

BOSTON BOROUGH COUNCIL

Planning Committee - 04 Feb 2025

Reference No: B/24/0515

Expiry Date: 20-Mar-2025

Extension of Time: N/A

Application Type: Major - Full Planning Permission

Proposal: Proposed residential development for 200no. affordable dwellings and associated open space, parking and ancillary building to affordable housing provision and means of access

Site: Land South of Wainfleet Road, Boston

Applicant: C/O Agent

Agent: Mr Chris Lindley, rg+p

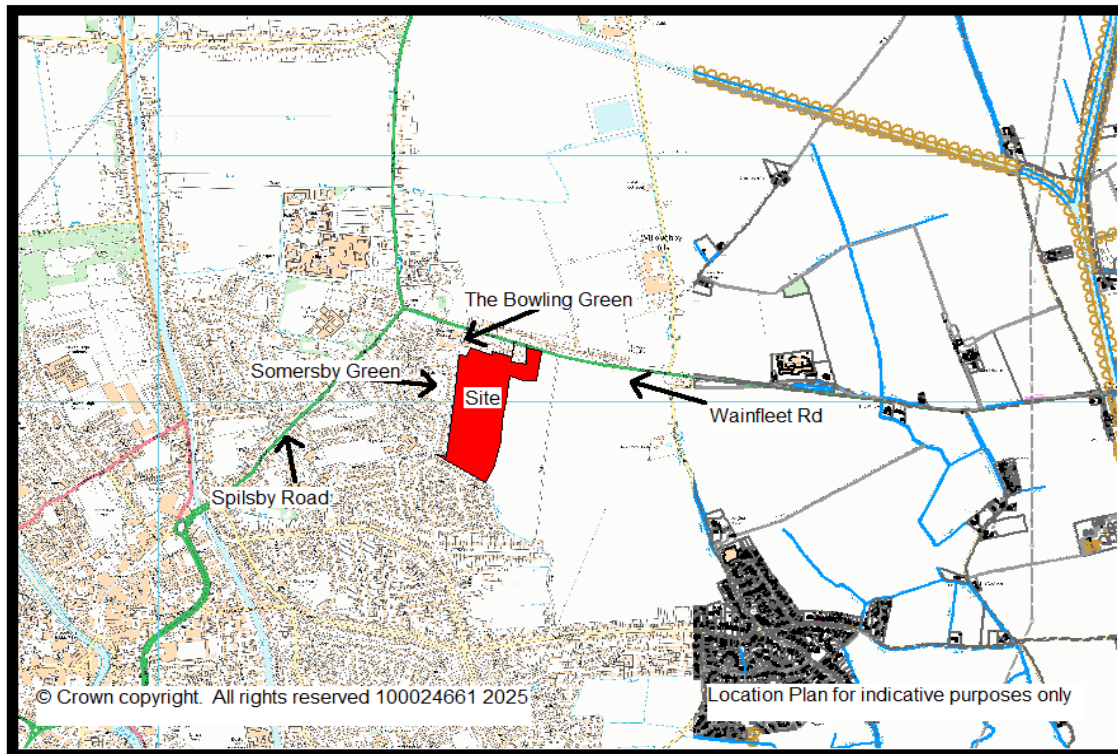
Ward: Fishtoft, Trinity

Parish: Boston Town Area Committee,
Fishtoft Parish Council

Case Officer: Lewis Humphreys

Third Party Reps: 3

Recommendation: Approve subject to conditions and unilateral undertaking



1.0 Reason for Report

- 1.1 The application has been referred to planning committee by the Assistant Director for Planning to consider the matters of viability in connection with this site.

2.0 Application Site and Proposal

- 2.1 The application site is on the north-east edge of Boston, to the south of Wainfleet Road. It is 9.62 hectares in size and currently in agricultural use. To the north are the rear gardens of existing properties along Wainfleet Road. To the east, the site adjoins agricultural land, while to the south and west are drains, beyond which are the rear gardens of properties on Sandringham Road, Princess Anne Road, Somersby Way and Somersby Gardens. The site is therefore enclosed by existing development on three sides. Trees and hedgerows are located to the north, west and south boundaries. An area to the southwest of the site, but wholly contained within the red line, is excluded from the application site.
- 2.2 A field access currently exists providing access from Wainfleet Road into this site and adjoining agricultural land to the east. Additionally, a pedestrian access exists between the properties known as Romney and Jura on Wainfleet Road into the site. The application site is agricultural land and, according to the Borough wide DEFRA records, designated Grade 1. The site is within the Environment Agency Flood Risk Zone 3. The Council's Strategic Flood Risk Assessment (SFRA) 2010 identifies the majority of the site having a Flood Hazard rating of 'Danger for All' and a 'medium' tidal flood probability. The site has a depth from flooding for the 200 year event (2115) predominately in the range of just under to just over 1 metre.
- 2.3 There are no listed buildings, tree preservation orders or other statutory local landscape or other designations on the site. Within the vicinity but approximately 250 metres away is the Boston (Spilsby Road) Conservation Area, within which are a number of Grade 2 listed buildings. A designated bridleway exists between the junction of Somersby Way and Ashlawn Drive south to Blackthorn Lane.
- 2.4 The proposal seeks the erection of 200 affordable dwellings. This is a full application, with full details of the dwellings to be erected and the proposed layout submitted at this stage. It is a resubmission of a previously submitted scheme for 200 dwellings, approved under B/24/0242. The main difference in the schemes is this application proposes to provide a full 200no affordable dwellings.
- 2.5 The application includes a single vehicular access off Wainfleet Road in the north-eastern corner of the site. With additional pedestrian accesses between Romney and Jura on Wainfleet Road, and in the southwest corner from the junction of Somersby Way and Tollfield Road.
- 2.6 The estate is laid out with a central access road running north to south with branching cul-de-sac spurs. Towards the centre of the site is a proposed area of open space running east to west. Situated on this is a community building to be occupied in

connection with one of the providers of affordable housing on the site. Open space runs around the east, west and south of the site, including a proposed footpath and surface water basins.

2.7 The application has been accompanied by detailed drawings showing the material schedule and boundary treatments. A viability report has been submitted, and this has been independently assessed and included with the application. In addition, the application is accompanied by the following supporting plans and documents in connection with:

- Biodiversity Net Gain and Ecology
- Surface and Foul Water Drainage details
- Flood Risk Assessment
- Preliminary Levels Strategy
- Indicative Right Hand Turn Lane
- Air Quality Assessment
- Archaeological Assessment
- Phase 1 Land Contamination
- Landscape and Visual Impact Assessment
- Transport Assessment
- Framework Travel Plan

3.0 Relevant History

3.1 B/17/0511 - Outline application for proposed residential development of up to 200 no. dwellings and associated open space, parking and ancillary building to the affordable housing provision, with access to be considered.

- Granted 4 October 2018 subject to a S.106 agreement securing, amongst other things, 20% affordable housing and contributions in connection with Health and Education.

3.2 *Officer's note: The description of development for this application has been amended via an application under S.96a (B/17/0511/NMA). The amended description is used above.*

3.3 B/21/0441 - Application for Approval of Reserved Matters (Appearance, Landscaping, Layout and Scale) following Outline Approval B/17/0511 for residential development of up to 200 no. dwellings. Granted 22 December 2023

3.4 B/24/0242 - Application under s73 for the variation of Condition 1 (Approved Plans) of permission B/21/0441 (Application for Approval of Reserved Matters (Appearance, Landscaping, Layout and Scale) following Outline Approval B/17/0511 for residential development of up to 200 no. dwellings)

- Variations to the approved Reserved Matters scheme to include a denser provision of housing within the context of the same layout plus an ancillary building

4.0 Relevant Policy

South East Lincolnshire Local Plan 2019

- 4.1 Policy 2: Development Management
- Policy 3: Design of New Development
- Policy 4: Approach to Flood Risk
- Policy 5: Meeting Physical Infrastructure and Service Needs
- Policy 6: Developer Contributions
- Policy 10: Meeting Assessed Housing Requirements
- Policy 11: Distribution of New Housing
- Policy 17: Providing a Mix of Housing
- Policy 18: Affordable Housing
- Policy 28: The Natural Environment
- Policy 30: Pollution
- Policy 31: Climate Change and Renewable and Low Carbon Energy
- Policy 32: Community, Health and Well-being
- Policy 33: Delivering a More Sustainable Transport Network
- Policy 36: Vehicle and Cycle Parking

National Planning Policy Framework 2024

- 4.2 At the heart of the 2024 Framework is a presumption in favour of sustainable development. The following sections are relevant to this scheme:
 - Section 2. Achieving sustainable development
 - Section 4. Decision-making
 - Section 5. Delivering a sufficient supply of homes
 - Section 8. Promoting healthy and safe communities
 - Section 9. Promoting sustainable transport
 - Section 11. Making effective use of land
 - Section 12. Achieving well-designed places
 - Section 14. Meeting the challenge of climate change, flooding and coastal change
 - Section 15. Conserving and enhancing the natural environment

National Planning Practice Guidance (PPG)

National Design Guide 2021

5.0 Representations

- 5.1 As a result of publicity 5 representations have been received from 3 addresses in and around the immediate locality of the site
- 5.2 The objections and comments can be summarised as follows:
 - Concerns regarding the maintenance of the dyke along the western boundary that is currently maintained by the landowner and not included within the application site

- Concerns about access to maintain the dyke along the western boundary
- Photos provided of the western dyke following rainfall
- Landowner has identified they do not consider there to be a right of access to the site for a future residential development via the Bowling Club in the northwest of the site
- Concerns regarding the number of applications on the site
- No consideration has been given to the risk of flooding along the northern boundary and properties on Wainfleet Road, these properties are treated differently than elsewhere and do not have any intervening drainage features
- Areas at risk of flooding should be avoided as they are inappropriate for development
- Concerns about the impact on wildlife that use the site
- Concerns about lack of landscape buffer on the northern boundary
- Concerns about the addition of a community centre and managers officer
- Concerns about land set aside for future development squeezed onto an already densely populated site
- How many times can an application be amended? And how many dwellings in total are now intended to be built on the site
- Such an intense level of affordable housing is not advisable and there is a loss of larger 4 and 5 bedroom properties
- Level of affordable housing would be a drain on the local area as residents would be unable to make significant contributions to local businesses
- Will put a strain on infrastructure, including roads doctors surgeries, dentists, schools, hospitals etc.
- The development should be more diverse with more larger properties to provide homes for the Doctors working in nearby Pilgrim Hospital
- Lack of high quality open space
- Fear of antisocial behaviour and crime is often associated with this level of affordable and social housing
- Original plans had a safer and better layout
- Will the housing largely accommodate issues relating to migration
- Proposed density is out of character with the area and the type of housing is not appropriate in an area with larger detached residences
- Concerns about street lighting and light pollution
- Concerns about loss of privacy and lack of screening on northern boundary

6.0 Consultations

- 6.1 Fishtoft Parish Council – None received at time of writing
- 6.2 Boston Borough Council Ecology – None received at time of writing
- 6.3 Boston Borough Council Environmental Health – No objection in principle, phase 1 contaminated land assessment identifies site is likely low risk but does recommend further investigation and recommend conditions to secure this.
- 6.4 Boston Borough Council Housing Strategy - The Local Housing Authority fully supports this application subject to the details of the affordable housing provision being secured within a Section 106 agreement or unilateral undertaking.

- 6.5 Boston Borough Council Waste Services – Request a refuse strategy to differentiate between those properties whose bins can be collected from the curtilage and those located on private roads not built to adoptable standards. Bin collection points should be provided for any property on a private drive.
- 6.6 Lincolnshire County Council Highways/SuDS – Request further details in connection with:
- areas proposed to be adopted by the highway authority and any roads that will remain private,
 - details of management of private roads,
 - provision of a shared footway/cycleway in the southwestern corner with Fenleigh Way/Tollfield Road, including street lighting
 - Construction Management Plan and Construction Drainage Statement
 - Details regarding the S.278 off-site improvement works including detailed engineering design and stage 1 road safety audit of ghost island right turn, and a detailed engineering design of a 2m wide footway on the south of A52 to connect the entrance of the development to the existing footway
 - discharge invert levels to the maintained Internal Drainage Boards open watercourse.
- 6.7 Lincolnshire County Council Strategic Development Officer – Request a contribution of £735,786.18 to mitigate the impact on local secondary schools and sixth forms.
- 6.8 Anglian Water – Have identified a sewage pumping station within 15m of the site and recommend dwellings be sited at least 15m from this building. The foul drainage from this development is in the catchment of Fishtoft Water Recycling Centre that will have available capacity for these flows. Recommend informative notes in connection with foul water disposal and do not provide any comments on the proposed means of surface water disposal.
- 6.9 Environment Agency – Object - we advise that the FFLs for the proposed single storey dwellings are set to a minimum 3.6 metres above Ordnance Datum.
- 6.10 NHS Integrated Care Board – Request a contribution of £660 per dwelling (totalling £132,000) to offset the impacts on primary care within the catchment.
- 6.11 Active Travel England – Refer to the standing advice notes
- 6.12 Witham 4th IDB– None received at time of writing
- 6.13 Lincolnshire Fire and Rescue – Object - Access to buildings for fire appliances and fire fighters must meet with the requirements specified in Building Regulation Part B5. Lincolnshire Fire and Rescue also require a minimum carrying capacity for hardstanding of 18 tonnes and not 12.5 tonnes as detailed in Building regulations Part B5. Recommend the installation of 4 fire hydrants to be provided at the developers expense as an integral part of the water mains scheme.

6.14 Lincolnshire Wildlife Trust – None received at time of writing

6.15 Heritage Lincolnshire – None received at time of writing

7.0 Planning Issues and Discussions

7.1 The key planning issues in the determination of this application are:

- Preliminary Matters and matters of principle
- Viability and the impacts on infrastructure
- Biodiversity and the impact on the natural environment
- Impacts on character of the area and neighbour amenity
- Technical considerations

Preliminary Matters and matters of principle

7.2 The application seeks planning permission for the erection of 200 affordable dwellings. The site lies within the settlement boundary for Boston, identified as a sub-regional centre in Policy 1. The site is identified on Inset Map as site Fis017a, a housing allocation site, and Policy 11 of the Local Plan identifies the site has a suggested capacity of 200 dwellings.

7.3 Further to this, the site has extant permission for the erection of 200 dwellings, either via the original outline and reserved matters applications (B/17/0511 and B/21/0411 respectively) or a subsequent variation to that permission in B/24/0242.

7.4 This scheme is fundamentally the same as that approved under B/24/0242 in terms of its built form, and the number of dwellings provided. It is noted that this scheme would provide 200 affordable homes where the previous scheme was for market housing, with a minimum of 20% affordable homes secured via a S.106 agreement. This change of tenure does not affect the considerations against the policy position above.

7.5 It is also noted that this site excludes an area of the site that may come forward for additional development in the future. However, the impacts of that scheme would be assessed at that stage and this application is solely for the scheme set out in the submitted drawings and supporting documentation.

7.6 There is policy support within Policies 1 and 11 of the Local Plan for residential development on this site, at the quantum of development proposed. Furthermore, the existing permissions represent a realistic fallback position that should also be afforded weight. The proposal is therefore considered to be acceptable in principle.

Viability and the impact on infrastructure.

7.7 The notable difference in this scheme to the previously approved scheme and the key consideration in the determination of this application is that this proposal seeks permission without some of the mitigations secured by the agreed S.106 legal agreement accompanying B/17/0511.

7.8 That legal agreement secured:

- 20% onsite affordable housing
- Healthcare contribution of £88,800
- Primary education contribution of £327,016
- Secondary education contribution of £475,761
- Sixth Form contributions of £92,138
- Highways agreements to be entered into (S.38 and S.278 agreements)
- Travel Plan and monitoring of £5000
- LEAP: 2 locally equipped areas of play
- Ongoing management of open space

7.9 Policy 6 of the Local Plan sets out that developers should either make direct provision or contribute towards the provision of local and strategic infrastructure and services. It goes on to state that contributions will be determined having regard to:

- the identified needs generated by the proposed development;
- the viability of the proposed development; and
- the priorities attached to meeting individual local and strategic infrastructure and service requirements

7.10 Paragraph 59 of the National Planning Policy Framework sets out that it is up to a developer to justify the need for a viability assessment at the application stage and the weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case.

7.11 Appendix 5 of the Local Plan sets out the infrastructure requirements and constraints and mitigation for allocations. For this site, a potential upgrade to the water supply network, and capacity of the foul sewerage network are identified. It sets out access could be achieved via a simple priority junction off the A52 and a footway along the south side of Wainfleet Road should be provided.

7.12 Improvements to the water supply and foul sewerage network have not been requested as part of this application by Anglian Water and were not a part of previous agreements. The delivery of off-site highways improvements, including the priority junction and footway are still proposed and will be discussed in detail later in the report and could be adequately secured by condition.

7.13 Levels of open space, including LEAP provision, have already been secured as part of the previous application and are included here also. Matters secured in the previous S.106 regarding the ongoing maintenance of those areas could be adequately secured by condition here.

7.14 This application has been accompanied by a viability appraisal that concludes that the scheme would not be viable to be delivered and that the removal of the £626,000 financial obligations would reduce the gap funding needed to deliver the scheme.

- 7.15 That appraisal has been the subject of an independent assessment. That assessment found that for 200 homes, with no S.106 contributions, the residual land value would be £632,612 and below the benchmark land value of £2,874,500 and concludes that there would be a justification for removing the S.106 contributions.
- 7.16 New requests for contributions have been received during the consideration of this application. A request for £132,000 has been received from the NHS Integrated Care Board and a request for £735,786.18 has been received from Lincolnshire County Council in connection with Secondary School and Sixth Form provision. It is noted that there is considered to be sufficient capacity at primary school level. These contribution requests were received prior to the publication of the viability appraisal and independent assessment. These bodies have been notified of the intent to consider the application without these requests and should further comments be received then members will be updated. In the absence of any further comments, it is considered appropriate to assume these bodies would object to the proposals in the absence of contributions.
- 7.17 There is clear evidence that the scheme would not be viable and could not support the lower contributions within the existing S.106 agreement and would equally not support the increased requests included at this stage.
- 7.18 The proposal would provide a significant level of affordable housing, with a mix of bungalows, maisonettes, 2 bedroom houses, 3 bedroom houses and 4 bedroom houses providing both shared ownership and affordable rent tenures. There were over 1700 households on the Council's housing register in December 2024 who identified Boston as a choice. This proposal would go a significant way towards meeting that identified need.
- 7.19 Policy 6 and the NPPF allow for the consideration of viability in determining whether to require contributions or not. In this case, the evidence regarding viability is accepted and weight is given to the provision of 200 affordable homes. It is considered that the proposal would comply with Policy 6.

Biodiversity and the natural environment

- 7.20 Since the previous scheme was determined, mandatory biodiversity net gain has come into force, the provisions of which would apply to this scheme. The application has been accompanied by a BNG metric, habitats map, and supporting statement.
- 7.21 The proposed baseline and habitats maps are considered to be realistic and are accepted. No formal comments have been received from the Ecologist but at determination stage the only required information is a demonstration of the baseline level. Should any comments be received members will be updated.
- 7.22 The submitted metric indicated that an 11% gain in area habitats can be achieved on site. However, this relies upon the creation of a high and medium distinctiveness habitats to a moderate condition on area identified as public open space and comprising drainage features. Further details are required in connection with the

management and implementation of these features. Should these units not be delivered on site, they may be supplemented by off-site works or credits.

- 7.23 Policy 31 of the Local Plan sets out that development should provide a net gain in biodiversity and Policy 28 seeks to address the gaps in the ecological network. It is noted that Mandatory BNG uses habitats as a proxy for species, however, the supporting text to Policy 28 identifies a specific need regarding Swifts within Boston and this is strengthened by new wording within para 187d) of the NPPF. As such, a condition to secure the provision of bat boxes, bird boxes and bricks, including swift bricks, within the development is considered necessary and reasonable. This is supported by the preliminary ecological appraisal submitted with the application.

Impacts on character of the area and neighbour amenity

- 7.24 Policy 2 states that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met. These include size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses as well as the quality of its design and its orientation. Policy 3 states that all development proposals will create a sense of place by; respecting the density, scale, visual closure, landmarks, views, massing of neighbouring buildings and the surrounding area. Policies 2, 3 and 30 of the SELLP seek to ensure that new development does not significantly impact neighbouring land uses by reason of noise, odour, disturbance, or visual intrusion.
- 7.25 Paragraph 136 of the NPPF advocates that where a development is a poor design that fails to take the opportunities available to improve the character and quality of an area planning permission should be refused.
- 7.26 The site sits south of Wainfleet Road and north of Princess Anne Road and Sandringham Gardens, it represents a fairly natural extension of the built form of Boston. The scheme is the same as that previously approved by B/24/0242 and only slightly different to that approved under B/22/0411. The previous approvals are a material consideration and it is noted that the impacts of the scheme in terms of visual impact and neighbour amenity have already been found to be acceptable subject to conditions. The changes in tenure to a fully affordable scheme do not affect the landscape impacts.
- 7.27 Concerns have been raised regarding amenity impacts of dwellings on Wainfleet Road. It is noted that some of those dwellings have low rear boundary treatments and so a degree of overlooking over those gardens is likely from the proposed roadway adjoining them. A boundary treatments plan has been submitted that does not include details for any additional boundary treatments along that boundary, although landscaping is identified on the proposed site plan. The nearest dwellings are approximately 12m from that boundary and face towards it but would be over 40m from the rear of the dwellings. It is noted that the existing dwellings could provide a boundary treatment of their own, without the need of planning permission, up to 2m in height. Nonetheless, it may be appropriate to condition a boundary treatment along that border to prevent overlooking from pedestrians along the roadway.

Technical Considerations

- 7.28 LCC as Highways Authority have requested a number of technical details as part of the application, including in relation to the ghost island right turns, the S.38 and off-site S.278 works and the provision of a footway along the southern edge of Wainfleet Road. While it is necessary and reasonable to secure the delivery of these features, it is not necessary to secure the level of detail requested and such details is more appropriate for the agreements between the developer and the Highway Authority.
- 7.29 LCC have requested access through the south-western corner, which has been shown on the plan. Full details of the that have been requested, including lighting. A proportionate level of detail would be considered reasonable to secure via condition. An access route via the bowling club in the northwestern corner is also shown on the plan. Objections have indicated that no right of access exists over this, however, it is not considered necessary for the scheme and should not be secured as a requirement in this instance.
- 7.30 The site is in flood zone 3 and should therefore normally be subject to the sequential and exceptions test. However, as an allocated site it is not necessary to undergo the sequential test and this matter is considered to be satisfied. It is still necessary to undergo the exceptions test and demonstrate that there are wider public benefits that outweigh the flood risk and that the development would be safe for its lifetime. In this case weight is given to the extant planning permission and the provision of affordable homes, which are considered to outweigh the flood risk in this instance.
- 7.31 A detailed flood mitigation strategy has been proposed, which is the same as that previously approved. The Environment Agency have objected to the bungalows, citing the finished floor level as being below the predicted flood depths of 3.6m AOD. However, on previous schemes they have not raised this concern and have supported the proposals subject to a condition requiring finished floor levels to be 3.4m AOD. This discrepancy has been queried with the EA and an update will be provided to members should further information be forthcoming.
- 7.32 On planning application B/24/0242, the IDB raise concerns regarding proposals to raise the ground levels and particular issues regarding the potential for surface water impacts from this on properties on Wainfleet Road. Objections have also raised concerns regarding the impacts of surface water flooding upon these properties. While a broad drainage strategy has been agreed as part of the reserved matters application, a full scheme has not been agreed and details were still required as part of the outline approval and the further S.73 application. These outstanding matters have not yet been addressed and it is considered reasonable to require further details to be agreed as a condition on any approval of this application. It is also considered appropriate to secure details of the ongoing management and maintenance of any unadopted drainage features.

- 7.33 Concerns have also been raised regarding a dyke along the western boundary that sits outside the red line area and between the site and the adjoining dwellings. In particular regarding its maintenance. As it is outside the site, the details of that cannot be secured on this permission. An informative note advising the landowner of their obligations in connection with this is considered to be the most reasonable route forward.
- 7.34 Lastly, Lincolnshire Fire and Rescue have objected to the proposals. They have sited a number of matters in connection with compliance with building regulations and their requirements above and beyond that. Matters dealt with by other legislation, including building regulations, are not material planning considerations. The matters raised here are again considered to be most appropriately resolved via informative note.

8.0 Summary and Conclusion

- 8.1 The application seeks planning permission for the erection of 200 affordable dwellings on site Fis017a, a site allocated for residential development in Policy 11 of the Local Plan. Planning permissions B/17/0511 and B/21/0441 relate to a similar scheme and the S.73 variation to that scheme B/24/0242 has been granted for the same scheme.
- 8.2 This application seeks the grant of planning permission for 200 affordable dwellings and not the market scheme with 20% affordable secured by those approvals, however, is applying for consent without the contributions towards health and education included within those previous approvals.
- 8.3 The application has been accompanied by a viability appraisal that has been independently assessed and the scheme has been found to be not viable if subject to the lower requests included in the S.106 agreement associated with the previous permissions. The findings of those assessments have been accepted
- 8.4 Policy 6 allows for consideration to be given to viability when considering requests for contributions. Giving weight to the above viability assessments and the delivery of 200 affordable homes, the scheme is considered to comply with Policy 6 without requiring a financial contribution towards health or education.
- 8.5 All other matters are similar to those considered within previous permissions and any other provisions within that previous S.106 agreement could be adequately secured via condition.

9.0 Recommendation

- 9.1 It is recommended that Committee approve the application subject to the conditions listed below and pending the submission of a Unilateral Undertaking to secure the delivery of the affordable housing.

CONDITIONS / REASONS			
Pre-commencement conditions?	Yes	Agreed with applicant/agent - Date:	

1	<p>The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this permission.</p> <p>Reason: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>The development hereby permitted shall be carried out in accordance with the following plans and details:</p> <ul style="list-style-type: none"> ▪ 101-094/(P) 180 Site Location Plan ▪ 101-094/(P) 181 Proposed Site Layout ▪ 101-094/(P) 182 Materials Plan ▪ 101-094/(P) 183 Proposed Boundary Treatment ▪ 101-094/(P)041G Street Scenes NO.1 ▪ 101-094/(P)042G Street Scenes NO.2 ▪ 101-094/(P)043F Street Scenes NO.3 ▪ 101-094/(P)044E Street Scenes NOS 4 and 5 ▪ 101-094(P) 119B LH 1B BUNG T3 RB ▪ 101-094(P) 120B LH 2X1B BUNG T3 RB ▪ 101-094(P) 121B LH 2B BUNG T4 V1 RB ▪ 101-094(P) 122B LH 2X2B BUNG T4 V1 RB ▪ 101-094(P) 123B LH 2X2B BUNG T4 V2 RB ▪ 101-094(P) 124B LH 2X2B BUNG T4 V3 RENDER ▪ 101-094(P) 125B LH 3X2B BUNG T4 V1 RB ▪ 101-094(P) 126B LH 3X2B BUNG T4 V2 RENDER ▪ 101-094(P) 127B LH 3B BUNG RB ▪ 101-094(P) 128B LH 2X3B BUNG V1 RB ▪ 101-094(P) 129B LH 2X3B BUNG V2 RB ▪ 101-094(P) 130A LH 4X1B MAIS RENDER ▪ 101-094(P) 131B LH 2X2B4P HOUSE T5 V1 RB ▪ 101-094(P) 132B LH 2X2B4P HOUSE T5 V1 BB ▪ 101-094(P) 133B LH 2X2B4P HOUSE T6 V1 RB ▪ 101-094(P) 134B LH 2X2B4P HOUSE T6 V2 BB ▪ 101-094(P) 135B LH 2X3B5P T8 V1 RB ▪ 101-094(P) 136B LH 2X3B5P T8 V2 RB ▪ 101-094(P) 137B LH 2X3B5P T8v RB ▪ 101-094(P) 138B LH 3B5P T9 RB ▪ 101-094(P) 139B LH 3B5P T9 - 3B5P T8 RENDER ▪ 101-094(P) 140B LH 3B5P T9 – 3B5P T8v RENDER ▪ 101-094(P) 141B LH 3B5P T8v – 3B5P T9 RENDER ▪ 101-094(P) 142B LH 2X3B5P T8v - 3B5P T9 RENDER ▪ 101-094(P) 143B LH 3B5P T9 – 2X3B5P T8v RENDER ▪ 101-094(P) 148A LH 2B BUNG T4 V2 RB ▪ 101-094(P) 149A LH 2x2B BUNG T4 V2 BB ▪ 101-094(P) 150A LH 3B BUNG BB ▪ 101-094(P) 151A LH 2x3B BUNG V1 BB ▪ 101-094(P) 152A LH 2x3B BUNG V2 BB ▪ 101-094(P) 153A LH 2x2B4P HOUSE T6 V1 BB ▪ 101-094(P) 088D HRH 2xD 2B HOUSE BB

- 101-094(P) 089B HRH 2xE 3B HOUSE RB
- 101-094(P) 105D HRH M 5B HOUSE RENDER BB
- 101-094(P) 144B HRH 3XD 2B HOUSE BB
- 101-094(P) 145B HRH 3XE 3B HOUSE RENDER BB
- 101-094(P) 146B HRH 4X1B MAIS RENDER RB
- 101-094(P) 147A HRH 2xE 3B HOUSE BB
- 101-094(P) 184A HRH K 4B HOUSE RB
- 101-094(P) 185A HRH K 4B HOUSE RB HANDED
- 101-094/(P)002D H21 1B2Px2 BUNG
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- 101-094/(P)005D H21 1B2P-2B3P BUNG
- 101-094/(P)005G H21 – COMMUNAL BUILDING
- 101-094(P) 117B H21 1B2P-2B3P BUNG V2
- 101-094(P) 118B H21 2B3P-1B2P BUNG V2
- WRB-DCE-XX-XX-DR-C-5000 Rev P03 Drainage Strategy 1 of 2
- WRB-DCE-XX-XX-DR-C-5001 Rev P03 Drainage Strategy 2 of 2
- WRB-DCE-XX-XX-DR-C-5005 Rev P04 Preliminary Levels Strategy 1 of 5
- WRB-DCE-XX-XX-DR-C-5006 Rev P04 Preliminary Levels Strategy 2 of 5
- WRB-DCE-XX-XX-DR-C-5007 Rev P04 Preliminary Levels Strategy 3 of 5
- WRB-DCE-XX-XX-DR-C-5008 Rev P04 Preliminary Levels Strategy 4 of 5
- WRB-DCE-XX-XX-DR-C-5009 Rev P04 Preliminary Levels Strategy 5 of 5
- WRB-DCE-XX-XX-DR-C-6001 Rev P01 Preliminary Site Access General Arrangement Option
- LI5006-3M-004 Rev A A52 Wainfleet Road Indicative Right Hand Turn Lane

Reason: To ensure that the development is undertaken in accordance with the approved details, in the interests of residential amenity and to comply with Policies 2 and 3 of the South East Lincolnshire Local Plan (2019).

Pre-commencement conditions:

- 3 Prior to the commencement of the development hereby permitted, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. Development shall then be carried out in accordance with the approved CEMP. The CEMP shall include (though not to be 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, if necessary, the suspension of trips during peak traffic times)
 - b) Measures to minimise and control noise, vibration, dust, dirt and fumes during the development period
 - c) Details of onsite parking facilities for both visiting construction vehicles and deliveries and workers on the site
 - d) The loading and unloading arrangements for heavy plant and machinery and materials
 - e) The location of storage of plant and materials used in the construction of development
 - f) Measures to avoid disturbance to nesting birds and other wildlife
 - g) Measures to prevent mud being deposited on the surrounding highway
 - h) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - i) strategy stating how surface water run off on and from the development will be managed during construction and protection measures for any sustainable drainage features.

	<p>j) Details of the proposed hours of construction and hours of delivery, including the arrival and departure of staff</p> <p>k) A programme for the implementation of all the above items.</p> <p>Reason: To minimise the impacts of construction and in the interests of the amenity of local residents in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.</p>
4	<p>Notwithstanding the submitted details, no development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles, and an assessment of the hydrological and hydrogeological context of the site, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall:</p> <p>a) Provide details of how run-off will be safely conveyed and attenuated during storms up to an including the 1 in 100 year critical storm event, with an allowance for climate change, from all hard surfaced areas within the development into the existing local drainage infrastructure and watercourse systems without exceeding the run-off rate for the undeveloped site;</p> <p>b) Provide attenuation details and discharge rather which unless agreed otherwise with the surface water receiving body shall be restricted to 1.4 litres per second per hectare;</p> <p>c) Provide details of the timetable for any phasing of implementation for the drainage scheme; and</p> <p>d) Provide details of how the scheme shall be maintained and managed over the lifetime of the development, including any arrangements for adoption by any public body or Statutory Undertaker and any other arrangements required to secure the operation of the drainage system through its lifetime.</p> <p>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.</p> <p>Reason: To ensure that the site is adequately drained, to avoid pollution, and to prevent increased risk of flooding in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019 and national guidance contained within the National Planning Policy Framework 2024.</p>
5	<p>The development hereby permitted shall not be commenced until details of a comprehensive contaminated land investigation has been submitted to and approved by the Local Planning Authority (LPA) in writing 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:</p> <p>a) 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 takes into account the site's existing status and proposed new use. Two full copies of the site investigation and findings shall be forwarded to the LPA.</p> <p>b) 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 and approved by the Local Planning Authority in writing.</p> <p>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.</p>

	<p>On completion of remediation, two copies of a closure report shall be submitted to the Local Planning Authority. 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.</p> <p>Reason: To ensure potential risk arising from previous site uses have been fully assessed and to accord with Policies 2 and 3 of the South East Lincolnshire Local Plan 2019.</p>
6	<p>Development may not begin unless a biodiversity gain plan has been submitted to and approved by the Local Planning Authority.</p> <p>Reason: To comply with Schedule 7A of the Town and Country Planning Act (1990, as amended).</p>
Conditions which apply during the course of and following completion of the development:	
7	<p>No development comprising the erection of any dwelling, shall take place until cross-sections of the site and adjoining land, including details of existing levels around the buildings hereby permitted and any changes in level proposed, together with the proposed floor levels within the buildings, have been submitted to and approved in writing by the Local Planning Authority.</p> <p>The development shall not be carried out other than in accordance with the approved cross sections.</p> <p>Reason: To secure the satisfactory development of the application site and minimise the impact on surrounding occupiers and to accord with Policy 2 of the South East Lincolnshire Local Plan, 2019.</p>
8	<p>The Ghost-Island Right turn Lane, shall be constructed in accordance with Drawing No. LI5006-3M-004 Rev A A52 Wainfleet Road Indicative Right Hand Turn Lane or other scheme to be agreed in writing by the Local Planning Authority. This shall be completed prior to the commencement of the construction of any dwelling and in accordance with the approved details.</p> <p>Reason: In the interests of safety of the users of the public highway and the safety of the users of the site in accordance with Policy 2 of the South East Lincolnshire Local Plan 2019</p>
9	<p>Before any dwelling is commenced, all of that part of the estate road and associated footways that forms the junction with the main road and which will be constructed within the limits of the existing highway, shall be laid out and constructed to finished surface levels.</p> <p>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 in accordance with Policy 2 of the South East Lincolnshire Local Plan, 2019.</p>
10	<p>No dwellings shall be commenced before the first 50 metres of the estate road from its junction with the public highway, including visibility splays has been completed.</p>

	<p>Reason: In the interests of safety of the users of the public highway and residents of the permitted development and to enable construction and material delivery vehicles and the vehicles of construction personnel to wait clear of the carriageway of Wainfleet Road in accordance with Policy 2 of the South East Lincolnshire Local Plan 2019.</p>
11	<p>Prior to development above ground level, details of a 2m wide footway along the south side of Wainfleet Road connecting the entrance of the site to the existing footway on the south side of Wainfleet Road shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The footway shall be implemented prior to the occupation of the first dwelling hereby approved or other timetable agreed in writing with the Local Planning Authority.</p> <p>Reason: In the interests of safety of the users of the public highway and residents of the permitted development and to enable construction and material delivery vehicles and the vehicles of construction personnel to wait clear of the carriageway of Wainfleet Road in accordance with Policy 2 of the South East Lincolnshire Local Plan 2019.</p>
12	<p>No development comprising the erection of a dwelling shall commence until full details of the future ownership and maintenance responsibilities (including adoption by a public or statutory body) of all physical assets on the site above and below ground, including highways and associated infrastructure, private drives used as highways, drainage and sewage infrastructure, public open space, play equipment and lighting shall be submitted to and approved in writing by the Local Planning Authority. The development shall be operated in keeping with the details so approved.</p> <p>Reason: To ensure that all physical assets necessary for the proper running of the site are properly maintained in the interests of the amenities of the future occupants of the site and to accord with Policies 2, 3, 4, 28 and 32 of the South East Lincolnshire Local Plan (2019).</p>
13	<p>Prior to development above damp proof course, a detailed plan showing the provision of play equipment, which shall include the type number and location of equipment, along with a plan for the long term management and maintenance of that equipment shall be submitted to and approved in writing by the Local Planning Authority. That plan shall include details of any proposed management company or transfer to other public body to be responsible for that maintenance in perpetuity.</p> <p>Reason: To ensure adequate play equipment is available on site in accordance with Policy 32 of the South East Lincolnshire Local Plan, 2019.</p>
14	<p>The public open space and play equipment as shown on drawing no. 101-094 (P) 181 shall be implemented in accordance with the details required by condition 13 and shall be provided before 70% of the dwellings hereby permitted are first occupied. The public open space shall not at any time be incorporated within the curtilage of a dwelling and shall be retained for its permitted use thereafter.</p> <p>Reason: To ensure that adequate open space provision is made available for the occupiers of the</p>

	development hereby permitted and that provision is made for the management and maintenance of the open space in accordance with Policy 32 of the South East Lincolnshire Local Plan, 2019.
15	<p>Prior to the implementation or enhancement of any habitat included within the approved gain plan, a 30 year management and maintenance plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include:</p> <ul style="list-style-type: none"> ▪ Aims, objective and targets for management, including the target conditions as specified within the Statutory Biodiversity Metric and Biodiversity Gain Plan. ▪ Details of the phasing and implementation of the habitats ▪ Details of the management operations necessary to achieve those aims and objectives and the target conditions of all relevant habitats. ▪ Details of the monitoring needed to measure the effectiveness of management and details of an assessment as to whether the target condition is achieved within the time to target period specified within the approved metric. ▪ Mechanisms for adaptive management and remedial measures to account for changes in the work schedule to achieved required targets and to redress any shortfall in biodiversity units that may occur. ▪ Details of the persons responsible for the implementation and monitoring detailed above ▪ Reporting on the delivery of on-site gains on years 1, 2, 5, 10, 20 and 30 following the implementation of the habitats in accordance with the above details <p>The development shall be completed in accordance with the approved details and the management plan shall be adhered to for its duration.</p> <p>Reason: In the interests on improving biodiversity and delivering the Mandatory Biodiversity Net Gain. This condition is imposed in accordance with policy 28 and 31 of the South East Lincolnshire Local Plan 2019.</p>
16	<p>Prior to development above ground level details of proposed biodiversity enhancements, including bot boxes, bird boxes, and swift bricks shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved details and the features shall be maintained and retained in perpetuity.</p> <p>Reason: In the interests of the ecology of the site in accordance with the Wildlife and Countryside Act 1981 and Policy 28 of the South East Lincolnshire Local Plan 2019.</p>
17	<p>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 suspected contamination has been submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To ensure all contamination within the site is dealt with and to accord with Policies 2 and 3 of the South East Lincolnshire Local Plan 2019.</p>
18	<p>No dwelling shall be occupied until a Travel Pack has been submitted to and approved in writing by the Local Planning Authority. The approved pack shall be provided to the occupant(s) of the proposed development upon occupation. The Travel Pack shall include details of walking and</p>

	<p>cycling routes and footpaths, local facilities, local clubs and organisations, local bus stops and useful contacts.</p> <p>Reason: In order to contribute towards the reduction in the number of trips in a private motor car, in particular single occupancy trips in accordance with the sustainability aims of the National Planning Policy Framework.</p>
19	<p>The development shall be undertaken in accordance with the Preliminary Ecology Appraisal by DeltaSimons, September 2017, Project No. 17-0934-01.</p> <p>Reason: In the interests of the ecology of the site in accordance with the Wildlife and Countryside Act 1981 and Policy 28 of the South East Lincolnshire Local Plan 2019.</p>
20	<p>No development shall be undertaken within 5 metres of the ditch to the southern boundary, including storage of materials. A fence shall be provided delineating the 5 metre buffer prior to the commencement of development and shall be retained during construction.</p> <p>Reason: In the interest of the ecology of the site, in particular water voles, in accordance with Policy 28 of the South East Lincolnshire Local Plan 2019.</p>
21	<p>The community building hereby permitted shall be occupied and operated ancillary to the H21 bungalows identified on drawing no. 101-094 (P) 181 and shall be used only in conjunction with the management and occupation of those dwellings.</p> <p>Prior to that building first being brought into use a statement of use shall be submitted to and approved in writing by the LPA. The building shall only be occupied in accordance with that statement.</p> <p>Reason: in the interest of providing a mix of housing types and tenures to meet the needs of the Borough. This condition is imposed in accordance with Policy 18 of the South East Lincolnshire Local Plan 2019.</p>
22	<p>The water consumption of any 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). The person carrying out the work must inform the Building Control Body that this duty applies. A notice confirming the requirement for the water consumption has been met shall be submitted to the Building Control Body and Local Planning Authority, no later than five days after the completion of the dwelling.</p> <p>Reason: To protect the quality and quantity of water resources available to the district. This condition is imposed in accordance with Policy 31 of the South East Lincolnshire Local Plan 2019.</p>
23	<p>The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA), undertaken by BSP Consulting, ref 17-0204/FRA/DS dated November 2017, and addendum to Flood Risk Assessment (dated 02 October 2021, ref:600397, completed by Hexa Consulting and the following mitigation measures detailed within the FRA:</p>

	<ul style="list-style-type: none"> ▪ Any proposed bungalows to have Finished floor levels set no lower than 3.4m above Ordnance Datum (AOD) ▪ Any proposed 2-storey dwellings to have Finished Floor Levels set no lower than 3.2mA above Ordnance Datum (AOD) ▪ Demountable defences/flood doors to be provided to a height of 600mm to cover all ground floor doors ▪ Flood resilience and resistance measures to be incorporated into the proposed development as stated <p>The mitigation measures shall be fully implemented prior to occupation and subsequently remain in place.</p> <p>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 2019.</p>
24	<p>Prior to the occupation of the dwellings hereby approved, a Flood Warning and Evacuation Plan shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be fully implemented prior to occupation and subsequently remain in place.</p> <p>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 2019.</p>
25	<p>Notwithstanding the approved 101-094/(P) 183 Proposed Boundary Treatment plan, a scheme for improvements to the west boundary treatment, to the rear of properties along Wainfleet Road, shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatments as approved shall be implemented prior to occupation of the dwellings shown as plots 002-006 inclusive, 007, 026 and 030-036 inclusive on plan 101-094/(P) 183 Proposed Boundary Treatment and retained thereafter.</p> <p>Reason: In the interests of mitigating overlooking and loss of privacy to protect residential amenity and in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan 2019.</p>
26	<p>Prior to any development above ground level, a refuse strategy identifying an properties on private drives that would not be built to adoptable standards and details of proposed refuse collection areas for those properties.</p> <p>Reason: To ensure properties have adequate waste collections facilities in accordance with Policy 30 of the South East Lincolnshire Local Plan.</p>

BNG APPLIES	
BNG1	<p>BIODIVERSITY NET GAIN CONDITION</p> <p>The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition”) that development may not begin unless:</p>

	<p>(a) a Biodiversity Gain Plan has been submitted to the planning authority, and (b) the planning authority has approved the plan.</p> <p>The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Boston Borough Council</p>
BNG3	<p>Statutory exemptions and transitional arrangements</p> <p>There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These can be found at Paragraph: 003 Reference ID: 74-003-20240214 of the Planning Practice Guidance, which can be found at https://www.gov.uk/guidance/biodiversity-net-gain.</p> <p>Irreplaceable habitat If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.</p> <p>Effect of Section 73(2D) of the 1990 Act Under Section 73(2D) of the Town and Country Planning Act 1990 (as amended) where - (a) a biodiversity gain plan was approved in relation to the previous planning permission (“the earlier biodiversity gain plan”), and (b) the conditions subject to which the planning permission is granted: (i) do not affect the post-development value of the onsite habitat as specified in the earlier biodiversity gain plan, and (ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat within the meaning of regulations made under paragraph 18 of Schedule 7A, do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier biodiversity gain plan.</p> <p>- the earlier biodiversity gain plan is regarded as approved for the purposes of paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 (as amended) in relation to the planning permission.</p>

INFORMATIVES / NOTES

TO BE INCLUDED ON/WITH DECISION NOTICE

STATEMENT OF PROACTIVE WORKING:

In determining this application, the authority has taken account of the guidance in paragraph 39 of the National Planning Policy Framework 2024 in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.

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.

The maintenance responsibilities of the drain along the western boundary have been highlighted by residents and the drainage board. This drain is a riparian drain and maintenance responsibilities lie with the landowner. Consideration should be given to access to facilitate management of this and its inclusion within the details requested above, where appropriate.