

FILE COPY

Town and Country Planning Act 1990 Outline Planning Permission

Reference: H09-1325-06 Received: 14-DEC-07 Type: OUTLINE

Name: Kingswood Investments
Fulney Hall
69 Holbeach Road
Spalding
Lincs PE11 2HY

Agent: Robert Doughty Consultancy Ltd
32 High Street
Helpringham
Sleaford
Lincs NG34 0RA

Description: Residential development

Location : Land off Battlefields Lane Holbeach

South Holland District Council hereby give notice that OUTLINE PLANNING PERMISSION HAS BEEN GRANTED for the development in accordance with the application submitted, subject to the following:

- 1 Application for approval of reserved matters must be made not later than three years beginning with the date of this permission, and the development must be begun before the expiration of two years from the final approval of reserved matters or in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: As required by Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 No development shall take place without the prior written approval of the Local Planning Authority of all details of the following matters:
 - i) The layout, scale and external appearance of building(s), including a schedule of external materials to be used;
 - ii) The means of access to the site;
 - iii) The landscaping of the site;
 - iv) The means of sewage and surface water disposal;
 - v) The existing and proposed site levels and floor levels of the buildings and hard surfaced areas.

Reason: The application was submitted in outline only and the above details are required to enable the Local Planning Authority to assess the detailed design, appearance and layout of the development as well as ensure that appropriate access and services are provided to serve the development.

This Condition is imposed in accordance with Policies SG12, SG13, SG14 and SG18 of the South Holland Local Plan 2006.

- 3 Notwithstanding the submitted details, before the development commences, a programme for the phasing and timing of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved programme unless the Local Planning Authority gives its prior written consent to any variation, and no more than 40 dwellings shall be completed within any calendar year.

Reason: To ensure a satisfactory and orderly release of development.

This Condition is imposed in accordance with Policy HS3 of the South Holland Local Plan 2006.

- 4 Before the development is commenced there shall be submitted to and approved in writing by the Local Planning Authority a scheme for the provision and phasing of a minimum of one third of the total residential units as affordable housing on the site to meet local housing needs. The scheme shall identify how the affordable housing is to be provided in each phase, whether by means of a registered social landlord or otherwise, and the timing of delivery. In the submission of the details of the design and layout of each phase, the location of each affordable housing unit shall be indicated, along with the size and tenure, the type of affordable housing, and arrangements for ensuring that the affordable housing to be provided meets identified local housing need. Not more than 50% of the total number of the approved dwellings within each phase, excluding the affordable element, shall be occupied until there has been a material commencement on the affordable housing units in that phase and not more than 90% of the approved dwellings, excluding the affordable element, shall be occupied until all the affordable housing units have been completed.

Note: In order to comply with this condition it may be necessary for the applicant/developer to enter into a planning obligation and/or agreement. You are therefore asked to bear this in mind when determining the timing of your submissions.

Reason: To ensure that affordable dwellings are provided to meet identified local need, and remain affordable in perpetuity.

This Condition is imposed in accordance with Policy HS8 of the South Holland Local Plan 2006.

- 5 Prior to the commencement of the development hereby permitted a plan illustrating all areas of publicly accessible open space shall be submitted to and approved in writing by the Local Planning Authority. The areas so approved shall be laid out and made available for use in accordance with a specification and phasing that shall first be agreed in writing by the Local Planning Authority, and shall thereafter be so maintained.

Reason: To ensure that adequate open space provision is made available for the occupiers of the development hereby permitted and that provision is made for the management and maintenance of the open space.

This Condition is imposed in accordance with Policies SG1 and HS11 of the South Holland Local Plan 2006.

- 6 Public open space shall be provided on site of not less than 14% of the gross site area.

Reason: To ensure satisfactory provision to cater for the needs of future home holders and to ensure a satisfactory development.

This Condition is imposed in accordance with Policy HS11 of the South Holland Local Plan 2006.

- 7 An equipped children's play areas shall be provided within the site. The timing of the implementation, location, detailed design, layout, specification of the equipment, and the management and maintenance regime of the play area shall be submitted to and approved in writing by the Local Planning Authority. The play area shall be provided in accordance with the details so approved, and thereafter so maintained.

Reason: To ensure that adequate play provision is made for the occupiers of the development hereby permitted and that the facility is adequately managed and maintained.

This Condition is imposed in accordance with Policies SG1 and HS11 of the South Holland Local Plan 2006.

- 8 A management plan for the areas of publicly accessible open space and any outdoor play areas, including management responsibilities and maintenance schedules, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted. The management of these areas shall be carried out in accordance with the details so approved.

Reason: To ensure that adequate open space provision is made available for the occupiers of the development hereby permitted and that provision is made for the management and maintenance of the open space.

This Condition is imposed in accordance with Policies SG1 and HS11 of the South Holland Local Plan 2006.

- 9 Before commencement of development full details of a scheme of boundary screen walls and fences shall be submitted to and approved in writing by the Local Planning Authority and the approved details shall be implemented before any dwelling is occupied, or within such longer period as may be agreed in writing with the Local Planning Authority.

Reason: To safeguard residential amenity.

This Condition has been imposed in accordance with Policy SG17 of the South Holland Local Plan 2006.

- 10 The development hereby permitted shall include measures to demonstrate good practice in energy efficiency and shall incorporate renewable energy production equipment to provide at least 10% of predicted energy requirements, all in accordance with details to be submitted to and approved in writing by the Local Planning Authority, and the development shall be implemented in accordance with the details so approved.

Reason: In the interest of sustainable development and the protection of the environment.

This Condition has been imposed in accordance with Policy SG7 of the South Holland Local Plan 2006.

- 11 When application is made to the Local Planning Authority for approval of reserved matters, that application shall be accompanied by a scheme of landscaping and tree planting indicating, inter alia, the number, species, heights on planting and positions of all trees in respect of the land to which that application relates, together with details of post-planting maintenance and such a scheme shall require the approval of the Local Planning Authority before any development is commenced. Such scheme as is approved by the Local Planning Authority shall be carried out in its entirety within a period of 12 months beginning with the date on which development is commenced, or within such longer period as may be agreed in writing with the Local Planning Authority. All trees, shrubs and bushes shall be maintained by the owner or owners of the land on which they are situated for the period of five years beginning with the date of completion of the scheme and during that period all losses shall be made good as and when necessary, unless the Local Planning Authority gives written consent to any variation.

Note: The applicant is recommended to employ a qualified and experienced landscape designer to produce a landscaping scheme for the development.

Reason: To ensure that the development is adequately landscaped, in the interests of its visual amenity and that of the area in which it is set.

This Condition is imposed in accordance with Policy SG18 of the South Holland Local Plan 2006.

- 12 When application is made for the approval of reserved matters in accordance with Conditions 1 and 2 that application shall be accompanied by details of:
- Routes for construction traffic, together with times when construction traffic will be operating.
 - The locations of any site compounds.
 - Wheel cleaning facilities for construction traffic.

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

Reason: To ensure that the affects of construction traffic and the amenities of existing residents is minimised.

This Condition is imposed in accordance with Policy SG17 of the South Holland Local Plan 2006.

- 13 There shall be no vehicular route save for an emergency link, between Battlefields Lane site and Kings Road, and details of the emergency link, together with details of measures to prevent vehicular access, other than in times of emergency, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

Reason: To safeguard the residential amenities of existing householders.

This Condition is imposed in accordance with Policy SG17 of the South Holland Local Plan 2006.

- 14 No development shall take place until a scheme specifying the methods of recording or preserving any archaeological deposits which may be affected by the approved works and including a timetable for such recording has been submitted to and been approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in strict accordance with the agreed scheme.

Reason: The site is of archaeological importance.

This Condition is imposed in accordance with Planning Policy Guidance 16 'Archaeology and Planning' of the Lincolnshire Structure Plan 2006.

- 15 The development shall be carried out in accordance with the conclusions and recommendations contained in the approved Flood Risk Assessment received by the Local Planning Authority on 20 September 2006.

Reason: To ensure a satisfactory development.

This Condition is imposed in accordance with Planning Policy Statement 25 'Development and Flood Risk'.

- 16 Before each dwelling (or other development as specified) is occupied the roads and/or footways providing access to that dwelling, for the whole of its frontage, from an existing public highway, shall be constructed to a specification to enable them to be adopted as Highways Maintainable at the Public Expense, less the carriageway and footway surface courses.

The carriageway and footway surface courses shall be completed within three months from the date upon which the erection is commenced of the penultimate dwelling (or other development as specified).

Reason: To ensure safe access to the site and each dwelling in the interests of residential amenity, convenience and safety.

This Condition is imposed in accordance with Policy SG14 of the South Holland Local Plan 2006.

- 17 No development shall take place before the detailed design of the arrangements for surface water drainage has been agreed in writing by the Local Planning Authority and no dwelling shall be occupied before it is connected to the agreed drainage system.

Reason: To ensure that surface water run-off from the development will not adversely affect, by reason of flooding, the safety, amenity and commerce of the residents of this site.

This Condition is imposed in accordance with Policy SG14 of the South Holland Local Plan 2006.

- 18 No dwellings (or other development as specified) shall be commenced before the first 50 metres of estate road from its junction with the public highway, including visibility splays, as shown on dwg. no. 564/11-LP01 dated September 2006 has been completed.

Reason: In the interests of safety of the users of the public highway and the safety of the users of the site and to enable calling vehicles to wait clear of the carriageway of Battlefields Lane.

This Condition is imposed in accordance with Policy SG14 of the South Holland Local Plan 2006.

- 19 Prior to the commencement of the development hereby permitted, the following drawings and details shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority:
- (i) detailed plans to a scale of not less than 1:500 showing the proposed highway layout, including dimensions of carriageway, footway, verge widths and visibility splays, the proposed buildings and site layout, the proposed floor levels, driveways and the drainage and sewerage system;
 - (ii) longitudinal sections to a scale of not less than 1:500 horizontal and not less than 1:50 vertical along the centre line and channel lines of each proposed road showing the existing ground level and proposed road level, and full details of surface water drainage proposals;
 - (iii) a typical highway cross-section to scale of not less than 1:50 showing a specification for the types of construction proposed for carriageways and footways/footpaths and when requested cross-sections along the proposed roads showing the existing and proposed ground levels;
 - (iv) details of the method and means of surface water disposal;
 - (v) details of all proposed street lighting;
 - (vi) drawings for the proposed new roads and footways/footpaths giving all relevant dimensions for their setting out including reference dimensions to existing features.

No road works shall commence on site prior to the written approval of these details by the Local Planning Authority.

The development shall thereafter not be carried out otherwise than in full compliance with the approved drawings and details.

Note: In imposing the above Condition it is recommended that before a detailed planning submission is made a draft layout be produced and be the subject of a discussion between the applicant, the Local Planning Authority and the Local Highway Authority in order to avoid abortive work. The agreed drawings must finally be approved by the Local Planning Authority for the purpose of this Condition.

Reason: To secure an appropriate highway construction to an adoptable standard, in the interests of highway safety and the amenity and convenience of highway users.

This Condition is imposed in accordance with Policy SG14 of the South Holland Local Plan 2006.

Reason For Approval

The proposal is in accordance with national and local policies as set out in;
Planning Policy Statement 1 'Delivering Sustainable Development'.
Planning Policy Statement 3 'Housing'.
Policies SG1, SG2, SG3, SG6, SG7, SG14, SG17, SG18, HS3, HS4, HS8 and HS11 of the South Holland Local Plan 2006.

The issues relating to infrastructure impact, traffic operation and residential amenity are material considerations but not sufficient in this case to indicate against the proposal and to outweigh the policies referred to above.

Note(s):

The determined plans are:

Dwg. no. 564/11-LP01, Flood Risk Assessment (August 2006) received 20 September 2006.
Transport Statement (Project No. 60803) received 24 October 2006.
Archaeological Fieldwalking (APS Report No. 168/06) and Ecological Assessment and Survey for Protected Species (Doc. Ref. 098/06 01288/E/1006) received 4 December 2006.
Dwg. no. 564/11-IMP received 12 December 2007.

The developer is requested to consider the incorporation of water mitigation measures in the final development, ie, porous road surfaces, to reduce the risk of flooding to neighbouring developments.

This planning permission is subject to an Agreement under Section 106 of the Town and Country Planning Act 1990, dated 1 December 2009, and can only be implemented as a consequence of meeting the provisions of that Agreement.

Council Offices
Priority Road
Spalding
Lincolnshire
PE11 2XE

tel: 01775 761161
fax: 01775 710772
web: www.sholland.gov.uk



Head of Planning & Development
07 DEC 2009

H09-1325-06

This decision refers only to that required for the purposes of the Town and Country Planning Acts and not for Building Regulations or any other legislation.
