

Boston Borough Council

Minutes of a meeting of the **Planning Committee** held in the Committee Room - Municipal Buildings, West Street, Boston, PE21 8QR on Tuesday, 25th February, 2025 at 10.00 am.

Present:

Councillor David Middleton, in the Chair.

Councillors Alison Austin, Peter Bedford, Dale Broughton, David Brown, Anne Dorrian, Barrie Pierpoint, Claire Rylott, Lina Savickiene, Sarah Sharpe, Suzanne Welberry, Stephen Woodliffe and Jyothi Arayambath (sub David Scoot).

In attendance:

Councillor John Baxter, Portfolio Holder - Housing.

Officers:

Assistant Director – Planning & Strategic Infrastructure, Senior Planning Lawyer, Group Manager – Planning and Development, Lead Development Management Planner, Principal Planning Officer and Democratic Services Officer.

34 Apologies for Absence

Apologies for absence were tabled by Councillor David Scoot with Councillor Jyothi Arayambath substituting.

35 Declarations of Interest

Standing declarations of interest are tabled in these minutes for all members of the Council who are also members of:

Lincolnshire County Council:

Councillor Alison Austin

The South East Lincolnshire Joint Strategic Planning Committee:

Councillor Peter Bedford and Councillor David Middleton.

The Internal Drainage Boards:

Councillors Peter Bedford, Anne Dorrian, David Middleton, Claire Rylott, David Scoot, and Suzanne Welberry

Councillor Anne Dorrian declared that having held discussions with officers in respect of Planning Application B 24 0515 that she would absent from the meeting for that item.

36 Minutes

With the agreement of the committee, the Chairman signed the minutes of the previous meeting.

37 Public Questions

Members noted that one question was received which had been rejected under Council Procedure Rule 10.4.

38 Planning Application B 24 0515

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

Land South of Wainfleet Road, Boston.

Councillor Anne Dorrian left the meeting prior to the consideration of this item.

The Principal Planning Officer presented the report and advised that the application had been deferred from the last committee meeting on the 4th February 2025. He confirmed that the report contained updated information, since the last committee meeting, along with the reasons for deferral. It also included the previous report marked Appendix A and the supplementary report marked Appendix B, both of which were available at the last committee meeting.

The application site was on the north-east edge of Boston, to the south of Wainfleet Road. It was 9.62 hectares in size with the land in agricultural use at the time of submission. To the north were the rear gardens of existing properties along Wainfleet Road. To the east, the site adjoined agricultural land, while to the south and west were drains, beyond which the rear gardens of properties on Sandringham Road, Princess Anne Road, Somersby Way and Somersby Gardens. The site was therefore enclosed by existing development on three sides. Trees and hedgerows were located to the north, west and south boundaries.

A field access currently existed providing access from Wainfleet Road into the site and adjoined agricultural land to the east. Additionally, a pedestrian access existed between the properties known as Romney and Jura on Wainfleet Road into the site. The application site was agricultural land and, according to the Borough wide DEFRA records, designated Grade 1. The site was within the Environment Agency Flood Risk Zone 3. The Council's Strategic Flood Risk Assessment (SFRA) 2010 identified the majority of the site having a Flood Hazard rating of 'Danger for All' and a 'medium' tidal flood probability. The site had a depth from flooding for the 200-year event (2115) predominately in the range of just under to just over 1 metre. There were 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, was the Boston (Spilsby Road) Conservation Area, within which were some Grade 2 listed buildings. A designated bridleway existed between the junction of Somersby Way and Ashlawn Drive south to Blackthorn Lane.

The proposal sought the erection of 200 affordable dwellings. The application included 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.

Previous applications on the site had included B/17/0511 an 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 which had been 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. B/21/0441 the application for the approval of reserved matters (Appearance, Landscaping, Layout and Scale) following Outline Approval B/17/0511 for residential development of up to 200 no. dwellings which had been granted 22 December 2023 and B/24/0242 an 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.

By way of update, the Principal Planning Officer confirmed that the objection from Lincolnshire Fire and Rescue in relation to road standards had been withdrawn.

Confirmation was provided that the 9 metre Internal Drainage Board (IDB) easement on the southern boundary was being complied with and the agents had confirmed that technical consent with the IDB was being obtained. The agent had confirmed the applicant's intention to maintain the drain along the western boundary, along with the other new drainage assets.

An overview of the site location plan was provided and this included information about vehicular and pedestrian accesses, details of the property types/materials/elevations as well as details of the community building which would be for use of the bungalows for the over 55s and include a manager. It was not intended that it would be used more widely by the development.

Confirmation was provided that the site's layout design was substantially the same as two previous approvals on the same site.

The site was intended to be adopted by Lincolnshire County Council and, following the withdrawal of the objection by Lincolnshire Fire and Rescue regarding the standard of the road, the roads would be built to Lincolnshire County Council adoptable standard.

Further information regarding the 9 metre easement on the southern boundary was provided, including there being no development within the easement zone. The agent had provided a statement to address the drainage matters on the western boundary and had confirmed that the drain would be maintained as part of the wider maintenance included within the application.

Details of the indicative drainage layout were provided and in response to concerns raised by residents about the potential drainage along the northern boundary, a condition to require a drainage scheme to be agreed had been included to ensure that there was no adverse impact there. The drainage scheme would filter water from the roads/houses to the attenuation ponds on either side, which then filtered down towards a larger attenuation pond at the bottom, where they then connected to the IDB drain.

The Principal Planning Officer re-confirmed that the main issue remained that of viability. In this respect, the planning history was confirmed - B 17/0511 was an initial outline planning application for 200 dwellings, subject to a section 106 agreement (as set out in Appendix A to the report). There was a subsequent reserved matters approval and then a further variation to that reserved matters (B 24 0242), which saw some changes to the layout, which it was confirmed were in the same form as the application previously submitted to the Committee.

Details of the Section 106 request in the original outline application were provided. A viability appraisal had been submitted with the application that was based on the contributions requested in this section 106 agreement. There had been further requests for a new 106 agreement from the NHS and from Lincolnshire County Council in relation to education and public transport. Those contributions were higher than those that were in the viability appraisal, which had been independently assessed and details of the methodology employed in the independent assessment were provided, which confirmed that either with or without contributions, the development could not support contributions.

If approved by Committee, the Principal Planning Officer confirmed that there would be a unilateral undertaking that would agree the details for the affordable housing being provided by the application.

In relation to highway improvements secured by this proposal, information was provided about the ghost Island right turn at the entrance to the site and a proposed footway along the front that remained one of the issues for which comments had been received, but there had been no further update since the last Committee meeting. The site included a link between two houses that would serve pedestrians.

Confirmation was provided that there would be a condition requiring details of boundary treatments for properties along this northern boundary, which included the fencing of an informal access at the Bowls Club, which would prevent future access.

The Committee was addressed by Mr Chris Lindley, the agent, (with Danny Lang, the representative for the applicant for representative, sitting alongside to assist with any points of clarification).

Mr Lindley confirmed that following consideration of the application earlier in the month, he had analysed the main points of concern raised by members of the Committee and sought to engage positively with interested parties.

He confirmed that the Fire and Rescue Service had removed their objection to the development. He confirmed that in regard to the IDB drain to the South, a suitable easement had been provided as part of the development; and in regard to the western boundary drain, the drain would continue to be managed in line with the riparian responsibilities. He indicated that the development would reduce the current run off rate by 75% and would direct surface water flows from the western drain in favour of the southern IDB drain.

Mr Lindley reiterated that there was an acute need for affordable housing in Boston. Subject to conditions and the unilateral undertaking to secure the delivery of the affordable housing, he indicated that the benefits of the proposed development were comprehensive

and compelling, the viability issue was well understood and had been correctly addressed in line with the Council's Local Plan policy.

The Committee did not have any questions for Mr Lindley.

Committee deliberation followed which included the following:

Concerns were raised about the impact on the existing health and education services, should the application proceeded without contributions. Some members felt that it was unsatisfactory that 200 homes might be built without any contribution towards the health and the education services.

In relation to education, information was provided which suggested that primary schools in the area of the proposed housing were not full but consideration would have to be given to issues such as adequate staff numbers. In addition, only one of the four secondary schools closest to the development were at capacity and that as a result, the lack of contributions could be accepted. The Principal Planning Officer clarified that the request for contributions acknowledged that there was no existing capacity issue at primary school level and the request was to offset harms to secondary and sixth form provision.

Consideration was given to the issues of viability and whether steps could have been taken to provide contributions and still ensure the viability of the site. The Principal Planning Officer provided clarification on the viability assessment benchmark land value, being a calculated figure based on a standard method set out in national planning policy and that the conclusion was that the development could not support contributions. He pointed out that the Committee was still entitled to come to a different view regarding harm, but the viability assessment demonstrated that it could not support those contributions.

RESOLVED:

That the committee approve the application in line with officer recommendation and subject to the conditions and reasons as follows:

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

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

2. The development hereby permitted shall be carried out in accordance with the following plans and details:
 - 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
- 101-094/(P)003D H21 2B3P-1B2P BUNG
- 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.
- j) Details of the proposed hours of construction and hours of delivery, including the arrival and departure of staff
- k) A programme for the implementation of all the above items.

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.

4. 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:

- a) Provide details of how run-off will be safely conveyed and attenuated during storms up to and including the 1 in 100 year critical storm event, with an allowance for climate change, from all hard surfaced areas within the development into the existing local drainage infrastructure and watercourse systems without exceeding the run-off rate for the undeveloped site;
- b) Provide attenuation details and discharge rate which unless agreed otherwise with the surface water receiving body shall be restricted to 1.4 litres per second per hectare;
- c) Provide details of the timetable for any phasing of implementation for the drainage scheme; and
- d) Provide details of how the scheme shall be maintained and managed over the lifetime of the development, including any arrangements for adoption by any public body or Statutory Undertaker and any other arrangements required to secure the operation of the drainage system through its lifetime.

The development shall be carried out in accordance with the approved drainage scheme and no dwelling shall be occupied until the approved scheme has been completed or provided on the site in accordance with the approved phasing.

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.

5. 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:
 - 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.
 - 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.

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.

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.

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.

6. Development may not begin unless a biodiversity gain plan has been submitted to and approved by the Local Planning Authority.

Reason: To comply with Schedule 7A of the Town and Country Planning Act (1990, as amended).

Conditions which apply during the course of and following completion of the development:

7. 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.

The development shall not be carried out other than in accordance with the approved cross sections.

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.

8. 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.

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

9. No dwellings shall be commenced before the first 50 metres of the estate road, including its junction with the public highway and visibility splays, has been completed.

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.

10. 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.

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.

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.

11. 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.

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).

12. 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.

Reason: To ensure adequate play equipment is available on site in accordance with Policy 32 of the South East Lincolnshire Local Plan, 2019.

13 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.

Reason: To ensure that adequate open space provision is made available for the occupiers of the development hereby permitted and that provision is made for the management and maintenance of the open space in accordance with Policy 32 of the South East Lincolnshire Local Plan, 2019.

14 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:

- 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

The development shall be completed in accordance with the approved details and the management plan shall be adhered to for its duration.

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.

15 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.

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.

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 suspected contamination has been submitted to and approved 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 3 of the South East Lincolnshire Local Plan 2019.

17 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 cycling routes and footpaths, local facilities, local clubs and organisations, local bus stops and useful contacts.

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.

18 The development shall be undertaken in accordance with the Preliminary Ecology Appraisal by DeltaSimons, September 2017, Project No. 17-0934-01.

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.

19 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.

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.

20 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.

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.

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.

21 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.

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.

22 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:

- 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

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

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with Policy 4 of the South East Lincolnshire Local Plan 2019.

23 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.

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.

24 Notwithstanding the approved 101-094/(P) 183 Proposed Boundary Treatment plan, a scheme for improvements to the northern 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.

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.

25 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.

Reason: To ensure properties have adequate waste collections facilities in accordance with Policy 30 of the South East Lincolnshire Local Plan.

26 Prior to the first occupation of any dwelling on site, details for the pedestrian access in the southwest corner of the site to Tollfield Road/Fernleigh Way shall be submitted to and approved in writing by the Local planning Authority, such details shall include the finished surface of the footway, its final location, and the timing of its implementation.

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.

BNG Applies

BNG1 Biodiversity Net Gain Condition

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:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and accordance with Policy 4 of the South East Lincolnshire Local Plan 2019.
- (b) the planning authority has approved the plan.

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

BNG3 Statutory exemptions and transitional arrangements

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>.

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.

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.

- 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.

Informatives / Notes

To be included on / with Decision Notices

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.

Lincolnshire Fire and Rescue recommends the installation of 4 fire hydrants in respect of the planning application to be provided at the developer's expense as an integral part of the water mains scheme to support the long term fire safety of residents. Developers completing their applications to Anglian Water Services for a new water mains scheme shall inform the water undertakers that 4 fire hydrants are required by the Fire Service. The Anglian Water Main-laying Design Team will send consultation drawings to the Fire Service Water Officer to confirm the required hydrant locations. Fire hydrants shall conform to BS750-2012 and acceptance testing will be carried out by a Hydrant Inspector on completion. Following adoption the Fire Service will be responsible for the ongoing maintenance and repairs for the lifetime of the fire hydrants. The Hydrant Inspector will fix a standard yellow "H" hydrant marker plate nearby.

The Meeting ended at 10.27 am.