

SUMMARY OF APPLICATION

Application Reference	B/18/0528/CD1
Application Type	Discharge of Condition
Proposal	Application to approve Conditions C7 (Surface Water Drainage), C10 (Ecology), C11 (Fire Hydrants), C13 (Air Quality Mitigation) and C16 (Foul Pumping Station) of permission B/18/0528 (85 dwellings with associated infrastructure including new estate roads, public open space and attenuation ponds)
Location	Land adjacent and to the south of Hawthorn Tree School on the east side of Toot Lane, Boston, PE21 0PT
Applicant	Mr Matthew Bridges, Gleeson Homes
Agent	
Target Decision Date:	23-Sept 2020
Statutory Expiry Date:	22-Oct-2020
Extension of Time:	No.
Recommendation	Details approved/conditions discharged
Report by:	Trevor Thompson
Date:	29/12/20

Officer Appraisal / Comments:

Condition 7 : surface water disposal:

County Highways Authority acting as LLFA state:

'The highway authority is presently undertaking the technical compliance checking for the adoptable roads and drainage on this development. Whilst the check is not yet fully complete, the surface water drainage system will be mainly for adoption by Anglian Water under a Section 104 Agreement, with the highway authority accepting only gullies, their connections and the surface of the swales. These details are acceptable. Therefore, having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the submitted surface water drainage details in as far as they affect the highway authority's interests, are satisfactory and accordingly, does not wish to object to this planning application'.

SW disposal includes attenuation pond as per approved layout. Applicants have been in discussion with the IDB and presumably with the AWS with regard to discharge rates and approvals.

WFDIDB state;

'Board's consent is required to discharge surface water to a watercourse (open or piped).

If there is any change to the surface water or treated water disposal arrangements stated in the application, please contact the Board'.



Condition 10- ecology

Lincolnshire Wildlife Trust state:

'We support and commend the recommendations including planting, sowing and maintenance within the Ecological Mitigation document (Biodiversity Enhancements; Landscape and Ecological Management Plan (LEMP) & Construction Environmental Management Plan (CEMP) dated January 2020. We also note the provision of bird and bat boxes relating to this scheme.

Further suggestions.

It would be possible to improve connectivity and biodiversity further within and beyond the development by appropriate sowing of species rich seed mixes (eg a flowering lawn mix) along grass verges, footpaths, access routes and within back gardens.

Fences within the site could be raised approximately 13 cm off the ground (or gaps placed at intervals along the fence lines) to allow hedgehogs to pass safely underneath and through gardens within the development and beyond'.

Note: copy of letter from LWT should be sent to the applicant with decision letter.

Condition 11- Fire Hydrant

Submitted plan shows two fire hydrants within the site. Lincolnshire Fire and Rescue have made the following comments:

'I refer to the planning application reference B18/0528 and the submitted Anglian Water Services drawing Number 141828/1/0037048. The drawing provides details of a fire hydrant FH 19191 that has been installed adjacent to Plot 28 and FH 19190 at the site entrance that is not chargeable to the developer.

*The Fire Authority are satisfied that details reserved by condition 11 of B18/0528 have been met and the condition can be discharged on the basis that Lincolnshire Fire and Rescue are reimbursed the cost of installing fire hydrant FH 19191 as required in our letter of objection dated 9th January 2019. The full amount chargeable to Gleeson Homes as developer for installing the new fire hydrant is **£988.80** including vat. A cheque to be made payable to "Lincolnshire County Council" and marked for my attention at the address shown'.*

The issues relating to who will pay for the installation of the fire hydrants are not relevant to this application though a copy of the letter needs to be sent to the applicant with the decision letter.

Condition 13 – air quality mitigation

As can be seen below, there has been a great deal of correspondence between this Council and the applicant regarding this condition. The main extracts from the email correspondence in date order is as follows:

Environmental Health initially made the following comments:

'The applicant seeks approval for the discharge of conditions C7 (Surface Water Drainage), C10 (Ecology), C11 (Fire Hydrants), C13 (Air Quality Mitigation) and C16 (Foul Pumping Station) of permission B/18/0528 (85 dwellings with associated infrastructure including new estate roads, public

open space and attenuation ponds). In relation to condition 13 (Air Quality Mitigation) the permission B/18/0528 states: Prior to the commencement of development above slab level, final details of measures that aim to reduce pollution and promote renewable and low carbon energy (including measures such as facilities for EV car charging) and details relating to the timing of their implementation, shall be submitted to and approved in writing with the Local Planning Authority. The development shall be constructed in accordance with the approved measures.

The applicants submission supplies only a drawing (3040-0-001-U Site Layout) in support of the discharge of condition 13 and make reference to this plan in a covering letter. However I cannot see any reference to air quality mitigations including EV charging on this plan. Is this an omission? Condition 13 cannot be discharged without further information'.

In response, the applicant has made the following comment:

'Gleeson Homes provide facilities for Electrical Vehicle charging points, providing additional fused spurs within the main electrical consumer unit. This provides the prospective homeowners with the option to install the Electrical Vehicle charger of their choice.'

Environmental health responded:

'It is a key theme of the NPPF that developments should enable future users to make green vehicle choices and it explicitly states that low emission vehicle infrastructure, including electric vehicle (EV) re-charging, should be provided. I am not sure just providing a fused electrical spur fulfils this requirement.'

The applicant further responded:

'If I correctly understand the current status with EV charger standards, due to the multiple charger types, it would seem prudent to provide wiring to allow the relevant charger to be installed at the appropriate time. On this basis, I would hate to be providing a charger that may not be suitable for the particular vehicle'.

The Environmental Health has responded as follows:

'The National Planning Policy Framework (NPPF) which sets national planning policy for England states:

Paragraph 110 of the NPPF states that plans should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Further support is provided under paragraph 181 of the Framework which states that Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement.

These principles are further supported by the South East Lincolnshire Local Plan and the Boston Transport Strategy.

The use of electric vehicles is an important measure in reducing emissions locally and therefore the provision of necessary infrastructure which promote the use of such vehicles is essential. Growth in

the uptake of plug-in vehicles is also steadily growing and therefore it is important that new development seeks to encourage continued growth and respond to such change. Other developers have had no issue with the provision of electric vehicle charging points to meet this aim and I see no reason why this development should be any different. I therefore remain of the belief that EV points should be installed and providing a spure to allow a future occupier to install a charging point themselves should they choose is not sufficient.'

The applicant has now submitted additional information (email dated 23rd December 2020) and confirms that it is intended to use 'Rolec 'WallPod EVWP0020 for the charging points to each plot'. Environmental Health has now no objections.

Condition 16 – details of the FW pumping station

The applicant has submitted full technical details relating to the FW pumping station and substation when all that was required was simple elevation plans to show external appearance. Nevertheless, the technical specification does provide dimensions etc which is acceptable so there is sufficient information to clear this condition.

Condition number	Condition	Details submitted	Status
C7	<p>The permitted development shall be undertaken in accordance with a surface water drainage scheme which shall first have been approved in writing by the Local Planning Authority.</p> <p>The scheme shall: be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development.</p> <p>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;</p> <p>provide attenuation details and discharge rates which shall be restricted to 1.4 litres per second;</p>	Section 104 layout Plan no. 102.001.03J	Details approved/discharged

C10	<p>provide details of the timetable for and any phasing of implementation for the drainage scheme; and</p> <p>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.</p> <p>No dwelling shall be occupied until the approved scheme has been completed or provided on the site in accordance with the approved phasing. The approved scheme shall be retained and maintained in full, in accordance with the approved details.</p> <p>The development hereby permitted shall be undertaken in accordance with the mitigation measures and recommendations of the ecology report (SLR Version 3 dated November 2018). Notwithstanding this, no development shall commence on site above slab level until details of measures to enhance the biodiversity of the site as a consequence of the development, together with a timescale for implementation have been submitted to and approved by the local planning authority. The works thereafter shall proceed in accordance with the approved details and any agreed enhancement measures shall be delivered in full prior to the occupation of the penultimate dwelling on site.</p>	<p>Biodiversity enhancements and landscape and ecological management plan (LEMP) and Construction and Environmental Management Plan (CEMP) Version no. 0 Dated January 2020</p> <p>SLR Report ref 424.03044.00094</p>	<p>Details approved/discharged</p>
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C11	No development shall commence on site above slab level until details relating to the provision of fire hydrant(s) have been submitted to and approved in writing by the Local Planning Authority. The fire hydrant(s) as may be approved by the Local Planning Authority shall be installed prior to the occupation of any dwelling on the permitted development.	C.Plan 141828/1/0037048 Revision B	Details approved/discharged
C13	Prior to the commencement of development above slab level, final details of measures that aim to reduce pollution and promote renewable and low carbon energy (including measures such as facilities for EV car charging) and details relating to the timing of their implementation, shall be submitted to and approved in writing with the Local Planning Authority. The development shall be constructed in accordance with the approved measures.	Rolec WallPod EVWP0020 for the charging points to each plot- Email received from the applicant dated 23 rd December 2020	Details approved/discharged
C16	No development shall commence on site above slab level until details of the proposed foul pumping station and the substation as identified on the approved layout plan ref 3040-0-001 U has been submitted to and approved in writing by the local planning authority. The works shall be carried out as approved.	Pumping design Technical Specification- PDAS project reference PR10815 issue C. December 2019	Details approved/ discharged

NOTES FOR DECISION NOTICE:

Copy of email from LWT dated 8th September 2020

Copy of letter from Lincs Fire and Rescue dated 2nd September 2020