

Town and Country Planning Act 1990

OUTLINE PLANNING PERMISSION

Agent/Applicant's Name & Address	Applicant's Name & Address
Mr. N. Pleasant, Stantec, Part 4th Floor, Whitehall Quay II, LEEDS. LS1 4HR	KCS Development Ltd, C/O Stantec, Part 4th Floor, Whitehall Quay II, LEEDS. LS1 4HR

Part I - Particulars of Application

Date received	Application Number
05/12/2023	N/092/02375/23

Particulars and location of the development

PROPOSAL: Outline erection of up to 50no. dwellings and associated infrastructure (with means of access, landscaping and layout to be considered).

LOCATION: LAND SOUTH OF, CHESTNUT DRIVE, LOUTH

Part II - Particulars of decision

In pursuance of its powers under the Town and Country Planning Act 1990, the East Lindsey District Council grants outline permission for the carrying out of the development referred to in Part I hereof in accordance with the application and plans submitted subject to the following conditions:

1. Details of the scale and appearance (hereinafter called "the reserved matters") shall be submitted to the Local Planning Authority before the expiration of 3 years from the date of this permission. No development shall commence unless approval of the reserved matters has been obtained from the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In order to comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted must be begun no later than the expiration of two years from the final approval of all reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: In order to comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

3. The development hereby permitted shall only be undertaken in accordance with the following approved plan numbers:

0006-001-NIE-PL-XX-DR-A-000 Rev P3

Received by the LPA on 09/05/2024.

414.063849.00001.002 Rev P04

Received by the LPA on 09/05/2024.

414.063849.00001.003 Rev P04

Received by the LPA on 09/05/2024.

0006-001-NIX-XX-XX-DR-A-005 Rev P13

Received by the LPA on 09/05/2024.

414.063849.00001.3a Rev P01

Received by the LPA on 29/02/2024.

Reason: For the avoidance of doubt and the interests of proper planning.

4. The development hereby permitted shall be undertaken in accordance with a Construction Management Plan and Method Statement that shall first be approved in writing by the Local Planning Authority. The Plan and Statement shall indicate measures to mitigate the adverse impacts of vehicle activity and the means to manage the drainage of the site during the construction stage of the permitted development. It shall include;
- the routing and management of construction traffic
 - the on-site parking of all vehicles of site operatives and visitors;
 - the on-site loading and unloading of all plant and materials;
 - the on-site storage of all plant and materials used in constructing the development;
 - wheel washing facilities;
 - measures to control the emission of dust and dirt during construction;
 - details of noise reduction measures
 - a scheme for recycling/disposing of waste resulting from demolition and construction works;
 - the hours during which machinery may be operated, vehicles may enter and leave, and works may be carried out on the site; and
 - strategy stating how surface water run off on and from the development will be managed during construction and protection measures for any sustainable drainage features. This should include drawing(s) showing how the drainage systems (temporary or permanent) connect to an outfall (temporary or permanent) during construction.

Reason: In the interests of the amenity of the neighbours, the safety and free passage of those using the adjacent public highway and to ensure that the development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the development during construction. This condition is imposed in accordance with SP16 and SP22 of the East Lindsey Local Plan and paragraph 135 of the National Planning Policy Framework.

5. As part of the reserved application a schedule of external materials, including samples where requested, to be used in the construction of buildings and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

Reason: In the interests of the character and appearance of the development and the visual amenity of the area in which it is set. This condition is imposed in accordance SP10 of the East Lindsey Local Plan and paragraph 135 of the National Planning Policy Framework.

6. The development hereby permitted shall be undertaken in accordance with the foul and surface water drainage layout on drawing number 7247-HJCE-XX-XX-DR-C-3000 Rev P05 and the Flood Risk and Drainage Strategy dated 22/11/2023 Revision 5. Details of the timetable for and any phasing of implementation for the drainage scheme and 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 shall be submitted to and approved in writing by the Local Planning Authority. 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.

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, or upstream of, the permitted development. This condition is imposed in accordance with SP16 of the East Lindsey Local Plan.

7. No development shall take place before details of the existing and proposed site and floor levels of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The submitted levels shall be measured against a fixed datum and shall show the existing ground levels of any neighbouring property. The development shall be carried in accordance with the approved levels.

Reason: In the interests of the amenity of local residents. This condition is imposed in accordance with paragraph 135 of the National Planning Policy Framework.

8. The development hereby permitted shall not be commenced until further investigation has been carried out to fully and effectively characterise the nature and extent of any land contamination and/or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle, in order that any potential risks are adequately assessed taking into account the sites existing status and proposed new use. Two full copies of the site investigation and findings shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works.

Reason: To ensure potential risks arising from previous site uses have been fully assessed in accordance with paragraph 189 of the National Planning Policy Framework.

9. Where the risk assessment identifies any unacceptable risk or risks, a detailed remediation strategy to deal with land contamination and/or pollution of controlled waters affecting the site shall be submitted and approved by the Local Planning Authority. No works, other than investigative works, shall be carried out on the site prior to receipt of written approval of the remediation strategy by the Local Planning Authority. Remediation of the site shall be carried out in accordance with the approved remediation strategy. No deviation shall be made from this scheme.

Reason: To ensure adequate and appropriate remediation of the site in accordance with paragraph 189 of the National Planning Policy Framework.

10. On completion of remediation, two copies of a validation report shall be submitted to the Local Planning Authority. The report shall provide validation and certification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the closure report.

Reason: To ensure that the remediation strategy has adequately mitigated against the contamination in accordance with paragraph 189 of the National Planning Policy Framework.

11. If during redevelopment contamination not previously considered is identified, then the Local Planning Authority shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the Local Planning Authority. On completion of the development the Local Planning Authority shall be notified in writing if no additional contamination was identified during the course of the development and the dwellings hereby permitted shall not be occupied until the Local Planning Authority has acknowledged receipt of the same.

Reason: To ensure adequate and appropriate remediation of the site in accordance with paragraphs 183 and 184 of the National Planning Policy Framework.

12. Prior to the occupation of the first dwelling details of a timetable for the completion and arrangements for securing future maintenance of the Local Area for Play (LAP), as shown on drawing 14.063849.00001.3a Rev P01, shall be submitted to and approved in writing by the Local Planning Authority. The LAP shall be provided and maintained in accordance with the approved scheme detail.

Reason: To ensure appropriate and accessible recreation space is provided as part of the development in accordance with SP26 of the East Lindsey Local Plan.

13. The scheme of landscaping and tree planting shown on drawing no. 414.063849.00001.002 Revision P04 received by the Local Planning Authority on 9th May 2024 shall be carried out in accordance with a phasing plan or timetable to be submitted to and agreed in writing by 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 a minimum 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.

Reason: To ensure that appropriate landscaping is provided to integrate the site into the local area. This condition is imposed in accordance with SP10 of the East Lindsey Local Plan.

14. The refuse bin collection points as shown on drawing no. 0006-001-NIE-XX-XX-DR-A-005 Revision P13 received by the Local Planning Authority on 9th May 2024 shall be provided prior to the occupation of any the dwellings to which each collection point relates.

Reason: In order to provide wheelie bin collection points which will not obstruct the highway or footways. This condition is imposed in accordance with SP10 of the East Lindsey Local Plan.

15. During the construction of the development no tree or shrub felling, lopping or clearance shall take place between March to the end of August unless it can be demonstrated in writing by a suitably qualified ecologist that no nesting birds or any protected species will be harmed, and agreed in writing by the Local Planning Authority.

Reason: To ensure that birds and their nests are protected during the nesting season. This condition is imposed in accordance with principles set out in Section 15 Conserving and Enhancing the Natural Environment of the National Planning Policy Framework.

16. The permitted development shall not be occupied until those parts of the approved Travel Plan that are identified therein as being capable of implementation before occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented for as long as any part of the development is occupied.

Reason: In order that the permitted development conforms to the requirements of SP22 of the East Lindsey Local Plan and the National Planning Policy Framework, by ensuring that access to the site is sustainable and that there is a reduced dependency on the private car for journeys to and from the development.

17. The development hereby permitted shall be constructed to Building Regulation Part G(2)(b) standards limiting water consumption to 110 litres per person per day.

Reason: To reduce demand for finite resources as the district is in a water scarce area. This condition is imposed in accordance with SP10 of the East Lindsey Local Plan.

18. Notwithstanding the provisions of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order), no gate, fence, wall or other means of enclosure other than those shown on 414.063849.00001.003 Revision P04 received by the Local Planning Authority on 9th May 2024 shall be erected within the site or on the sites boundaries.

Reason: To ensure the Local Planning Authority retains control over the future development of the site in the interests of its architectural and visual amenity and the visual amenity of the local area. This condition is imposed in accordance with SP10 of the East Lindsey Local Plan.

POSITIVE AND PROACTIVE STATEMENT:-

The Local Planning Authority have worked with the applicant's in a positive and proactive manner to seek solutions to issues arising, during consideration of the application and now consider the proposal is acceptable and there is compliance with the relevant Development Plan Policies and also the National Planning Policy Framework.

NOTES TO APPLICANT:

1. This planning permission is subject to an Agreement under Section 106 of the Town & Country Planning Act 1990 dated 20th March, 2025 and can only be implemented as a consequence of meeting the provisions of that Agreement.
2. The applicant's attention is drawn to the following informatives Lincolnshire County Council Highways Authority:

In accordance with Section 59 of the Highways Act 1980, please be considerate of causing damage to the existing highway during construction and implement mitigation measures as necessary. Should extraordinary expenses be incurred by the Highway Authority in maintaining the highway by reason of damage caused by construction traffic, the Highway Authority may seek to recover these expenses from the developer.

All roads within the development hereby permitted must be constructed to an acceptable engineering standard. Those roads that are to be put forward for adoption as public highways must be constructed in accordance with the Lincolnshire County Council Development Road Specification that is current at the time of construction and the developer will be required to enter into a legal agreement with the Highway Authority under Section 38 of the Highways Act 1980. Those roads that are not to be voluntarily put forward for adoption as public highways, may be subject to action by the Highway Authority under Section 219 (the Advance Payments code) of the Highways Act 1980. For guidance, please refer to <https://www.lincolnshire.gov.uk>

Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections, Section 50 licences and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works. For further guidance please visit the Highway Authority's website via the following link: Traffic Management - <https://www.lincolnshire.gov.uk/traffic-management>

3. Badgers are protected by the Protection of Badgers Act 1992. Prior to the commencement of the development hereby permitted a badger survey of the site should be undertaken to ensure badgers or their setts are not harmed in any way to comply with the requirements of that act.

Dated: 21/03/2025

Signed:



Phil Norman
Assistant Director – Planning and Strategic
Infrastructure
(Chief Planning Officer)

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