure the contributions towards Affordable Housing and other infrastructure and the following conditions:

1. No development shall commence until details of the access, appearance, landscaping, layout and scale of the development (hereafter referred to as the 'reserved matters') have been submitted and approved by the Local Planning Authority.

Those details shall conform to the design principles and layout shown in the approved indicative drawings 17-2397-01 Rev D Proposed Site Plan - Outline, 17-2397-CS-01 Cross Sections and 17-2397-MP-01 Rev F Proposed Masterplan.

Reason: This is an outline application only and such details must be approved before development commences in order to comply with the objectives of Policies 2 and 3 of the South East Lincolnshire Local Plan (2011-2036).

2. Application for approval of reserved matters shall be made to the Local Planning Authority not later than 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.

3. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

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

4. Any application for approval of reserved matters submitted pursuant to condition 1 of this permission shall accord with the outline permission insofar as it relates to a maximum of 46 dwellings and the overall site area (as shown on Drawing No. 17-2397-01 Rev D Proposed Site Plan - Outline received by the LPA on 27/05/2021).

Reason: The application is granted in outline only in accordance with the provisions of Article 4 of the Town and Country Planning (Development Management Procedure) Order 2015. Any application for reserved matters must be in accordance with and/or not exceed the parameters established as part of this permission and to comply with Policies 2 and 3 of the South East Lincolnshire Local Plan (2011-2036).

5. No development shall take place until a written scheme of archaeological investigation has been submitted to and approved by the Local Planning Authority. This scheme should include the following:
 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 including provision for trial trenching based on the results of the geophysical survey and appraisal forming part of the approved outline application
 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

The scheme of archaeological investigation must only be undertaken in accordance with the approved details, and completed in accordance with the timetable within. No other works shall take place until the site investigation has been completed, unless agreed as part of the timetable.

Reason: To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation in accordance with paragraph 199 of the National Planning Policy Framework.

6. Prior to the commencement of the development hereby permitted, a Construction Environment Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include (through not restricted to) the following details:
 - a) a traffic management plan incorporating the routing of construction traffic and details of heavy vehicle movement patterns (including the earliest and latest times, and the suspension of trips during peak traffic times)
 - b) hours of work for site preparation, delivery of materials and construction;
 - c) measures to minimise and control noise, vibration, dust, dirt and fumes during the development period
 - d) details of onsite parking facilities for both visiting construction vehicles and deliveries and workers on the site

- e) the loading and unloading arrangements for heavy plant and machinery and materials
- f) the location of storage of plant and materials used in constructing the development
- g) measures to avoid disturbance to nesting birds and other wildlife
- h) measures to prevent mud being deposited on the surrounding highway
- i) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- j) details of any protective fencing to maintain public access and public safety for the public footpaths that cross/are adjacent to the site – including provisions relating traffic and pedestrians within the vicinity at such facilities as the School and Scout Hut.
- k) a programme for the implementation of all of the above items.

Development shall then be carried out in strict accordance with the approved CEMP.

Reason: To satisfy Policy 2 and 30 of the South East Lincolnshire Local Plan (2011-2036) and to ensure that appropriate measures are put in place before any development commences to limit noise, nuisance and disturbance to the occupiers of neighbouring properties during the construction of the development and to prevent any obstruction of or disturbance to the operation of the Highway.

7. Submissions of reserved matters shall be accompanied by full details of a surface water drainage strategy and scheme based on the document 'Sustainable Drainage Strategy' forming part of the approved application. These details shall also include measures relating to the adoption or long-term maintenance of the surface water drainage system. The details shall be submitted to and approved in writing by the Local Planning Authority.

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 residents of the permitted development, neighbouring land and neighbouring properties are not adversely affected, by reason of flooding, by the construction of the permitted development in accordance with Policies 2 and 4 of the South East Lincolnshire Local Plan (2011-2036).

8. Submissions of reserved matters shall be accompanied by full details of the proposed foul water drainage system including connection points to the public sewer, discharge rate and confirmation that the sewage authority has sufficient capacity to accept the flows; such details shall be submitted to and approved in writing by the Local Planning Authority.

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 residents of the permitted development, neighbouring land and neighbouring properties are not adversely affected, by reason of flooding, by the construction of the permitted development in accordance with Policies 2 and 4 of the South East Lincolnshire Local Plan (2011-2036).

9. Submissions of reserved matters shall include a detailed 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, shall be submitted to and approved in writing by the Local Planning Authority. Such scheme shall be in accordance with the details shown in the approved drawings and the approved Biodiversity Appraisal and Biodiversity Management Plan.

The landscaping shall be carried out in its entirety within a period of the first planting season following the date on which development is completed or in line with a timetable agreed in writing by the Local Planning Authority.

Within the period of 5 years following the last occupation of the development, all trees, shrubs and bushes shall be maintained by the owner or owners of the land on which they are situated and all losses shall be made good as and when necessary.

Reason: To ensure that appropriate landscaping is provided to integrate the site into the local area, in the interests of biodiversity and to accord with Policy 3 of the South East Lincolnshire Local Plan and paragraph 170 of the National Planning Policy Framework.

10. The development hereby permitted shall be implemented in strict accordance with the recommendations of the Biodiversity Assessment (CGC Ecology dated April 2021) and Biodiversity Management Plan (CGC Ecology dated April 2021) forming part of the approved application.

Submissions of reserved matters shall include full details of the biodiversity enhancement measures across the site and a timetable for their implementation. These measures should be in keeping with the principles set out in the Ecological Appraisal, Biodiversity Assessment and Biodiversity Management Plan forming part of the approved application. These measures should include details of proposals for landscaping, biodiversity net gain and the long term biodiversity management of the site, which shall be approved in writing by the Local Planning Authority prior to the commencement of any works and which shall be implemented in accordance with a timing plan to be agreed by the Local Planning Authority.

The works shall then be undertaken in accordance with the agreed details.

The site shall thereafter be managed in ecology terms based on those details contained within the Biodiversity Management Plan (CGC Ecology dated April 2021).

Reason - In the interest of enhancing the ecology of the area in compliance with Policies 2 and 28 of the South East Lincolnshire Local Plan (2011-2036).

11. The details of any reserved matters application shall include details of flood mitigation measures including a demonstration that:
- the dwellings will be built using flood resilient construction techniques;
 - that there will be no ground floor sleeping accommodation;
 - that finished floor levels will be set a minimum of 4.66 metres above Ordnance Datum and;
 - that all dwellings will sign up to the Environment Agency flood warning service within one month of first occupation.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with Policy 4 of the South East Lincolnshire Local Plan (2011-2036).

12. Submissions of reserved matters relating to access shall include details of works to improve the public highway through the provision of a 1.8m wide frontage footway link between the entrance road at the junction with Gaysfield Road and the existing footway on the east side of Gaysfield Road. Those details shall be provided for agreement in writing by the Local Planning Authority.

No dwelling shall be occupied until the identified works have been completed in full and the footway link is available for use.

Reason: To ensure the continuity of safe and suitable pedestrian access, in the interests of pedestrian and public safety, in accordance with Policy 2, 32 and 33 of the South East Lincolnshire Local Plan (2011-2036) and the guidance within the NPPF.

13. 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).

14. 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 (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 (2011-0236).

15. None of the dwellings hereby approved shall be occupied until details of the public open space and how it is managed and maintained as part of the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall cover the full lifetime of the open space and drainage system and, as a minimum, shall include:
- (i) details of the location, size, specification of the open space and how the POS will be landscaped (hard and soft) along with any play equipment or facilities;
 - (ii) arrangements for adoption by an appropriate public body or statutory undertaker, or management and maintenance by a Residents' Management Company.
 - (iii) arrangements concerning funding mechanisms for the ongoing maintenance of all elements of the POS (including mechanical components) to include details such as:
 - on-going inspections relating to performance and asset condition assessments;
 - operation costs for regular maintenance, remedial works and irregular maintenance of limited life assets; and
 - any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.
 - (iv) means of access and easements for maintenance purposes;
 - (v) A timetable for implementation.

The POS shall thereafter be installed in accordance with the details and timetable contained within the duly approved scheme, and shall be managed and maintained as such thereafter.

Reason: To ensure that satisfactory measures are put in place for the management and maintenance of the public open space area throughout the lifetime of the development and to accord with Policies 2, 3, 6 and 31 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 by the Local Planning Authority.

Reason: To ensure all contamination within the site is dealt with and to accord with Policies 2 and 30 of the South East Lincolnshire Local Plan (2011-2036).

17. Prior to the commencement of development, details of the proposed post and rail fence and gates to serve the enclosed field as shown on drawing 17-2397-AS-01 RevC shall be provided for agreement in writing by the Local Planning Authority.

No works, other than site investigation and clearance shall take place until the aforementioned fence and gates have been provided, and they shall be retained thereafter.

Reason: To ensure the continuity of safe and suitable pedestrian access, in the interests of pedestrian and public safety, in accordance with Policy 2, 32 and 33 of the South East Lincolnshire Local Plan (2011-2036) and the guidance within the NPPF.

Informatives:

Anglian Water

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.

The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

STATEMENT OF PROACTIVE WORKING:

In determining this application, the authority has taken account of the guidance in paragraph 38 of the National Planning Policy Framework 2019 in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.

113 PLANNING APPLICATION B/20/0489

Full Planning Permission Proposed residential development of 20 affordable dwellings and associated works

Land adj and to the rear of Fishtoft Boy Scouts, Gaysfield Road,

Fishtoft, Boston, PE21 0SF

Applicant: John Saul Ltd C/O Clive Wicks Associates

The Assistant Director - Planning presented the application as set out in the report.

Registered speakers addressed the Committee as follows, in summary.

Mrs Linda Taylor, a resident of Gaysfield Road, spoke on behalf of local objectors. All objections to the previous application also related to this application. The application site was not within FIS046 of the Local Plan; it was within FIS007, described in the Local Plan as unsuitable for development with a dangerous level of flood risk. Recommending planning permission for affordable housing on a dangerous site could lead to an accusation of discrimination. Policy 11 of the Local Plan gave the new housing allocation for Fishtoft as 50 dwellings up to 2036, yet this figure had already been significantly exceeded. This policy should not be disregarded.

Mr Clive Wicks, the applicant's agent, explained that the proposed dwellings would be built behind trees within the public open space and hedging would provide a boundary between existing developments. It was a quality scheme, with a tree belt to the rear and houses overlooking an attractive open site entrance. The NPPF referred to the provision of affordable housing to meet local needs through use of exception sites. There were no objections to the application from consultees other than the parish council. Inspectors recognised that development would need to be built on prime agricultural land to achieve housing numbers. Both applications would provide a mix of house types and help young people obtain housing by rental and shared-equity schemes and allow families to walk the short distance to the school and play area.

Parish Councillor Joff Williams asserted that many of the objections to the previous application also applied to this one and asked the Committee to take this into account. The two applications should have been taken together and it appeared a 'backdoor' method of securing permission. The parish council objected to the access and traffic generation and, again, considered the Highways Authority assessment to be wrong, as the impact on the roads would be severe. The condition requiring management of the open space was welcomed, but detail of the final agreement was requested before implementation because, if this was inadequate, responsibility would devolve to the parish council. Financial contributions were noted, but previous concerns regarding impact on local services remained. The parish council did not object to the proposal in principle, but believed the location was wrong.

The Democratic Services Delivery Manager delivered the address on behalf of Councillor Judith Skinner, one of the Ward Members, who had had to leave the meeting. Points raised with respect to drainage on the previous application also related to this application, as did the points regarding vehicle movements and lack of local services. The main objection was that the site was outside the Local Plan scope and making an exception of this site, which it did not warrant, would set a precedent.

In response to questions, the Assistant Director confirmed that a small part of the application site was within the Local Plan allocation site FIS046. The site had also formed part of proposal FIS007 for a much wider area of land that had been discounted.

The application had been made in accordance with policy that allowed exception sites adjacent to settlement boundaries.

Mitigation for flood risk would be covered by the Flood Risk Assessment in accordance with condition 7. The number of housing units referred to in the Local Plan was a target, not an upper limit and the applicants were within their rights to submit this application separately to the previous application. The management and maintenance of the public open space was covered by condition 11.

The majority of Members voiced full support for the application and the provision of affordable housing of attractive design in a pleasing location in accordance with the exception site policy that would enable the village to achieve growth.

A Member voiced objections to the proposal on the grounds that it was not really an exception site, was outside the allocated site in the Local Plan and the evidence for the need of affordable housing in this village was unconvincing. Another considered that the entrance to the site would not be safe.

It was proposed by Councillor David Brown and seconded by Councillor Peter Watson that full planning permission be granted as recommended by the Planning Officers.

Vote: 8 for, 2 against

RESOLVED: That full planning permission be granted as recommended by the Planning Officers, subject to the satisfactory conclusion of a S106 Legal Agreement to secure the contributions towards Affordable Housing and other infrastructure and the following conditions:

1. The development hereby permitted must be begun not later than the expiration of four years beginning with the date of this permission.

Reason: To take account of the present restrictions on implementing permissions, in order to assist the recovery and in order to comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall only be undertaken in accordance with the following approved plans:
 - 17-2397-AS-09 Affordable Scheme Plots 19 & 20 received by the LPA on 08/12/2020
 - 17-2397-AS-08 Affordable Scheme Plots 17 & 18 received by the LPA on 08/12/2020
 - 17-2397-AS-07 Affordable Scheme Plots 15 & 16 received by the LPA on 08/12/2020
 - 17-2397-AS-06 Affordable Scheme Plots 11 & 12 received by the LPA on 08/12/2020
 - 17-2397-AS-05 Affordable Scheme Plots 9-10 & 13-14 received by the LPA on 08/12/2020
 - 17-2397-AS-04 Affordable Scheme Plots 7 & 8 received by the LPA on 08/12/2020
 - 17-2397-AS-03 Affordable Scheme Plots 4-6 received by the LPA on 08/12/2020
 - 17-2397-AS-02 Affordable Scheme Plots 1-3 received by the LPA on 08/12/2020

- 17-2397-MP-01 Rev F Proposed Masterplan received by the LPA on 27/05/21

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

3. No development shall take place until a written scheme of archaeological investigation has been submitted to and approved by the Local Planning Authority. This scheme should include the following:
 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 including provision for trial trenching based on the results of the geophysical survey and appraisal forming part of the approved outline application
 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

The scheme of archaeological investigation must only be undertaken in accordance with the approved details, and completed in accordance with the timetable within. No other works shall take place until the site investigation has been completed, unless agreed as part of the timetable.

Reason: To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation in accordance with paragraph 199 of the National Planning Policy Framework.

4. Prior to the commencement of the development hereby permitted, a Construction Environment Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include (through not restricted to) the following details:
 - a) a traffic management plan incorporating the routing of construction traffic and details of heavy vehicle movement patterns (including the earliest and latest times, and the suspension of trips during peak traffic times)
 - b) hours of work for site preparation, delivery of materials and construction;
 - c) measures to minimise and control noise, vibration, dust, dirt and fumes during the development period
 - d) details of onsite parking facilities for both visiting construction vehicles and deliveries and workers on the site
 - e) the loading and unloading arrangements for heavy plant and machinery and materials
 - f) the location of storage of plant and materials used in constructing the development
 - g) measures to avoid disturbance to nesting birds and other wildlife
 - h) measures to prevent mud being deposited on the surrounding highway
 - i) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - j) details of any protective fencing to maintain public access and public safety for the public footpaths that cross/are adjacent to the site – including provisions

relating traffic and pedestrians within the vicinity at such facilities as the School and Scout Hut.

- k) a programme for the implementation of all of the above items.

Development shall then be carried out in strict accordance with the approved CEMP.

Reason: To satisfy Policy 2 and 30 of the South East Lincolnshire Local Plan (2011-2036) and to ensure that appropriate measures are put in place before any development commences to limit noise, nuisance and disturbance to the occupiers of neighbouring properties during the construction of the development and to prevent any obstruction of or disturbance to the operation of the Highway

5. Prior to any development above slab levels a Surface Water Drainage Plan based on the principles set out in the Sustainable Drainage Strategy and Masterplan drawing forming part of the approved application and including arrangements for the future management of the drainage system shall be submitted to and approved in writing by the Local Planning Authority.

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 residents of the permitted development, neighbouring land and neighbouring properties are not adversely affected, by reason of flooding, by the construction of the permitted development in accordance with Policies 2 and 4 of the South East Lincolnshire Local Plan (2011-2036).

6. Before any works above slab levels a foul water strategy including connection points to the public sewer, discharge rate and confirmation that the sewage authority has sufficient capacity to accept the flows shall be submitted to and approved in writing by the Local Planning Authority.

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 residents of the permitted development, neighbouring land and neighbouring properties are not adversely affected, by reason of flooding, by the construction of the permitted development in accordance with Policies 2 and 4 of the South East Lincolnshire Local Plan (2011-2036).

7. The development hereby permitted shall be implemented in accordance with the Flood Risk Assessment forming part of the approved application and mitigation measures including a demonstration that:
- the dwellings will be built using flood resilient construction techniques;
 - there will be no ground floor sleeping accommodation;

- finished floor levels will be set a minimum of 4.66 metres above Ordnance Datum and
- all dwellings will sign up to the Environment Agency flood warning service within one month of first occupation.

Reason: To ensure residents of the permitted development, neighbouring land and neighbouring properties are not adversely affected, by reason of flooding, by the construction of the permitted development in accordance with Policies 2 and 4 of the South East Lincolnshire Local Plan (2011-2036).

8. Prior to the commencement of development, details of works to improve the public highway through the provision of a 1.8m wide frontage footway link between the entrance road at the junction with Gaysfield Road and the existing footway on the east side of Gaysfield Road shall be provided for agreement in writing by the Local Planning Authority.

No dwelling shall be occupied until the identified works have been completed in full and the footway link is available for use.

Reason: To ensure the continuity of safe and suitable pedestrian access, in the interests of pedestrian and public safety, in accordance with Policy 2, 32 and 33 of the South East Lincolnshire Local Plan (2011-2036) and the guidance within the NPPF.

9. 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 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 (or other development as specified).

Reason: To ensure safe access to the site and each dwelling/building in the interests of residential amenity, convenience and safety and to accord with Policy 3 of the South East Lincolnshire Local Plan.

10. Before any works above the damp proof course a schedule of external materials, including samples where requested, to be used in the construction of buildings and hard surfaced areas and in accordance with the broad specifications shown in the approved plans shall be submitted to and approved in writing by the Local Planning Authority.

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

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 Policy 2 of the South East Lincolnshire Local Plan and paragraph 127 of the National Planning Policy Framework.

11. None of the dwellings hereby approved shall be occupied until details of the public open space and how it is managed and maintained as part of the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall cover the full lifetime of the open space and drainage system and, as a minimum, shall include:

- (i) details of the location, size, specification of the open space and how the POS will be landscaped (hard and soft) along with any play equipment or facilities;
- (ii) arrangements for adoption by an appropriate public body or statutory undertaker, or management and maintenance by a Residents' Management Company.
- (iii) arrangements concerning funding mechanisms for the ongoing maintenance of all elements of the POS (including mechanical components) to include details such as:
 - 1. on-going inspections relating to performance and asset condition assessments;
 - 2. operation costs for regular maintenance, remedial works and irregular maintenance of limited life assets; and
 - 3. any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.
 - (i) means of access and easements for maintenance purposes;
 - (ii) A timetable for implementation.

The POS shall thereafter be installed in accordance with the details and timetable contained within the duly approved scheme, and shall be managed and maintained as such thereafter.

Reason: To ensure that satisfactory measures are put in place for the management and maintenance of the public open space area throughout the lifetime of the development and to accord with Policies 2, 3, 6 and 31 of the South East Lincolnshire Local Plan (2011-2036).

12. 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).

13. 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 (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).

14. Prior to development above slab level, a detailed 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, shall be submitted to and approved in writing by the Local Planning Authority. Such scheme shall be in accordance with the details shown in the approved drawings and the approved Biodiversity Appraisal and Biodiversity Management Plan.

The landscaping shall be carried out in its entirety within a period of the first planting season following the date on which development is completed or in line with a timetable agreed in writing by the Local Planning Authority.

Within the period of 5 years following the last occupation of the development, all trees, shrubs and bushes shall be maintained by the owner or owners of the land on which they are situated and all losses shall be made good as and when necessary.

Reason: To ensure that appropriate landscaping is provided to integrate the site into the local area, in the interests of biodiversity and to accord with Policy 3 of the South East Lincolnshire Local Plan and paragraph 170 of the National Planning Policy Framework.

15. The development hereby permitted shall be implemented in strict accordance with the recommendations of the Biodiversity Assessment (CGC Ecology dated April 2021) and Biodiversity Management Plan (CGC Ecology dated April 2021) forming part of the approved application.

Prior to development above slab level full details of the biodiversity enhancement measures across the site and a timetable for their implementation shall be submitted to the Local Planning Authority for approval in writing.

The works shall then be undertaken in accordance with the agreed details.

The site shall thereafter be managed in ecology terms based on those details contained within the Biodiversity Management Plan (CGC Ecology dated April 2021).

Reason: In the interest of enhancing the ecology of the area in compliance with Policies 2 and 28 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 by the Local Planning Authority.

Reason: To ensure all contamination within the site is dealt with and to accord with Policies 2 and 30 of the South East Lincolnshire Local Plan (2011-2036).

17. Prior to the commencement of development, details of the proposed post and rail fence and gates to serve the enclosed field as shown on drawing 17-2397-AS-01 RevC shall be provided for agreement in writing by the Local Planning Authority.

No works, other than site investigation and clearance shall take place until the aforementioned fence and gates have been provided, and they shall be retained thereafter.

Reason: To ensure the continuity of safe and suitable pedestrian access, in the interests of pedestrian and public safety, in accordance with Policy 2, 32 and 33 of the South East Lincolnshire Local Plan (2011-2036) and the guidance within the NPPF.

Informatives:

Anglian Water

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.

The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

STATEMENT OF PROACTIVE WORKING:

In determining this application, the authority has taken account of the guidance in paragraph 38 of the National Planning Policy Framework 2019 in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.

The Meeting ended at 12.35 pm