

Development Management Delegated Decision Report

B/21/0413



SUMMARY OF APPLICATION			
Application Reference	B/21/0413		
Application Type	Major - Full Planning Permission		
Proposal	Re-plan and re-design of the housing layout within phases 2 & 3 (154 dwellings) on parts of the site previously approved under B/18/0039 (for the erection of up to 195 dwellings); including provision of 13 additional units (to create a combined total of 208 dwellings) and revisions to proposed house types		
Location	Land at Middlegate Road West, Frampton		
Applicant	Hannah Guy, Larkfleet Homes		
Agent			
Received Date:	07-Sep-2021	Consultation Expiry Date:	
Valid Date:	02-Mar-2022	Statutory Expiry Date:	01-Jun-2022
Date of Site Visit:		Extension of Time Date:	8-March-2024
Objections received?	Yes		
5 day notification record:			
Councillors notified	Date	Response received – date	Ok to continue
Cllr Pryke		15/10/23	Yes
Recommendation	Approve with Conditions		
Report by:	Lauren Birkwood		
Date:	20-Oct-2023		



OFFICER REPORT

SITE AND SURROUNDINGS:

The application site consists of approximately 10ha (25acres) of relatively flat agricultural land located off Middlegate Road West. The site lies outside the northern settlement boundary of Kirton in open countryside and it is within the Parish Boundary of Frampton. The site is bordered on its eastern flank by the A16, which presently provides relatively open views across the development site. The western boundary of the site is framed by London Road and also the rear garden of 8 Middlegate Road West. The northern edge of the site leads to a boundary shared with existing agricultural fields which would be retained. Along the south western perimeter the rear gardens of dwellings consist predominantly of bungalows fronting along 14 - 40 (evens) Middlegate Road West, face towards application site.

DETAILS OF PROPOSAL:

The proposal is for the re-plan and re-design of the housing layout within Phases 2 & 3 (154 dwellings) on parts of the site previously approved under B/18/0039 (for the erection of up to 195 dwellings); including provision of 13 additional units (to create a combined total of 208 dwellings) and revisions to proposed house types.

RELEVANT HISTORY:

B/16/0380 - Outline application for the erection of up to 215 dwellings with all matters (scale, layout, landscaping, appearance) except access reserved with public open space and drainage infrastructure. Refused and allowed at appeal 25-Oct-2017.

B/16/0380/CD1 - Application for approval of conditions 11 (foul water), 12 (surface water), 14 (finished floor level), 16 (acoustic bund details), 17 (construction management plan) and 18 (geographical survey) attached to planning permission B/16/0380 (Outline application for the erection of up to 215 dwellings with all matters (scale, layout, landscaping, appearance) except access reserved with public open space and drainage infrastructure). Conditions Discharged 24-May-2021.

B/16/0380/NMA - Application under s96A for a non material amendment to approval B/16/0380 (Outline application for the erection of up to 215 dwellings with all matters (scale, layout, landscaping, appearance) except access reserved with public open space and drainage infrastructure) as allowed on appeal APP/Z2505/W/17/3170198 to make amendments to the wording of conditions 6 and 10. Approved 08-Nov-2018.

B/16/0380/NMA2 - Application for a non material amendment to planning application B/16/0380 to allow for a material commencement on site (solely for the works to the access point at Middlegate Road West show on plan ref: L183/HWIM/01) without prior approval for planning conditions 11 (foul water) and C 12 (surface water) in respect of the timing of the conditions, to allow the partial construction of the access road prior to the submission of further details as required. Approved 14-Sep-2021.

B/17/0174 - Outline application for the erection of up to 195 dwellings with all matters (scale, layout, appearance and landscaping) except access reserved with public open space and drainage infrastructure (revised application to B/16/0380). Refused 26-Jul-2017.

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). Approved 15-Nov-2018.

B/18/0039/CD1 - 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). Conditions Discharged 14-Sep-2021.

B/18/0039/NMA - Application for a non-material amendment to alter the parking area serving plots 102 - 109 and to change the affordable housing units from plots 92 - 95 to plots 106 - 109 of condition 1 of planning permission B/18/0039. Approved 22-Dec-2020.

RELEVANT DEVELOPMENT PLAN POLICIES AND DOCUMENTS:

South East Lincolnshire Local Plan (2019)

The following policies contained within the South East Lincolnshire Local Plan (2019) (i.e. SELLP) are relevant to this application:

- 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 Requirements
- Policy 17 - Providing a Mix of Housing
- Policy 18 - Affordable Housing
- Policy 28 - The Natural Environment
- Policy 29 – The Historic Environment
- Policy 30 – Pollution
- Policy 31 - Climate Change and Renewable and Low Carbon Energy
- Policy 36 - Vehicle and Cycle Parking

OTHER RELEVANT DOCUMENTS / LEGISLATION / GUIDANCE:

National Planning Policy Framework (2023)

At the heart of the 2023 Framework is a presumption in favour of sustainable development. The following sections are relevant to this scheme:

- Section 4 - Decision-making
- Section 5 - Delivering a sufficient supply of homes
- Section 11 - Making effective use of land
- Section 12 - Achieving well-designed places
- Section 14 - Meeting the challenge of climate change, flooding and coastal change
- Section 15 - Conserving and enhancing the natural environment
- Section 16 - Conserving and enhancing the historic environment

National Planning Practice Guidance (PPG)

Background documents: Planning file

CONSULTATION RESPONSES:

Anglian Water – No objections. Informatives recommended.

Lincs Wildlife Trust – No objections.

Natural England – No comments.

Council's Environmental Health Officer – No objections.

Environment Agency – No objections. Condition recommended.

Black Sluice Internal Drainage Board – No objections. Informatives recommended.

Heritage Lincolnshire Archaeologist – No objections.

Crime Prevention Advisor – No objections. Informative recommended.

Lincolnshire County Council Strategic Development Officer – No comments.

Lincolnshire County Council Highways/SUDs Officer – No objections.

NHS Lincolnshire – Financial contributions required.

Council's Service Manager Affordable and Accessible Home – Financial contributions required.

Frampton Parish Council – Objects to the proposal on the following grounds:

- Contribution issues
- Highways safety concerns
- Local amenity issues

THIRD PARTY REPRESENTATIONS RECEIVED:

Objections received from 12 representatives. Object to the development on the following grounds:

- Privacy concerns
- The development is not in line with the appeal decision
- Surface water issues
- Foul drainage issues
- Highways safety concerns
- Overdevelopment
- Landscaping and tree concerns including maintenance
- Health and safety concerns
- Residential amenity issues including noise, vibration, dust and overshadowing
- Waste management issues
- Local amenity concerns

The Limes Meer, Booth Road, Antons Gowt – Comments received regarding swifts and that swift boxes should be provided in the development.

EVALUATION:

The material planning considerations are:

- Principle of Development
- Impact on Character of the Area
- Impact on Residential Amenity
- Flood Risk and Drainage
- Landscaping and Ecology
- Highways Safety and Parking
- Financial Contributions
- Additional Considerations

Principle of Development

The principle of housing development on this site has been well established through the previous consents on the site including:

B/16/0380 - Outline application for the erection of up to 215 dwellings with all matters (scale, layout, landscaping, and appearance) except access reserved with public open space and drainage infrastructure – Allowed at Appeal

B/18/0039 - Approval of reserved matters relating to scale, layout, landscaping and appearance attached to outline approval B/16/0380 for the erection of up to 193 dwellings and two flats including access off Middlegate Road West, public open space, play area, pumping station and swales/drainage infrastructure and landscaped bund – Approved

Policy 1 of the SELLP supports certain types of development in the countryside where it is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community and/or environmental benefits. Given that this scheme, including the provision of 13 additional units, forms part of an existing residential scheme that has been previously approved, it

is considered that the development is 'necessary in such a location'. The site boundary has not been altered or extended, and therefore in principle, residential development including the addition of 13 units, in this location, is considered acceptable and the main considerations are the impacts of 13 additional dwellings on amenity/character/flood risk etc, which are assessed in the report below.

Impact on Character of the Area

SELLP Policy 2 states that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met. These include size, scale, layout, density and impact on amenity, trees, character and appearance of the area and the relationship to existing development and land uses as well as the quality of its design and its orientation.

SELLP Policy 3 states that all development proposals will create a sense of place by; respecting the density, scale, visual closure, landmarks, views, massing of neighbouring buildings and the surrounding area. These Local Plan policies reflect overarching national guidance as set out in the NPPF in paragraph 130 and elsewhere.

The proposal is for the re-plan and re-design of the housing layout within Phases 2 & 3 on parts of the site previously approved under B/18/0039, including provision of 13 additional units and revisions to proposed house types. Although this area is defined as open countryside within the Local Plan 2019, Phase 1 of the site has commenced and therefore the principle of dwellings on this site has been established. On this basis, the erection of an additional 13 dwellings within this location would not unduly impact the character and appearance of the area.

In terms of the re-design and re-plan of Phases 2 and 3, and the revisions to proposed house types, these changes would be within the site, and behind existing dwellings on Middlegate Road, and not readily viewable within the street scene. In terms of the open countryside to the rear of the site, this would not be unduly impacted by the changes as the recreational communal green space, lined with landscaping, would be retained to act as a buffer and ensure the openness of the countryside remains intact.

It is considered that the revised proposals have been designed to be sympathetic to the local character and establish a strong sense of place, keeping the arrangement of streets, creating buildings lines and open space provision. The development also still indicates a mixture of 24 different building types, involving bungalows, terraced dwellings, semi-detached and detached dwellings and providing properties containing one, two, three, four and five bedrooms creating an attractive environment. The revised details of the layout, scale, materials and appearance are therefore considered acceptable.

The development therefore is considered to accord with Policies 2 and 3 of the South East Lincolnshire Local Plan 2019 in terms of character and appearance of the area.

Impact on Residential Amenity

SELLP Policy 2, 3 and 30 advocate that a proposed development should consider if there is an impact on the amenity of the site and neighbouring sites as well as the impact upon neighbouring land uses in terms of noise, odour, disturbance or visual intrusion.

It is noted that a number of comments have been received by neighbouring properties with concerns regarding several amenity issues such as privacy, noise, dust, vibration and overshadowing. It should be noted again that the red edge of the development has not changed, and the re-plan, re-design and additional dwellings would remain within the original development area.

Within Phase 2 of the development, there would be one additional dwelling situated along the boundary shared with properties on Middlegate Road West, in particular numbers 36-40. The proposed properties along this boundary would be a mixture of one and two storeys in height. However, although there would be one additional dwelling, there would be sufficient distance between the proposed dwellings and neighbours (approximately 17-27 metres from the rear of the proposed properties to the rear of the neighbouring properties), and landscaped buffer planted along the boundary to ensure residential amenity issues, such as privacy and overshadowing, would not occur.

Phase 3 of the development is situated to the rear of 92 Middlegate Road West. There would be additional dwellings erected within this phase, however they would not be close to this property, and therefore issues in terms of residential amenity would be minimal.

In terms of all other additional dwellings to be proposed, these would be within the site, situated away from neighbours. It is noted that some of the house types are to be changed, and that some dwellings would be changed in height. However, due to the separation distances and landscaping buffer, it is considered there would be no detrimental impacts in terms of overlooking, dominance and overshadowing.

Significant conversations have been undertaken with the applicant/agent to ensure there are no issues in terms of residential amenity, and concerns from neighbours have been addressed, particularly in terms of noise, dust and vibration. These aspects were also addressed during the previously approved application. A Construction Management Plan was submitted and it has been enforced that the development accords with this Plan. A condition, is recommended, to ensure the Plan is further in place for Phases 2 and 3 to safeguard properties in terms of noise, dust and vibration.

On this basis, the development therefore is considered to accord with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan 2019 in terms of residential amenity.

Flood Risk and Drainage

In terms of drainage, this matter has raised considerable local concern, resulting in discussions with the relevant statutory consultees and the applicant. The NPPF 2023 and Policy 4 of the Local Plan 2019 recognises that inappropriate development in areas of risk of flooding should be avoided by directing development away from areas at highest risk. Where development is necessary, it should be made safe for its lifetime without increasing flood risk elsewhere.

A Flood Risk Assessment has been provided by the applicant. In terms of a proposed drainage strategy, the details states:

Roadside swales will take the surface water run-off from the proposed carriageways before outfall into the pond areas (for storage) before ultimate outfall into the IDB maintained ditches at restricted discharge rates.

The surface water drainage system to be designed for the site will ensure that there is no flooding from the site in the 1 in 100 year event including a 40% allowance for climate change whilst maintaining the 12.9 l/s maximum cumulative discharge rate which is equivalent to the 1 in 1 year Greenfield Run Off rate.

The ponds accommodate 4,700m³ with the other potential attenuation of 1,535m³ accommodated in the under-drained swale areas and permeable paving.

As the site is to be raised above adjacent ground levels, consideration of inclusion of perimeter land drains (especially at the boundaries of the existing dwellings which back onto the site along the southern and western boundaries of the site) which would intercept any water from the gardens of the proposed dwellings and prevent it entering the existing gardens. (Currently, there is no such facility to protect the existing gardens).

The pond structure, headwalls and flow control manholes / devices will be adopted and maintained by a private management company which will be funded through the residents of the development which this funding requirement secured through their deeds. This will ensure that the private management company is suitable funded throughout the lifetime of the development.

This information has been reviewed by the Internal Drainage Board, Lincolnshire County Council and the Environment Agency, and they have no objections to the scheme, subject to safeguarding conditions, as per the previously approved permissions. Furthermore, details regarding surface water were submitted under B/16/0380/CD1.

In terms of foul drainage, details have also been provided in the Flood Risk Assessment which states:

It is proposed to have a gravity foul system within the site to convey flows to a central area where a wet well and pumping station compound be constructed (to AW adoptable standards) before a pumped discharge from the site at 3.8 l/s to an agreed discharge point either on the existing adopted sewer network or directly into the Frampton Water Recycling Centre (in accordance with AW requirements once the further analysis is undertaken).

These details, along with approved drawings, have been assessed by Anglian Water, and they have confirmed they that are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission. Furthermore, details regarding the pumping station and foul drainage were submitted under B/18/0039/CD1 and B/16/0380/CD1, which were assessed and deemed acceptable. On this basis, subject to safeguarding conditions, the foul drainage system is appropriate.

The site is situated within a Flood Zone 3 of the Environment Agency Flood Maps. The Environment Agency has commented on the scheme, stating that as long as the finished floor levels are set in accordance with the previous approved finished floor levels, then

the development is acceptable. On this basis, subject to safeguarding conditions, the development is acceptable in terms of flood risk.

On this basis, the development accords with Policy 4 of the South East Lincolnshire Local Plan 2019.

Landscaping and Ecology

Details regarding the landscaping buffer, soft landscaping and management were submitted under B/18/0039/CD1 and deemed acceptable. These details have not changed since the submission of this application.

Lincs Wildlife Trust commented on the application, stating that Biodiversity Net Gain was required as part of the scheme. In response to these comment, the applicant provided a Biodiversity Impact Assessment which outlines mitigation measures to ensure there is appropriate net gain within the development. Lincs Wildlife Trust reviewed these details, and have no objections, outlining that:

10% gain is predicted in both area habitat and hedgerow units. The metric makes it clear that all of the high distinctiveness hedgerow will be removed and replaced by a medium distinctiveness hedgerow that will be in association with a bank or a ditch. Evidence should be provided that the mitigation hierarchy has been followed regarding the removal of this high distinctiveness hedgerow and that there was no option to create the new hedgerow in association with a bank or a ditch. Replacing a high distinctiveness hedgerow with a medium distinctiveness one does not satisfy BNG trading rules, however given that the predicted gain is well above the minimum 10% we are happy with this strategy as long as the above requested evidence can be provided.

On this basis, a condition requesting additional information is recommended. Furthermore, a condition is recommended for a management and monitoring plan for the site to cover a minimum period of 30 years.

Therefore, the development accords with Policies 2, 3 and 28 of the South East Lincolnshire Local Plan 2019 and Section 15 of the NPPF 2023.

Highways Safety and Parking

SELLP Policy 2 states that developments will be permitted providing that sustainable development considerations are met relating to access and vehicle generation levels. SELLP Policy 3 states that developments will be permitted where the provision of facilities for the storage of refuse/recycling bins, storage and/or parking of bicycles and layout of car parking is secured. Appendix 6 supports Policy 3 and sets out the standard for car parking in new developments. Where it can be justified by the character and location of the site the standards may be relaxed.

The location and layout of the highways network within the site and the access from Middlegate Road West into the site remains unchanged. Due to the additional dwellings proposed, there would be further parking available for each dwelling as per the requirements of Policy 3 and Appendix 6 of the Local Plan 2019. Lincolnshire County Councils Highways Officer has confirmed they have no objections.

On this basis, the development accords with Policies 2, 3 and Appendix 6 of the South East Lincolnshire Local Plan 2019 in relation to highways safety and parking.

Financial Contributions

The applicant has provided an assessment regarding the viability of the scheme in terms of the 13 additional dwellings proposed. This has been assessed by the Council's Viability Consultant. They have confirmed that they agree that given the current viability pressures the scheme cannot provide more than 13 onsite affordable dwellings (as already agreed in Phase 1). However, it is recommended that a Review Mechanism is sought, which would allow the viability of the scheme to be reviewed in the future. This would enable the Council to capture any improvement in viability during the lifetime of the scheme. On this basis, a Deed of Variation to the Section 106 Agreement is sought to include this review mechanism, as agreed by the applicant.

Additional Considerations

It is noted within the comments received by neighbouring properties and the Parish Council regarding the appeal decision, and that this decision stated that there would be no more than 195 dwellings constructed on the site. However, although this was stipulated in the appeal decision, the applicant can submit separate applications for further dwellings. The considerations when assessing an increase in dwellings are set out in the report above, in relation to impacts an additional 13no dwellings on amenity, character, flood risk and landscaping. As confirmed above in this report, an additional 13 dwellings is considered to not have detrimental impacts when taken with the wider development as a whole and is therefore considered acceptable.

CONCLUSION:

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise.

As identified, the principle of development, including dwellings, on this site has been well established through the previous consents. Given that this scheme, including the provision of 13 additional units, forms part of an existing residential scheme that has been previously approved, it is considered that the development is 'necessary in such a location'.

In terms of character and appearance, it is considered that the re-plan, re-design, change in house types and the provision of 13 additional dwellings would not impact upon the street scene and overall area. Furthermore, the development would not impact on neighbouring properties in terms of overlooking, overshadowing or dominance, in accordance with the Policies set out in the Local Plan 2019.

Sufficient information has been provided in terms of surface water, foul drainage and flood risk mitigation in line with Policy 4 of the Local Plan 2019. There are also no changes to the highways network and the development would provide sufficient parking arrangements to accord with the requirements of Appendix 6 of the Local Plan 2019.

In terms of landscaping and biodiversity, details have been provided under the previous permissions which are considered acceptable. Furthermore, it has been established that the development can provide 10% biodiversity net gain in accordance with Policies 28 of the Local Plan 2019 and Section 15 of the NPPF 2023, subject to conditions.

Therefore, on balance, the development is considered acceptable and accords with the development plan, and therefore the application is recommended approval with conditions and Section 106 agreement.

RECOMMENDATION:

Approved with Conditions

CONDITIONS / REASONS			
Pre-commencement conditions?		Agreed with applicant/agent - Date:	
1	<p>The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this permission.</p> <p>Reason: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.</p>		
2	<p>The development hereby permitted shall not be carried out except in complete accordance with the following details shown on the submitted plans:</p> <ul style="list-style-type: none"> - L183/RLP/01 Site Location Plan - L183/SITE/OVERVIEW/02 Full Site Layout Overview 2 - L183/PH2/AMENDS Phase 2 Planning Layout - L183/PH3/AMENDS Phase 3 Planning Layout - L183/CHRT/FULL Charter Plan Full Site - L183/CHRT/PH2 Charter Plan Phase 2 - L183/CHRT/PH3 Charter Plan Phase 3 - L183/REPLAN-2/PHASE-2/DRAFTING Rev C Phase 2 - Replan 2 Drafting Layout - L183/REPLAN-2/PHASE-3/DRAFTING-1 Phase 3 - Replan 2 Drafting Layout - SL01 Rev B Site Layout 1A and SK02 Rev B Sketch Layout 1B - MA10953-600-1 Rev E External Works Layout Sheet 1 - MA10953-600-2 External Works Layout Sheet 2 - MA10953-600-3 Rev F External Works Layout Sheet 3 - MA10953-600-4 Rev G External Works Layout Sheet 4 - MA10953-600-5 Rev G External Works Layout Sheet 5 - MA10953-600-6 Rev F External Works Layout Sheet 6 - L - -/H50/SEMI/DS H50 Semi-Detached Design Sheet - C312 Floor Plans and Elevations - C313 Floor Plans and Elevations - H59/DS Rev A H59 Bungalow Design Sheet - H62/DS Rev A H62 Bungalow Design Sheet - Housetype Portfolio P121, P241,P351,P354,P461 - B201 - New House Type Floor Plans and Elevations 		

- 1207/A00/DS 1207-House Type Design Sheet
- C301 - Ashton Nettleham Floor Plans and Elevations
- 1303/A00/DS 1303-Bungalow The Aldeby
- C303 - Newbury Newton Floor Plans and Elevations
- C306 - New House Type Floor Plans and Elevations
- D401 - New House Type Floor Plans and Elevations
- D403 - New House Type Floor Plans and Elevations
- L000/H50/01 - House Type H50
- L00/2432/DS 2432 Design Sheet
- L000/2440/L/DS 2440 House Type Design Sheet
- L00/3311/DS 3311 Design Sheet
- L00/3402/DS1 3402 Design Sheet Floor Plans
- L00/3402/DS2 3402 Design Sheet Elevations
- L000/2228/L/DS 2228 House Type Design Sheet
- L000/2310/L/DS 2310 House Type Design Sheet
- L183/DSG/02 Rev A Double Shared Garage Detached Side Gable
- L183/SG/02 Rev A Single Garage Detached Front Gable
- L183/COMPOUND/01 Rev A Compound Layout
- L183/BNDRTRT/PH 1 Boundary Treatments Phase 1
- 2106.30105(Middlegate Road_LarkfleetHomes) Play Area Details
- MA10953-605-6 Pumping Station Details Sheet 2
- MA10953-605-7 Pumping Station Details Sheet 3
- MA10953-605-8 Pumping Station Details Sheet 4
- MA10953-605-9 Pumping Station Details Sheet 5
- MA10953-204-1 N S104/S38 Longitudinal Sections Sheet 1
- MA10953-204-2 J S104/S38 Longitudinal Sections Sheet 2
- MA10953-204-3 K S104/S38 Longitudinal Sections Sheet 3
- MA10953-204-4 J S104/S38 Longitudinal Sections Sheet 4
- MA10953-204-5 J S104/S38 Longitudinal Sections Sheet 5
- MA10953-204-6 K S104/S38 Longitudinal Sections Sheet 6
- MA10953-204-8 S104/S38 Longitudinal Sections Sheet 7
- MA10953-205-2 Rev L Foul Water Manhole Schedule Sheet 2
- MA10953/206 C Drainage Construction Details
- MA10953-200-1 Rev S S104 Drainage Layout Sheet 1
- MA10953-200-2 Rev W S104 Drainage Layout Sheet 2
- MA10953-200-3 Rev X S104 Drainage Layout Sheet 3
- MA10953-200-4 Rev Y S104 Drainage Layout Sheet 4
- MA10953-200-5 Rev A2 S104 Drainage Layout Sheet 5
- MA10953-200-6 Rev Y S104 Drainage Layout Sheet 6
- MA10325/200 Rev D Proposed Surface and Foul Water Strategy
- MA10953-204-7 Pond Cross Sections
- MA10953-205-1 Rev K Surface Water Manhole Schedule Sheet 1
- MA10953 / 209-1 Headwell Culvert Details
- MA10953 / 210 Rising Main Longitudinal Section
- MA10953-605-3 Flow Control Details Sheet 1
- MA10953-605-4 Flow Control Details Sheet 2
- 7343-L-04 Rev A Landscape Cross Sections 2 x Plans
- 7343-L-110 Buffer Planting Landscape Proposals
- 7343-L-103 Rev D Detailed Soft Landscape Proposal Structural Landscape and POS Sheet 3 of 3
- 7343-L-109 Detailed Soft Landscape Proposal on Plot Planting 6 of 6

	<p>Reason: To ensure the development is undertaken in accordance with the approved details, in the interest of residential amenity and to comply with Policies 2 and 3 of the South East Lincolnshire Local Plan 2019.</p>
3	<p>Before each dwelling is occupied the roads and/or footways providing access to that dwelling, for the whole of its frontage from an existing public highway, with the exception of the carriageway and footway surface courses, shall be constructed to a specification to enable them to be adopted as highway maintainable at the public expense. The carriageway and footway surface courses shall be completed within three months from the date upon which the penultimate dwelling is commenced.</p> <p>Reason: In the interests of highways safety in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan 2019.</p>
4	<p>Notwithstanding the details in the submitted Flood Risk Assessment (MA10325-FRA-R04, May 2017, Millward Integrated Engineering Consultants), finished floor levels of the dwellings hereby permitted shall be set as indicated in the following approved drawings:</p> <p>MA10953-600-1 Rev E External Works Layout Sheet 1 MA10956-600-2 External Works Layout Sheet 2 MA10956-600-3 Rev F External Works Layout Sheet 3 MA10956-600-4 Rev G External Works Layout Sheet 4 MA10956-600-5 Rev G External Works Layout Sheet 5 MA10956-600-6 Rev F External Works Layout Sheet 6</p> <p>Reason: To reduce the risk and impact of flooding, in accordance with Policy 4 of the South East Lincolnshire Local Plan 2019.</p>
5	<p>The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (Millward ref MA 10325-FRA-R04 dated May 2017) and MA10953 Flood Resilience Measures and Plan.</p> <p>Reason: To reduce the risk and impact of flooding, in accordance with Policy 4 of the South East Lincolnshire Local Plan 2019.</p>
6	<p>Prior to the occupation of any dwelling hereby approved, a Flood Warning and Evacuation Plan shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be fully implemented prior to occupation and subsequently remain in place.</p> <p>Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with Policy 4 of the South East Lincolnshire Local Plan 2019.</p>
7	<p>The surface water and foul water drainage method hereby approved shall be undertaken in complete accordance with drawings:</p> <ul style="list-style-type: none"> - MA10953-204-1 N S104/S38 Longitudinal Sections Sheet 1 - MA10953-204-2 J S104/S38 Longitudinal Sections Sheet 2

	<ul style="list-style-type: none"> - MA10953-204-3 K S104/S38 Longitudinal Sections Sheet 3 - MA10953-204-4 J S104/S38 Longitudinal Sections Sheet 4 - MA10953-204-5 J S104/S38 Longitudinal Sections Sheet 5 - MA10953-204-6 K S104/S38 Longitudinal Sections Sheet 6 - MA10953-204-8 S104/S38 Longitudinal Sections Sheet 7 - MA10953-205-2 Rev L Foul Water Manhole Schedule Sheet 2 - MA10953/206 C Drainage Construction Details - MA10953-200-1 Rev S S104 Drainage Layout Sheet 1 - MA10953-200-2 Rev W S104 Drainage Layout Sheet 2 - MA10953-200-3 Rev X S104 Drainage Layout Sheet 3 - MA10953-200-4 Rev Y S104 Drainage Layout Sheet 4 - MA10953-200-5 Rev A2 S104 Drainage Layout Sheet 5 - MA10953-200-6 Rev Y S104 Drainage Layout Sheet 6 - MA10325/200 Rev D Proposed Surface and Foul Water Strategy - MA10953-204-7 Pond Cross Sections - MA10953-205-1 Rev K Surface Water Manhole Schedule Sheet 1 - MA10953 / 209-1 Headwell Culvert Details - MA10953 / 210 Rising Main Longitudinal Section - MA10953-605-3 Flow Control Details Sheet 1 - MA10953-605-4 Flow Control Details Sheet 2 <p>unless otherwise agreed in writing by the Local Planning Authority. The method shall be fully implemented prior to occupation and subsequently remain in place.</p> <p>Reason: To ensure that the site is adequately drained and to avoid pollution in accordance with Policy 30 of the South East Lincolnshire Local Plan 2019.</p>
8	<p>The development hereby permitted shall be carried out in strict accordance with the Construction Management Plan (dated February 2020) and drawing L183/COMPOUND/01 Rev A Compound Layout unless otherwise agreed in writing with the Local Planning Authority</p> <p>Reason: In the interest of residential amenity and to comply with Policies 2 and 3 of the South East Lincolnshire Local Plan 2019.</p>
9	<p>The development permitted by this planning permission shall be carried out in accordance with the Archaeological Evaluation Report (Land off Middlegate, Kirton in Holland PCAS job ref 1818 Author: PCAS Archaeology Ltd.). The archaeological site work shall only be undertaken in accordance with the approved written scheme.</p> <p>Reason: To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation in accordance with national guidance contained in the National Planning Policy Framework 2023 and accordance with Policy 29 of the South East Lincolnshire Local Plan 2019.</p>
10	<p>The soft and hard landscaping, and the landscaping scheme of the 'buffer area' identified on the submitted layout plans between the even numbered properties fronting Middlegate Road West shall be carried out in strict accordance with:</p> <ul style="list-style-type: none"> - 7343-L-103 Rev D Detailed Soft Landscape Proposal Structural Landscape and POS Sheet 3 of 3

	<ul style="list-style-type: none"> - 7343-L-109 Detailed Soft Landscape Proposal on Plot Planting 6 of 6 - Drawing No. 7343-L-110 - Estate Works Specification dated February 2020 - Drawing No. 7343-L-04 Rev A <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 Details approved available after each phase of the development hereby permitted being bought into first occupation.</p> <p>Reason: To ensure that the development is adequately landscaped, in the interests of its visual and residential amenity, and that of the area in which it is set in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan 2019.</p>
11	<p>The Local Equipped Area for Play and timetable for implementation shall be undertaken in complete accordance with drawings:</p> <ul style="list-style-type: none"> - Drawing Reference: 2106.30105(MiddlegateRoad_LarkfleetHomes) – dated 6 July 2021; - Specification Sheet showing the following equipment in detail: Diabolo Multiplay J3836A-C, Speed Gyro J2400A, Metal Combination Swing J473A, Metal Pod Swing J441A, Falling Star Springer J839A, Balancing Circuit J09A. - Allison Homes headed letter dated 9th January 2024 <p>The details shall be implemented in full and retained.</p> <p>Reason: For the avoidance of doubt and to protect the visual amenities of the locality and accord with the aims and objectives of the National Planning Policy Framework 2023.</p>
12	<p>The pumping station shall be undertaken in complete accordance with drawings:</p> <ul style="list-style-type: none"> - MA10953-605 6 Pump Station Details - MA10953-605 7 Pump Station Details - MA10953-605 8 Pump Station Details - MA10953-605 9 Pump Station Details <p>The details shall be implemented in full prior to the occupation of any dwelling and retained thereafter.</p> <p>Reason: For the avoidance of doubt and to protect the visual amenities of the locality and accord with the aims and objectives of the National Planning Policy Framework 2023.</p>
13	<p>The design, and appearance of the garages shall be undertaken in accordance with drawings:</p> <ul style="list-style-type: none"> - L183/DSG/02 Rev A Double Shared Garage Detached Side Gable - L183/SG/02 Rev A Single Garage Detached Front Gable

	<p>and that all garages will either have installed a side or rear door with access into the enclosed garden for the particular plot. The details shall be implemented in full prior to the occupation of the dwelling to which the garage relates.</p> <p>Reason: For the avoidance of doubt and to enable the proposed occupier's access to their rear gardens, protect the visual amenities of the locality and accord with the aims and objectives of the National Planning Policy Framework 2023.</p>
14	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order amending, revoking and/or re-enacting that Order, with or without modification. No extensions or alterations relating to Classes A, B, C & E of Part 1 of Schedule 2 or Part 2 Class A of Schedule 2 shall be erected to plots 9-25 incl.</p> <p>Reason: To protect the amenities of the existing and proposed residential occupiers to accord with the aims and objectives of the National Planning Policy Framework 2023.</p>
15	<p>The timetable for the proposed soft landscaping, its phasing and completion as shown on drawings:</p> <ul style="list-style-type: none"> - 7343-L-103 Rev D Detailed Soft Landscape Proposal Structural Landscape and POS Sheet 3 of 3 - 7343-L-109 Detailed Soft Landscape Proposal on Plot Planting 6 of 6 - Drawing No. 7343-L-110 - Estate Works Specification dated February 2020 - Drawing No. 7343-L-04 Rev A - Boundaries Plan Rev C <p>shall be as stated within the Larkfleet headed letter dated 9th January 2024.</p> <p>Reason: In the interests of the amenity and character of the area in accordance with the National Planning Policy Framework 2023 and Policies 2 & 3 of the South East Lincolnshire Local Plan 2019.</p>
16	<p>The future management and maintenance of the open space and soft landscaping areas within the development shall be undertaken in accordance with the Landscape Management Plan dated February 2020 and the email dated 14th July 2021 from Allison Homes. The open space and soft landscaping shall be managed and maintained in accordance with the details.</p> <p>Reason: In the interests of the amenity and character of the area in accordance with the National Planning Policy Framework 2023 and Policies 2, 3 and 28 of the South East Lincolnshire Local Plan 2019.</p>
17	<p>No above ground development shall commence until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The content of the LEMP shall set out detailed scaled plans and shall include the following and be in force for no less than 30 years:</p> <ul style="list-style-type: none"> - description and evaluation of features to be managed, informed by the 22-3710

	<p>Biodiversity Impact Assessment August 2023;</p> <ul style="list-style-type: none"> - ecological trends and constraints on site that might influence management; - aims and objectives of management; - appropriate management, maintenance, ongoing monitoring and remediation measures and retention; - prescriptions for management actions, broken into monitoring time periods; - preparation of a work schedule, including a timetable for implementation of all the planting, works and ecological and landscape enhancement/creation measures and an annual work plan capable of being rolled forward over a five-year period; - retention of higher quality nesting and foraging habitat and semi improved field margins, size and details associated with their buffer zones; - construction and ecological management plan including ecologist pre-site clearance measures, survey to identify wild birds nests (including ground nesting birds), suitable work exclusion zones around any identified nest sites, and habitat protection during construction; - use of mammal gates to allow free movements of mammals, amphibians and reptiles; - species rich hedgerow management plan; <p>The approved LEMP, the future maintenance and management scheme and associated measures shall be implemented within the first planting season following the construction of the dwellings. All trees, shrubs and hedgerows shall be maintained by the owner or owners of the land on which they are situated for the period of thirty years beginning with the date of completion of the scheme and during that period all losses shall be made good as and when necessary.</p> <p>Reason: To ensure that the development is adequately landscaped, in the interests of its biodiversity, visual amenity and that of the area in which it is set. This condition is imposed in accordance with Policies 2, 3 and 28 of the South East Lincolnshire Local Plan 2019.</p>
18	<p>The development hereby approved shall be carried out in accordance with the boundary treatment details specified on the following drawings:</p> <ul style="list-style-type: none"> - L183/CHRT/FULL Charter Plan Full Site - L183/CHRT/PH2 Charter Plan Phase 2 - L183/CHRT/PH3 Charter Plan Phase 3 <p>The boundary treatments shall be implemented and thereafter retained as approved unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: In the interests of visual amenity and character in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan 2019.</p>
19	<p>Prior to the development above ground level, a schedule of materials to be used in the construction of the dwellings shall be submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing by the Local Planning Authority, the development shall be constructed in accordance with the materials so approved.</p>

	Reason: In the interests of the appearance and character of the development and the visual amenity of the area in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan 2019.
20	<p>The water consumption of the 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 Policy 31 of the South East Lincolnshire Local Plan 2019.</p> <p>The person carrying out the work must inform the Building Control Body that this duty applies.</p> <p>Reason: To protect the quality and quantity of water resources available to the district. This condition is imposed in accordance with Policy 31 of the South East Lincolnshire Local Plan 2019.</p>

INFORMATIVES / NOTES TO BE INCLUDED ON/WITH DECISION NOTICE	
<p><u>STATEMENT OF PROACTIVE WORKING:</u> In determining this application, the authority has taken account of the guidance in paragraph 38 of the National Planning Policy Framework 2023 in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.</p>	
<p>This permission should be read in conjunction with the S106 Legal Agreement dated 17 April 2024.</p>	