

# Development Management Delegated Decision Report

B/18/0039/CD1



SUMMARY OF APPLICATION	
<b>Application Reference</b>	B/18/0039/CD1
<b>Application Type</b>	Discharge of Condition
<b>Proposal</b>	Application for approval of conditions 2 (Landscaping buffer), 3(Play equipment), 4(Pump station), 5(garages elevations), 7(soft landscaping) and 8(Management plan) attached to planning permission B/18/0039 (Approval of reserved matters (scale, layout, landscaping and appearance) following outline approval B/16/0380 (Erection of up to 195 dwellings including access off Middlegate Road West, public open space and drainage infrastructure)
<b>Location</b>	Land at Middlegate Road, Frampton, Boston
<b>Applicant</b>	Hannah Guy, Larkfleet Homes
<b>Agent</b>	
<b>Target Decision Date:</b>	1 May 2020
<b>Statutory Expiry Date:</b>	09-Jul-2020
<b>Extension of Time:</b>	---
<b>Recommendation</b>	Details approved
<b>Report by:</b>	Richard Byrne
<b>Date:</b>	9 September 2021

## Evaluation

### Consultee responses:

#### **Arboricultural Consultant – 31 May 2021**

- Condition 2 – no information submitted for consideration
- Condition 7 – no for the commencement of overall works
- Condition 8 – content with the details to discharge

#### **Black Sluice IDB – received 1 July 2020**

- Despite previous correspondence from the Board, it appears the applicant still intends to place trees and other vegetation within 9 metres of Board-maintained watercourses in contravention of Byelaw 10, particularly either side of the central open watercourse and the western side of the open watercourse on the eastern boundary. Similarly, it would appear that new vegetation may also be proposed along the southern boundary where a Board-maintained piped watercourse is located. This is not acceptable to the Board, as any planting or earth bunding will prevent the Boards workforce, particularly its machine maintenance vehicle operators, from carrying out the Board's statutory duties within the Land Drainage Act 1991, or prevent future access for maintenance or repair to the piped watercourse.
- If the applicant intends to place any other structures, now or at any time in the future, within the Byelaw distance, then an application to relax the Byelaw must be submitted.

#### **BBC Environmental Operations Manager – 3 June 2020**



- Comments on file

### Third party representations

Three representations have been received, however, the majority of the content relates matters determined under B/16/0380/CD1. One representation does include the following, associated with this application:

- Please provide details of a boundaries plan - buffer planting shown to be in the new property boundaries, these will just be removed from by new owners. Can it be made clearer as previously requested.

## **Officer Appraisal**

### Condition 2

Drawing No. 7343-L-110 shows the buffer planting to the rear of Middlegate Road. The planting comprises mainly of non-native plants and trees which grow to a modest height providing a soft barrier to the development.

The 'Estate Works Specification' dated February 2020 sets out a five year aftercare plan.

Drawing No. 7343-L-04 Rev A shows the boundary fence to be on the development site side of the existing boundary fence for the rear of Middlegate Road West. The drawing, Boundary Plan Rev C indicates the fence to be 1.8 metre high close boarded.

It is considered this condition has been addressed.

### Condition 3

The play equipment has been altered during the course of this application. There is now more equipment which allows for more accessibility for disabled children.

It is noted that there was a request to replace the spinning gyro roundabout which was confirmed by the applicant that it was cost prohibitive. In mitigation the applicant does provide the gyro roundabout is set at a height for transfer from wheel chair to roundabout base and mimics the accessibility allowance as the basket swing.

The LEAP and POS to the centre/north of the scheme will be put in place and completed prior to the occupation of the 60th dwelling

Taking into account the changes made, the timescale of implementation and the equipment proposed it is considered this condition has been satisfied.

### Condition 4

A series of drawings have been submitted which showed in plan form the proposed pump station and compound. However, they did not show the elevations of the pump station and ultimately the height and how it will appear.

Upon request the applicant was unable to provide any further plans and instead submitted a typical example of a pump station and confirmed all of their pumping station compounds are built to the same

standard detail with a 1.8m brick wall enclosing the space and a set of metal lockable gates for vehicle access.

Using the typical example it can be gleaned that the enclosing wall would obscure the majority of the pump station height. As such, providing the enclosing wall uses the one of the bricks from the palette of the main development it is considered this condition has been satisfied to enable a start on site.

#### Condition 5

The e-mail received 9<sup>th</sup> June 2021 states that all garages will either have installed a side or rear door with access into the enclosed garden for the particular plot.

The details submitted are satisfactory. Providing all garages are constructed with a side or rear access door leading into the private garden spaces this condition will be addressed.

#### Condition 7

The applicant's letter dated 14 June 2021 sets out the following timescale of implementation:

- The LEAP and POS to the centre/north of the scheme will be put in place and completed prior to the occupation of the 60th dwelling.
- The attenuation pond and surrounding POS will be delivered and landscaped prior to the occupation of the 100th dwelling.
- Prior to occupation of 150th dwelling the POS to the West of the site will be implemented and instated for use.
- Prior to the occupation of 194th dwelling, all POS and GI infrastructure, including the A16 landscaping buffer, will be implemented and in situ.

It is considered this is acceptable and the approved details enable the commencement of development.

#### Condition 8

The submitted landscape plan has been considered and in the absence of an objection from the Landscape Architect Consultant is found to be satisfactory.

No	Condition	Status
2	<p>Before the development approved is first commenced details of a landscaping scheme of the 'buffer area' identified on the submitted layout plans between the even numbered properties fronting Middlegate Road West and the proposed development detailing both soft and hard landscaping at a scale of 1:50 or 1:100 and a 5 year aftercare plan shall be submitted for the written approval of the Local Planning Authority. The scheme shall include;</p> <p>a) Fully annotated planting plans, showing locations of individual planted semi mature trees, shrubs and hedging and</p> <p>b) The height, design and appearance of the means of enclosure.</p> <p>Any tree which becomes defective, is destroyed, dies or becomes seriously damaged within 5 years of being first planted shall be replaced with a tree of the same species and size as originally planted. The approved details shall be implemented in full no later than the end of the first planting season</p>	<b>Details approved</b>

	available after each phase of the development hereby permitted being bought into first occupation.	
	<b>Details submitted:</b> <ul style="list-style-type: none"> <li>Drawing No. 7343-L-110</li> <li>Estate Works Specification dated February 2020</li> <li>Drawing No. 7343-L-04 Rev A</li> <li>Boundaries Plan Rev C</li> </ul>	
3	<p>Before the development approved is first commenced details of the design, appearance, height and siting of the children's play equipment on the proposed Local Equipped Area for Play, together with a timescale for implementation shall be submitted for the written approval of the Local Planning Authority. The approved details shall thereafter be implemented in full and retained.</p>	<b>Details approved</b>
	<b>Details submitted:</b> <ul style="list-style-type: none"> <li>Drawing Reference: 2106.30105(MiddlegateRoad_LarkfleetHomes) – dated 6 July 2021;</li> <li>Specification Sheet showing the following equipment in detail: Diabolo Multiplay J3836A-C, Speed Gyro J2400A, Metal Combination Swing J473A, Metal Pod Swing J441A, Failing Star Spiringer J839A, Balancing Circuit J09A.</li> <li>Larkfleet headed letter dated 14.6.21</li> </ul>	
4	<p>Before the development approved is first commenced details of the design, and appearance of the pumping station shall be submitted for the written approval of the Local Planning Authority. The approved details shall thereafter be implemented in full prior to the occupation of any dwelling and retained thereafter.</p>	<b>Details approved</b>  <b>Brick to be chosen from existing development palette of materials</b>
	<b>Details submitted:</b> <ul style="list-style-type: none"> <li>MA10953-605 6 Pump Station Details</li> <li>MA10953-605 7 Pump Station Details</li> <li>MA10953-605 8 Pump Station Details</li> <li>MA10953-605 9 Pump Station Details</li> </ul>	
5	<p>Before the development approved is first commenced elevational details of the design, and appearance of the garages at a scale of 1:50 providing access to the rear amenity areas and the plots they will be provided to shall be submitted for the written approval of the Local Planning Authority. The approved details shall thereafter be implemented in full prior to the occupation of the dwelling to which the garage relates.</p>	<b>Details approved</b>
	<b>Details submitted:</b>	

	<ul style="list-style-type: none"> <li>E-mail dated 9th June 2021 stating that all garages will either have installed a side or rear door with access into the enclosed garden for the particular plot.</li> </ul>	
7	<p>Prior to the commencement of the development hereby permitted, a timetable for the proposed soft landscaping, its phasing and completion as shown on plans 7343_L-101 Rev D, 7343_L-102 Rev D and 7343_L-103 Rev D shall be submitted for approval in writing to the Local Planning Authority. The timetable shall identify the planting of landscaping early within the phasing of the development to enable it to mature and provide appropriate mitigation for the development. The planting shall be provided in accordance with the approved timetable.</p> <p><b>Details submitted:</b></p> <ul style="list-style-type: none"> <li>Larkfleet headed letter dated 14.6.21</li> </ul>	<b>Details approved</b>
8	<p>Prior to the occupation of any dwelling on the development hereby approved, details of a scheme for the purpose of the future management and maintenance of the open space and soft landscaping areas within the development shall be submitted to the Local Planning Authority for approval in writing. The open space and soft landscaping shall be managed and maintained in accordance with the approved scheme.</p> <p><b>Details submitted:</b></p> <ul style="list-style-type: none"> <li>Middlegate Road Landscape Management Plan – dated February 2020</li> <li>E-mail dated 14 July stating - Weekly inspections – These will be carried out by a competent person from the Managing Agents and will be a simple inspection to check for any damages or wear to the equipment or surfacing. The inspections will be carried out whilst they are visiting the site to complete their maintenance tasks and any risk items they find within the play area will be picked up by themselves in their ongoing maintenance on the site. Annual inspections – This will be a more detailed inspection carried out by an independent specialist such as RoSPA where a report will be generated and any risk items then resolved by the Managing Agents.</li> </ul>	<b>Details approved</b>
<b>NOTES FOR DECISION NOTICE:</b>		