

## BOSTON BOROUGH COUNCIL

### Planning Committee - 10 December 2019

Reference No: B/18/0399

Expiry Date: 03-Jan-2019

Extension of Time: 30-Sep-2019

Application Type: Full Planning Permission

Proposal: Proposed residential development consisting of 61 dwellings and construction of new vehicular access and associated works

Site: Land to the west of 90, 92 and 94 Fenside Road, Boston

Applicant: Seagate Homes Ltd

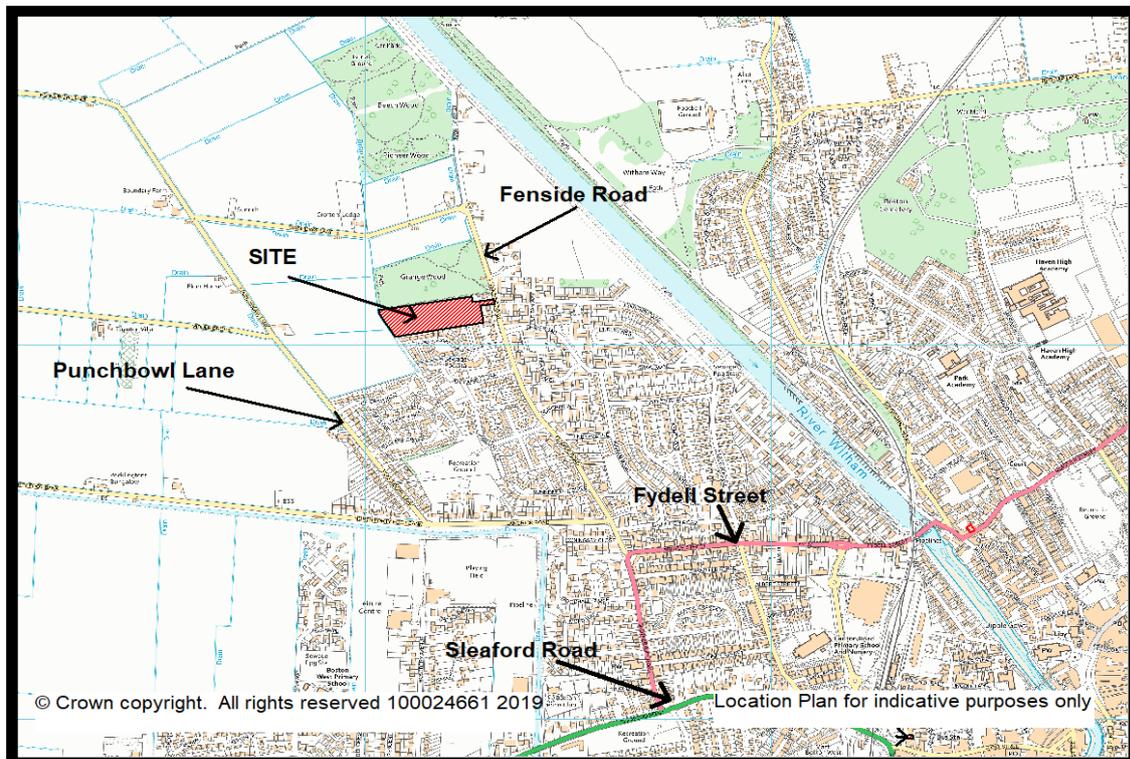
Agent: Mr Lee Riches, Studio 11 Architecture

Ward: Fenside Parish: Boston Town Area Committee

Case Officer: John Taylor Third Party Reps: Three received

Link to Application : B/19/0399

**Recommendation: RESOLVE TO GRANT PERMISSION SUBJECT TO CONCLUSION OF LEGAL AGREEMENT**



## **1.0 Reason for Report**

- 1.1 The Growth Manager considers that this application should be determined by the Planning Committee as the determination is to be made based upon Heads of Terms which are not consistent with adopted policy owing to the schemes viability position. The scheme and its viability resulting in a reduction in the amount of developer contributions being proposed by the applicant.

## **2.0 Application Site and Proposal**

- 2.1 The application site is located within the settlement boundary of Boston and consists of a rectangular shaped parcel of land that occupies approximately 1.8 hectares. The access for the proposed development would be taken from Fenside Road that is located to the east of the site
- 2.2 The site is currently agricultural land that is clear of any buildings.
- 2.3 To the east and south are the rear garden areas of existing residential dwellings and bordering the site to the north is Grange Wood. Open fields exist to the west of the site.
- 2.4 The site is allocated in the South East Lincolnshire Local Plan (2011-2036) under ref: Fen001. This allocation identifies the site having an estimated capacity of 55 dwellings, and the following considerations:
- Water resources are adequate to serve this development but an update to the water supply network may be required
  - Boston Water Recycling Centre has capacity to accommodate sewerage flows from this site, but enhancements to the capacity of the foul sewerage network will be required.
  - The creation of a vehicular access may require the relocation of telecommunication infrastructure
  - The site is in Flood Zone 3a and the SFRA identifies flood hazard in 2115 as 'danger for most' and flood depth in 2115 as '1.0m to 2.0m' Developments will be required to include appropriate mitigation.
- 2.5 This application seeks full planning permission for the erection of 61 dwellings (revised down from 69 dwellings) with associated access, open space and infrastructure.
- 2.6 The development would include:
- 14 x 3-beds
  - 47 x 2-beds
- 2.7 The scheme also includes 8 dwellings which would be delivered as affordable housing.
- 2.8 The application is supported by the plans and the following technical documents:
- Design and access statement
  - Drainage strategy
  - Planning Statement
  - Flood risk assessment
  - Viability Appraisal

### **3.0 Relevant History**

3.1 No recent relevant history exists for this site.

### **4.0 Relevant Policy**

#### **South East Lincolnshire Local Plan (2011-2036)**

The site is an allocated site within the plan under ref: Fen001.

The following policies are considered to be most relevant to the determination:

- Policy 1 – Spatial Strategy
- 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 Needs
- 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 System
- Policy 36 – Vehicle and Cycle Parking
  
- Appendix 5 – Infrastructure requirements, constraints and mitigation - Housing Allocations in Boston – the site is ref: Fen001, which states:
  - Water resources are adequate to serve this development but an update to the water supply network may be required
  - Boston Water Recycling Centre has capacity to accommodate sewerage flows from this site, but enhancements to the capacity of the foul sewerage network will be required.
  - The creation of a vehicular access may require the relocation of telecommunication infrastructure
  - The site is in Flood Zone 3a and the SFRA identifies flood hazard in 2115 as ‘danger for most’ and flood depth in 2115 as ‘1.0m to 2.0m’ Developments will be required to include appropriate mitigation.
  
- Appendix 6 - Parking standards
- Appendix 8 - Developer contributions for education
- Appendix 9 - Developer contributions for health care facilities
  
- **National Planning Policy Framework (2019)**
  - 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

## **5.0 Representations**

5.1 As a result of the publicity three letters of objection/concerns were received from the occupiers of the following properties:

- Fenside Road – no's 88, 92 and 94

5.2 A summary of their concerns are as follows:

- Impact on privacy and peace and quiet
- Noise as the access road runs the length of our property
- Visual impact of the development
- Loss of countryside and green space
- Land should be used to extend the conservation trust woodland instead of housing
- Area should be used as a flood plain and not for housing as its in zone 3
- Increase risk of flooding to neighbouring houses
- Layout is medium to high density with little space for landscaping and trees
- The layout makes no attempt to limit the speed within the new development
- No pedestrian footway on western side of Fenside Road
- We applaud the small units for first time buyers but more option for larger housing should be included so families that expand can stay in the area
- As ground levels are to be raised privacy will be compromised
- Open space within the development appears to use the IDB 9m byelaw area with no provision of play equipment
- Parking areas should be a form of pervious paving as opposed to tarmac to help the drainage and attenuation battle
- How are wheelie bins going to get to fronts of houses as there does not appear sufficient room to put at front for collection
- Layout appears to maximise numbers with no consideration for future occupiers or neighbouring residents
- Only 2 house designs used
- Increase in traffic
- Loss of daylight from the development
- Uncertainty over my boundary line

## **6.0 Consultations**

6.1 County Highways Authority and Lead Local Flood Authority – No objections subject to conditions. Further advice given to applicant.

6.2 Lincolnshire Wildlife Trust – Question if an ecological report has been submitted but do provide guidance and advice on the scheme.

6.3 Housing Strategy (Affordable Housing) – Offer of 8 units (13% - 5 rented and 3 shared ownership) is acceptable even though this falls below the requirement of 20% as the scheme has been through the viability process and any increase in the units is likely to make the scheme unviable. Subject to usual caveats regarding provisions within a legal agreement.

- 6.4 Black Sluice Internal Drainage Board – No objections but advice given on watercourses that are not Board maintained and that licenses are likely to be required for the discharge of surface water into Board maintained watercourses.
- 6.5 Environment Agency – No objections subject to conditions.
- 6.6 NHS England – Request a financial contribution of £45,540.00 towards improving health provision to mitigate the impact of the development.
- 6.7 Lincolnshire County Council (Education) - Request a financial contribution of £216,302.00 towards improving education provision to mitigate the impact of the development.
- 6.8 Environmental Operations (Refuse) – Advice given on spur roads within the development and the criteria that these must meet for refuse vehicles to enter these areas. Failure to meet this criteria would mean that the bins would need to be presented adjacent to the adopted highway on collection days
- 6.9 Lincolnshire Fire and Rescue – Object to the scheme unless a fire hydrant is provided within the site at an acceptable location

## **7.0 Planning Issues and Discussions**

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

- Principle of development
- The proposal's impact on the character and appearance of the area
- Highway safety, car parking and refuse collection
- Flood risk and drainage
- Impact on neighbour's amenity
- Developer contributions
- Other matters
- Planning Conditions
- Planning Balance

### Principle of development

- 7.2 Policy 1 of the SELLP, which identifies Boston as a sub-regional centre, would generally support the redevelopment of the site for housing as it is located within the settlement boundary of Boston and will help support Boston's role as a sub-regional centre. The site is allocated for housing within the Plan under ref: Fen001. The scheme would have the potential to provide a significant level of housing, within a sustainable location and on an allocated site. This would contribute positively to the housing needs (both market and affordable) within the Borough, and thus would meet the aims of policies 10, 11, 17 & 18 of the SELLP and the aims of encouraging housing growth within the NPPF.
- 7.3 It is therefore considered that, subject to all other matters being acceptable, the principle of residential development on this site would be supported.

### The proposal's impact on the character and appearance of the area

- 7.4 This proposal will see the erection of 61 dwellings in the form of semi-detached dwellings and terraces of three dwellings. All dwellings will be accessed via a new adoptable estate road taken from Fenside Road. A number of private driveways would spur off from this new road. An area of public open space is to be provided centrally within the scheme.
- 7.5 The density for the proposed development based on 61 dwellings equates to approximately 34 dwellings per hectare, which in general density terms is acceptable for this urban area. It is noted that the allocation (Fen001) identifies a number of 55 dwellings being accommodated, however, this is only intended as a useful starting point to influence development proposals. The associated policy justification identifies that due regard must be given to policies 2 and 3 as well as Appendix 5 to determine whether the specific development proposal is acceptable.
- 7.6 The layout identifies 61 dwellings set out in terrace blocks of three dwellings and semi-detached properties. The dwellings are evenly dispersed over the plot with an area of public open space located relatively centrally within the site. The units are of traditional form, and would be constructed of brick under tiled roof, with detailing including headers/cills and porch details.
- 7.7 The site would alter the appearance of the area by introducing development on agricultural land. There would therefore be visual change to the area along with spatial. However, it is considered that in view of the site's allocation there is a general acceptance that the site is suitable for development and that in spatial terms this would be acceptable. Any change to the area is unlikely to cause significant harm in terms of the character and appearance of the area, and any harm that would result must be weighed in the planning balance against other positive aspects of the scheme.
- 7.8 Based on the above assessment it is considered that the number of dwellings proposed (61 units) appears acceptable for this allocated site (Ref: Fen001), and given the limited views into the site from public vantage points the proposal is unlikely to adversely impact the general character and appearance of the area. For these reasons the proposal appears to accord with Policies 2 and 3 of the SELLP and the intentions of Section 12 'Achieving Well-designed Places' of the NPPF.

### Highway safety and car parking and refuse collection

- 7.9 The main vehicular access into the site along would be built to adoptable standards and, once completed, the road network will be adopted by the Local Highways Authority. No objections have been raised by the Local Highway Authority subject to a number of conditions. It is therefore concluded that this arrangement would be acceptable in relation to matters such as visibility and general highway safety.
- 7.10 Policy 36 'Vehicle and Cycle Parking' provides minimum parking standards for various types of development. Annex 6 of the SELLP provides details on the level of car parking and cycle parking expected within new residential developments. It indicates that two parking spaces should be provided to serve properties of up to three bedrooms and that a garage can count as one space if it has an internal dimensions of 2.6m by 5.6m with an additional 1m at its end to park cycles.

- 7.11 All dwellings appear to have adhered to the minimum parking levels set out in Annex 6 and the overall level of parking offered throughout the scheme and its layout is considered, on balance, acceptable and appears to be in accordance with Policy 36 of the SELLP and associated Annex 6.
- 7.12 There are a number of small private roads within the development that would require refuse bins to be presented adjacent to the adopted highway on collection days. As these 'collection areas' have not been identified on the layout drawing a suitably worded condition should be imposed requesting details of the location for the areas.

#### Flood Risk and drainage

- 7.13 The application site is located within flood zone 3 of the Environment Agency's flood zone maps and according to the EA flood hazard maps (1 in 200 year) it is in a 'danger for most' area where there is potential for flood level depths to exceed 1.0 metres.
- 7.14 The application is accompanied by a Flood Risk Assessment (FRA) which has been assessed by the EA and they do not raise objection to the scheme subject to a compliance condition. This has been included as condition 3 within the schedule of conditions set out at the end of this report. The FRA also includes a Sequential and Exceptions Test, which is considered to be appropriate and in view of the allocation of the site within the SELLP, it is considered that there is no general objection to the development of the site for housing from a flood risk perspective.
- 7.15 Based on the above assessment it is considered that, subject to conditions, the proposal would accord with Policy 4 of the SELLP and the intentions of Section 14 'Meeting the challenge of climate change, flooding and coastal change' of the NPPF.

#### Impact on neighbour's amenity

- 7.16 The nearest dwellings that may be impacted by the development are the four properties to the east that front on to Fenside Road and the dwellings along the southern boundary that form part of the Haven Meadows estate.
- 7.17 The four dwellings on Fenside Road referred to above, are orientated east-west and located on good-sized plots. They have rear gardens which would abut the site boundary and would also be bounded by the access road which would run alongside two of the properties. In terms of the separation distances between the built form of the new development and the existing dwellings, a distance of over 21 metres will be maintained between their rear elevation and the nearest part of any new dwellinghouse. It is therefore unlikely that any harmful dominance or visual intrusion would occur as a result of the new development.
- 7.18 Where rear elevations of the new development face the rear elevation of the dwellings on Haven Meadows the separation distance would be approximately 18 metres. This distance is reduced down to approximately 8 metres where side elevations would be presented towards properties within the Haven Meadows estate. Again the relationship between the existing and new built form for this part of the development would appear acceptable.

7.19 It is therefore considered that the relationship between the existing dwellings along Fenside Road and Haven Meadows and the new dwellings proposed as part of this development would be acceptable as only minor harm to neighbour's amenity would occur in terms of dominance, visual intrusion and loss of privacy/overlooking. The proposal would therefore accord with Policies 2 and 3 of the SELLP.

#### Developer contributions

7.20 Policy 6 'Developer Contributions' of the SELLP sets out the obligations for major developments that may be required to mitigate impacts of new development on local services and infrastructure, and Policy 18 'Affordable Housing' sets out the trigger points and levels of affordable housing that would normally be expected for such developments. Appendix 8 'Developer Contributions for Education Facilities' and appendix 9 'Developer Contributions for Health Care Facilities' also have to be considered.

7.21 This scheme would normally attract 20% of the units to be affordable homes (12 units) and financial requests have also been made in respect of Education and Health:

- A request has been made by Lincolnshire Education Services for a financial contribution of £216,302 towards:
  - Primary Education – Towards a new primary school in the west of Boston
  - Secondary Education – Towards expansion at Boston Haven High
  - Sixth-Form Education – Towards a new sports hall at Boston Grammar School
- A request has also been made by NHS England for a financial contribution of £45,540.00 towards improvements at The Sidings Medical Practice

7.22 Having considered these requests, the applicants have submitted a viability statement that attempts to demonstrate that the proposed scheme would not be viable with the planning obligations identified above. Following considerable discussions, the applicants have advised that they are able to provide 8 dwellings only in respect of the affordable housing requirement with nil contributions towards the suggested financial contributions for health and education.

7.23 Government guidance (NPPG) provides comments on Viability issues which highlights:

- It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage.
- 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, including whether the plan and viability evidence underpinning the plan is up to date, and site circumstances including any changes since the plan was brought into force, and the transparency of assumptions behind evidence submitted as part of the viability assessment.

- 7.24 The applicant's viability study includes a variety of inputs including the gross development value (revenue), build costs, professional fees, marketing/legal costs, finance, developer's profit and site value, most of which appear to be reasonable in the context of the scheme although further discussion has taken place in respect of predicted house price sales.
- 7.25 The submitted viability assessment has been independently assessed and it was concluded that the scheme would be unviable if the requested level of 20% affordable housing contribution was met along with the provision of the financial contributions suggested. It did however indicate that the scheme would be viable with a reduced overall ask.
- 7.26 Given the findings of the Councils independent assessment of the viability, the viability challenges to development on this site - which primarily relates to flood risk and expected house prices being slightly lower for this area - are acknowledged and understood. The conclusion of the appraisal is that the assumptions made within the applicant's viability assessment are generally reasonable and that the scheme would be unviable if a provision of 20% affordable housing was provided as well as the full contributions towards education and health provision. It is therefore accepted that the scheme cannot meet the full requirements as identified earlier in this section without rendering the development unviable. A balanced judgement therefore has to be made that would not prejudice the delivery of this allocated site.
- 7.27 Following in depth discussion with the applicants regarding the independent assessment they have now offered 8 of the 61 units (almost 13%) to be affordable homes which is under the policy requirement of 20%, and with a nil contribution towards the financial requests made by NHS England and Lincolnshire Education Services. The level of affordable housing would be secured by way of a legal agreement (unilateral undertaking).
- 7.28 The applicant's offer of 8 affordable units with no further financial contributions is considered to be reasonable and appropriate given the viability issues highlighted. Whilst the scheme would fall short in respect of affordable housing provision and the other financial contributions, and would therefore not be in full compliance with policy 6 (and appendices 8 and 9), the offer of 8 affordable housing units would, on balance, appear acceptable and in line with the conclusion provided by the independent report received that considered the viability of the site. Given the conclusions of the independent assessment, it is important to ensure that delivery of this site, and much needed housing on this allocated site, is not prejudiced by the viability issues. This is in line with the national Planning Practice Guidance (PPG).
- 7.29 The weight to be attributed to the viability position is a matter for the decision-taker. Officers consider that a balanced judgement has to be made on the offer of 8 affordable units with nil financial contributions towards education and health care, against the potential of the site being unviable for residential development. It is Officer's opinion that the offer of 8 units would be reasonable (without other financial contributions) given that one of the key priorities for Boston is to increase the amount of affordable housing and overall housing choice. Given the viability challenge for this site it is considered that the offer of 8 units should be taken as a positive benefit of the scheme. It is further noted that the Councils Housing section are supportive of the revised offer of 8 affordable units, subject to the necessary requirements of a legal agreement.

- 7.30 Subject to a Legal Agreement which satisfactorily covers the above being concluded the scheme, on balance, would accord with policies 6 and 18 of the SELLP.

#### Other matters

- 7.31 Policy 30 'Pollution' and 31 'Climate change and renewable and low carbon energy' of the SELLP set out a range of measure that developers would normally be expected to comply with such as electric charging points, energy efficient boilers and the need to comply with water efficiency standards. These measure aim to help reduce the carbon footprint of developments making them more sustainable in line with the guidance contained in the NPPF. This development would be a modern development, designed to provide a high quality scheme meeting the expectations of future residents and building regulations. With regard to the imposition of further measures it is considered that this can be sufficiently dealt with by the way of planning conditions requiring the submission of further details.

#### Planning Conditions

- 7.32 In addition to the standard conditions which limits the life span of the planning permission and the site location plan, conditions are recommended which relate to drainage and flood risk, highway works, refuse collection areas and a construction management plan.
- 7.33 The construction management plan would also require the submission of details of where construction materials will be stored, the siting of welfare facilities, working hours etc. in order to protect the amenities of the occupiers of nearby dwellings during the construction of the development.

### **8.0 Planning Balance**

- 8.1 Section 38(6) of the Act requires that proposals are determined in accordance with the development plan unless material considerations indicate otherwise. It is well-defined in case law that the development plan (in this case the SELLP) should be taken as a whole and it is for the decision-maker to weigh up the extent to which proposals are in accordance with/conflict with policies of the development plan and their objectives, along with all relevant material considerations. The weight attributed to each of these factors within this exercise is known as the 'planning balance'.
- 8.2 This site is allocated in the SELLP for housing (ref: Fen001) and within the settlement boundary of Boston. Therefore, the principle of residential development on this site is not disputed. It therefore accords with Policy 1. The scheme would make a significant contribution to boosting the supply of housing within the Borough, and would also contribute towards the delivery of Affordable Housing. These are significant benefits arising from the scheme.
- 8.3 The layout of the development appears well thought out with the overall scheme being unlikely to cause undue harm to the general character and appearance of the area. The proposed dwellings appear to have suitably sized gardens and good levels of parking and the scheme would provide a quality living environment for future occupiers of the dwellings.

The scheme would result in the loss of agricultural land, and visual change to the area, however these effects are considered to be minor in nature given that the land has been previously found as being acceptable for development by virtue of its allocation, and that the scheme would appropriately assimilate into the existing spatial character of the area. As such, the proposals therefore comply with policies 2, and 3 of the SELLP.

- 8.4 The environmental impacts of this development in relation to highway impact, flood risk and general sustainability are considered to be acceptable and can be appropriately mitigated through the imposition of recommended conditions. Therefore the scheme would comply with policies 2, 3, 4, 30 and 31 of the SELLP.
- 8.5 The proposal would also include for provision of 8 affordable homes, although in order to maintain the viability of the scheme the requested contributions towards education and health provision cannot be complied with and the level of affordable housing offered is below the policy requirement of 20%. The affordable housing provision would be secured by a legal agreement (unilateral undertaking). In this instance a balanced decision in reference to the obligations required to mitigate the impact of the development is considered appropriate given the viability challenges. With the provision of the affordable housing (albeit also at a reduced level), the scheme would still be in broad accordance with policy 6, as well as securing much needed affordable housing as identified by policy 18. When taken as a whole, it is considered that the proposals would be in accordance with the aims of the development plan, in particular those policies identified within this report.
- 8.6 Furthermore, whilst there are material considerations within this report which both weigh in favour of and against the scheme, overall, none of these are considered sufficient to outweigh the policy position established by the development plan as a whole and in general terms, it is considered that the benefits of the scheme would outweigh the negatives identified.
- 8.7 To conclude, when taken as a whole, it is Officers opinion that the scheme would be acceptable in the planning balance, subject to the completion of the necessary legal agreement and subject to the imposition of the conditions as recommended.

## **9.0 Summary and Conclusion**

- 9.1 The proposal would result in the development of agricultural land for residential purposes. The scheme would provide a substantial contribution to the housing supply within the Borough and would provide 8 affordable homes for the Borough. The site is suitable for residential development and the primary issues in the determination of the application have been fully assessed as identified above and found to be acceptable or would be acceptable subject to the imposition of the conditions recommended and the conclusion of the associated S106 agreement. It is therefore recommended that the application is supported.

## **10.0 Recommendation**

- 10.1 It is recommended that Committee RESOLVE TO GRANT PLANNING PERMISSION subject to the following conditions and the completion of the section 106 agreement relating to affordable housing as detailed in the report.

## **CONDITIONS AND INFORMATIVES**

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

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

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

- Ref: 410.SL.01 Rev E – ‘Site Layout and Location Plan’
- Ref: 410.Skip.01 – ‘Skipton: Floor Plan and elevations’
- Ref: 410.App.01 – ‘Appleby: Floor Plans and elevations’

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

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

3. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) dated September 2018 completed by S M Hemmings and the following mitigation measures detailed within the FRA including:

- Finished floor levels to be set no lower than 3.10m above Ordnance Datum (AOD)
- All dwellings to be at least two storey
- Flood resilient construction to be included to a height of 300mm above the predicted flood depths

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

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

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

- A scheme for the provision of mains foul sewerage infrastructure on and off the site
- Details of connection point(s) and discharge rate(s)

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

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

5. The water consumption of each dwelling hereby permitted should not exceed the requirement of 110 litres per person per day (as set out as the optional requirement in Part G of the Building Regulations 2010 and the South East Lincolnshire Local Plan, 2019). The person carrying out the work must inform the Building Control Body that this duty applies. A notice confirming the requirement for the water consumption has been met shall be submitted to the Building Control Body and Local Planning Authority, no later than five days after the completion of each individual dwelling.

**Reason:** To protect the quality and quantity of water resources available to the district. This condition is imposed in accordance with Policy 31 of the South East Lincolnshire Local Plan (2011-0236).

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

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

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

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

8. No development shall take place above damp proof course, until details of the bin collection areas for all private drives have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

**Reason:** No details of these areas have been submitted and refuse lorries will not be able to access private drive areas and therefore bins need to be presented at the adopted highway. This condition accords with the objectives of Policies 2 and 3 of the South East Lincolnshire Local Plan (2011-2036) and the intentions of the National Planning Policy Framework (2019).

9. Prior to the construction of any building above damp proof course, full details of both hard and soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority. The details shall include
- a) boundary treatment
  - b) hard surface materials
  - c) minor structures
  - d) planting schedules (species, sizes densities etc)
  - e) existing trees to be retained/removed
  - f) biodiversity mitigation and enhancement measures

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

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

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

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

11. Prior to the commencement of any part of the development above slab level, details shall be submitted to and approved by the Local Planning Authority for the provision of one (1) fire hydrant or other acceptable alternative along with a timetable for its installation relative to the phasing of the development. The fire hydrant (or other acceptable alternative) shall be installed at the relevant point of development in accordance with the agreed timetable.

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

12. Prior to the construction of any road or building, details of all roads (including footways and junctions) shall be submitted to, and approved in writing by, the Local Planning Authority.

Before any dwelling is occupied, all of that part of the estate road (including associated footways and junction with the main road) that serves that dwelling shall be laid out and constructed in accordance with the agreed details.

**Reason:** In the interests of safety, to avoid the creation of pedestrian trip hazards within the public highway from surfacing materials, manholes and gullies that may otherwise remain for an extended period at dissimilar, interim construction levels. This condition accords with Policies 2 and 3 of the South East Lincolnshire Local Plan (2011-2036).

13. Prior to the construction of any building above damp proof course, a detailed surface water drainage scheme shall be submitted to the Local Planning Authority for agreement in writing.

The scheme shall:

- Be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development;
- Provide details of how run-off will be safely conveyed and attenuated during storms up to and including the 1 in 100 year critical storm event, with an allowance for climate change, from all hard surfaced areas within the development into the existing local drainage infrastructure and watercourse system without exceeding the run-off rate for the undeveloped site;
- Provide attenuation details and discharge rates which shall be restricted to a level that shall be submitted to and agreed by the Local Planning Authority
- Provide details of the timetable for any phasing of implementation for the drainage scheme; and
- Provide details of how the scheme shall be maintained and managed over the lifetime of the development, including any arrangements for adoption by any public body or statutory undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime.

No dwelling shall be occupied until the approved scheme has been completed or provided on the site in accordance with the approved phasing, and all surface water measures relating to that phase and dwelling have been completed. The approved scheme shall be retained and maintained in full in accordance with the approved details.

**Reason:** To ensure that the development hereby permitted is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the development permitted. This condition accords with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan (2011-2036) and the intentions of the National Planning Policy Framework (2019).

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

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

### INFORMATIVES

1. The applicant's attention is drawn to the informative provided by the Black Sluice Internal Drainage Board attached to this planning permission.