

SOUTH HOLLAND DISTRICT COUNCIL

Report of: Development Manager

To: Planning Committee - 20 July 2022

(Author: David Gedney - Senior Planning Officer)

Purpose: To consider Planning Application H09-0307-22

Application Number: H09-0307-22

Date Received: 22 March 2022

Application Type: FULL

Description: Residential Development - Erection of Dwelling

Location: Chancery Lane Holbeach Spalding

Applicant: J Belsham, D Woods & S Dawson

Agent: Cooper Architectural Design

Ward: Holbeach Town

Ward Councillors: Cllr F Biggadike
Cllr T Carter
Cllr G T D Rudkin

You can view this application on the Council's web site at

<http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H09-0307-22>

1.0 REASON FOR COMMITTEE CONSIDERATION

1.1 The proposal raises issues that warrant consideration by Planning Committee.

2.0 PROPOSAL

2.1 Full planning permission is sought for a two-bed house with integral single garage.

3.0 SITE DESCRIPTION

3.1 The site is located on the southern side of Chancery Lane and is currently occupied by a vacant garage block of brick construction with a corrugated asbestos roof. A bungalow (no. 5) is situated to the east, including garden to the rear of the site, and a two storey terrace (nos 9-13 odd) to the west. A terrace is located opposite to the north-east and a house (no. 16) opposite.

3.2 Nos 1-3 Chancery Lane (grade II listed) are situated further to the east beyond No 5. Garden associated with Serpentine House (grade II listed) is located further to the south beyond garden associated with no. 5 Chancery Lane.

3.3 The site is inside the Holbeach Settlement Limit as defined in the South East Lincolnshire Local Plan, 2019. It is inside the Holbeach Conservation area.

4.0 RELEVANT PLANNING POLICIES

4.1 **The Development Plan**

South East Lincolnshire Local Plan, March 2019

If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, Section 38 (6) to the Town and Country Planning Act as amended by the 2004 Act states that the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Policies:

01. Spatial Strategy
02. Development Management
03. Design of New Development
04. Approach to Flood Risk
10. Meeting Assessed Housing Requirements
11. Distribution of New Housing
28. The Natural Environment
29. The Historic Environment
30. Pollution
31. Climate Change and Renewable and Low Carbon Energy
36. Vehicle and Cycle Parking
APPENDIX 6 Parking Standards

National Guidance

National Planning Policy Framework (NPPF), 2021

Section 2. Achieving sustainable development.
Section 4. Decision making.
Section 5. Delivering a sufficient supply of homes.
Section 9. Promoting sustainable transport.
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.

Planning Practice Guidance (PPG)

5.0 **RELEVANT PLANNING HISTORY**

5.1 No recent history

6.0 **REPRESENTATIONS**

6.1 Holbeach Parish Council

No objection.

6.2 Cllr F Biggadike

Have received concerns from neighbours regarding some overlooking from windows of the new house on to neighbours properties as the present level of flood risk prevention measures requires new builds to have a higher floor level whilst height of fences remain the same building regulation.

Consider it important to support shops in the town. However, when in the conservation area the balance of conformity has to be adhered to for obvious reasons. Will support Conservation Officer's decision on this application.

6.3 Cllr T Carter

Neighbours have considerable concerns about impact upon neighbouring properties, mainly issues of privacy/overlooking. Parking issues have also been raised. With the garages being

demolished it reduces parking. Will this mean more parking will occur on what is already an extremely narrow road which may cause issues for other residents. Are there plans in place to minimise disruption to neighbours during construction period?

Having spoken again with neighbouring properties, who are understandably upset about the application due to the privacy issue - in my view the easiest solution to this application and to minimise the biggest issue for nearby properties would be to remove the kitchen window in the south wall therefore removing the main privacy issues.

If this unfortunately is not an option, then at very least I would suggest that a condition would specify that the glass should be frosted at the top part of the window which would go some way to alleviate the privacy concerns. I would welcome the first option to be considered very strongly please and the 2nd suggestion as a last resort.

6.4 Cllr G D T Rudkin

I have had objection from residents regarding loss of privacy due to a upper floor lounge and parking issues that could be caused in an already narrow roadway.

6.5 LCC Highways

Does not wish to restrict the grant of permission.

6.6 South Holland Internal Drainage Board

Note that the applicant intends to discharge surface water to a sewer. Recommend that you satisfy yourselves that this proposal is in line with the drainage hierarchy (as per best practice) and is viable in this location.

6.7 SHDC Environmental Protection

Request contaminated land condition.

6.8 The Rt. Hon. Sir John Hayes CBE MP

Objection. My constituents are extremely concerned about the windows which will be overlooking into their property and resulting in their loss of privacy and amenity, even if the boundary wall is raised to 2m high.

I was disappointed to note that one of the garage spaces will be lost to the development. Parking is always an issue on this narrow lane so, this would further exacerbate the problem.

This site is very compact, therefore, what plans are in place to mitigate the impact of scaffolding, deliveries and the build on adjacent homes?

6.9 Public

Objections received (summarised):

- Overlooking/lack of privacy. Living room looks directly into neighbouring bedrooms. Top of rear kitchen window should be frosted glass
- Overshadowing/blockage of light
- Blockage of view
- Noise/disturbance, including during construction stage
- Chancery Lane is a dead end/cul-de-sac that leads to a private section of road. Unsuitable/too narrow for additional development and construction vehicles/deliveries
- Exacerbate existing parking problems along Chancery Lane. Only parking on one side and double yellow lines further along. Already difficult to park/congested and for emergency/service vehicles to access properties at the western end of the lane due to inconsiderate parking. Lead to more vehicles trying to use private road to turn. Become intolerable
- No adequate parking or turning space. Limited turning space along Chancery Lane
- Block driveways and ingress/egress
- Fire hydrant at bottom end of lane which required easy access
- End of Chancery Lane unadopted and maintained by nos. 9, 11, 13 and 18. A public right of

way runs through and leads to a green public footpath (no through road)

- Entry and egress from Chancery Lane onto Barrington Gate is very tight and visibility is poor
- Very little amenity space. No provision for storage and recycling of refuse bags
- Double garage door in existing rear wall should be bricked up to match
- Why is fencing proposed along eastern boundary as opposed to retention of the existing wall
- No room for footings, scaffolding and maintenance
- How will neighbouring properties be made safe during construction period?
- What arrangements will be made for the removal of asbestos?
- No room for new footings along western elevation due to existing wall
- No fire escape to back bedroom

7.0 CONSIDERATIONS

7.1 Planning Considerations

7.2 The main issues are:

- Principle;
- The effect of the development upon the character and appearance of the locality and Holbeach Conservation Area;
- Residential amenity;
- Parking/Highway safety;
- Other material considerations such as flood risk and drainage.

7.3 Principle

7.4 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.

7.5 The site is inside Holbeach Settlement Limit as defined in the South East Lincolnshire Local Plan (SELLP), 2019. Policy 1 of the SELLP indicates that within the settlement boundaries of the Main Service Centres, including Holbeach, development will be permitted that supports their role as a service centre for the settlement itself, helps sustain existing facilities or helps meet the service needs of other local communities. No objections are therefore raised in principle subject to other material considerations.

7.6 Character/Appearance/Heritage

7.7 Policy 2 of the SELLP states that sustainable development considerations should be met in relation to such matters as quality of design, size, scale, layout density and impact on the character and appearance of an area and the relationship to existing development. Policy 3 stipulates that development should respect the massing of neighbouring buildings.

7.8 The site is inside Holbeach Conservation Area. In accordance with the duty imposed by Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 local planning authorities are required to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. Section 66(1) of the same Act requires that special regard must be had to the desirability of preserving the setting of listed buildings. Paragraph 199 of the National Planning Policy Framework, 2021 states that when considering the impact of new development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

7.9 Policy 3 of the SELLP stipulates that development should complement and enhance designated and non-designated heritage assets, whilst Policy 29 (The Historic Environment) indicates that proposals within or affecting the setting of a conservation area should preserve (and enhance or reinforce, as appropriate) features that contribute positively to the area's character, appearance and setting. It also states that proposals that do not preserve or enhance the setting of a listed building should not be supported.

7.10 The above policies are consistent with advice within the National Planning Policy Framework, 2021. Paragraph 199 states that when considering the impact of a proposed development on

the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 200 indicates that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

- 7.11 The site is within an area of the town that is characterised by late 19th early 20th Century properties, with some contemporary dwellings (eg, no. 5 Chancery Lane) interspersed. It is currently occupied by a utilitarian garage block of little architectural/historic merit. The design of the new dwelling reflects the vernacular of existing period properties within the vicinity and includes Victorian/Edwardian style windows/arches, a chimney stack and brick detailing. It would be constructed in red brickwork with a natural slate roof. It is considered acceptable in terms of siting, scale, massing, design and architectural detailing, subject to the garage door having a timber effect (not metal) exterior. It essentially re-instates the historic morphology of the locale whilst referencing and reinforcing the overarching character and appearance of the area.
- 7.12 Concluding, therefore, it is considered that the proposal would have no adverse impacts upon the character/appearance of Holbeach Conservation Area or the setting of designated heritage assets, including nos. 1-3 Chancery Lane (grade II listed) to the east and Serpentine House (grade II listed) to the south-east.
- 7.13 The proposal therefore accords with the relevant sections of the Planning (Listed Buildings and Conservation Areas) Act, 1990 as well as Policies 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019 and advice within the National Planning Policy Framework, 2021.
- 7.14 Amenity
- 7.15 Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) set out residential amenity and the relationship to existing development and land uses as main considerations when making planning decisions. Policy 30 of the SELLP indicates that development proposals will not be permitted where, taking into account of any mitigation measures, they would lead to unacceptable adverse impacts upon the health and safety of the public, the amenities of the area, or the natural, historic or built environment by way of such factors as air quality, noise, light levels and land quality and condition. They are consistent with advice within the National Planning Policy Framework (2021). Paragraph 130, amongst other matters, seeks places with a high standard of amenity for existing and future users.
- 7.16 A bungalow (no. 5) is situated to the east, including garden to the rear of the site, and a two storey terrace (nos. 9-13 odd) to the west. A terrace is located opposite to the north-east and a house (no. 16) opposite.
- 7.17 The dwelling would have no openings at first floor level on its eastern, southern (rear) and western elevations. A roof light serving a rear bedroom would be high level. A ground floor kitchen window is located at the rear facing garden associated with No. 5 Chancery Lane. However, the rear (southern) and side (eastern) brick wall serving the existing building would be retained at a height of some 2m with new capping (total height some 2.1m). An existing opening at the rear would be bricked up. Given that finished floor levels would be set at 300mm and average male adult eye level is approximately 1.65 metres, this would be satisfactory. It is noted that the property has first floor lounge and bedroom windows facing north towards no. 16, which is located directly opposite. However, the separation distance would be approximately 8 metres which is typical of an urban terraced street such as this. The site is close to the town centre where amenity levels are generally lower and ambient noise levels are higher than average due to traffic noise and general activity. It is considered that the amenity of neighbouring residents would not be materially harmed in terms of overlooking, lack of privacy, overshadowing, blockage of sunlight, overbearing effect or noise and disturbance.
- 7.18 The property would have very limited external/garden space. However, this is personal choice, and the Authority has no standards relating to this matter. There would be adequate usable external space for the storage of refuse, etc. It is considered, on balance, that this issue is outweighed by the general improvement to the character and appearance of the locality.

- 7.19 The proposal therefore satisfactorily complies, on balance, with Policies 2, 3 and 30 in terms of amenity.
- 7.20 Parking/Highway Safety
- 7.21 Policies 2 and 3 of the SELLP indicate that sustainable development considerations should be met in terms of access and vehicle generation levels and layout of car parking. Policy 36 and Appendix 6 set out the minimum standards for parking provision based upon the use class. Two spaces for dwellings with 3 or less bedrooms should be provided within the curtilage.
- 7.22 The proposed development would result in the loss of the existing private garage block. However, it is not regularly used and is not owned by Chancery Lane residents. The proposed development only includes one parking space (integral garage) and does not therefore conform with policy. However, the site is in a central urban area where services and facilities are within a reasonable distance to be accessed via sustainable travel options such as walking, cycling and public transport.
- 7.23 Although very close to the public highway the garage would have a remotely controlled door which should reduce the likelihood of temporary obstruction of the highway whilst the doors are being opened or closed. Resident concerns regarding parking/access problems along the street have been noted and taken into consideration. However, paragraph 111 of the Framework states that development should only be prevented if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Having given due regard to the appropriate local and national planning policy guidance (in particular the Framework), Lincolnshire County Council Highway Authority has concluded that, on balance, the proposed development would not be expected to have an unacceptable impact upon highway safety and therefore does not wish to object to this planning application on highway safety grounds.
- 7.24 The proposal therefore satisfactorily complies, on balance, with Policies 2 and 3 of the SELLP, plus advice within the Framework. Although the proposal only includes one parking space and not 2, as required by Policy 36 and Appendix 6 of the SELLP, this is outweighed by other factors in favour of the scheme given the site's central location within Holbeach.
- 7.25 Flood Risk/Drainage
- 7.26 Policy 4 of the SELLP is concerned with flood risk management and states, inter alia, that new development within Flood Zones 2 and 3 should pass the sequential test and be accompanied by a site specific flood risk assessment which should propose appropriate flood resistance and resilience measures to ensure the development maintains an appropriate level of safety for its lifetime. The development should also incorporate the use of Sustainable Drainage Systems (SuDS) and demonstrate that adequate foul water treatment and disposal already exists or can be provided in time to serve the development.
- 7.27 The site is within Flood Zone 2 as defined within the Environment Agency Flood Maps, but within an area of no hazard within the South East Lincolnshire Strategic Flood Risk Assessment hazard mapping. The proposal therefore passes the sequential test. Although the development is classed as more vulnerable it is nevertheless considered appropriate in this location. Finished floor levels should be set at 300mm.
- 7.28 Foul and surface water would be disposed of to the mains sewer, which is considered acceptable in this particular case given the limited external space and the site's proximity to the town centre.
- 7.29 Other Matters
- 7.30 In terms of whether there is room for new footings along the western boundary, a section of the existing wall along the western elevation will be removed. In any case, it is a matter that falls within the Building Regulations. Issues relating to access onto neighbouring land for scaffolding and maintenance, etc are the subject of separate legislation. The developer has a legal responsibility to carry out works without causing damage to neighbouring property, which would

be a civil matter if it did occur. Fire risk/means of escape and disposal of asbestos also fall under separate legislation.

7.31 Planning Balance

7.32 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.

7.33 The proposal would provide additional residential accommodation within the town. It would replace an existing utilitarian garage block and would probably enhance and not harm the character/appearance of Holbeach Conservation Area or the setting of nearby designated heritage assets.

7.34 The proposal generally accords with Policies 1, 2, 3, 4, 29 and 30 of the South East Lincolnshire Local Plan (SELLP), 2019, plus advice within the National Planning Policy Framework (NPPF), 2021. Although concerns have been raised on amenity and highway safety/parking grounds they are not considered to be significant enough to outweigh factors in favour of the scheme.

7.35 Conclusion

7.36 The planning balance lies in favour of the proposal for the reasons outlined above.

7.37 **Additional Considerations**

7.38 Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:

A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act

B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).

C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.

It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

7.39 Human Rights

In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is

necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

8.0 RECOMMENDATIONS

8.1 Grant permission subject to those conditions listed at Section 9.0 of this report

9.0 CONDITIONS

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:
2113-01-D
Design & Access Statement, Flood Risk Assessment and Heritage Impact Assessment (Rev. A)

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

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any Order or Statutory Instrument notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order), none of the following developments or alterations shall be carried out.
i) the erection of house extensions including dormer windows;
ii) alterations including the installation of replacement or additional windows or doors and the installation of roof windows.

Reason: To ensure that the Local Planning Authority retains control over the future extension and alteration of the development, in the interests of its architectural and visual integrity, levels of residential amenity and the visual amenity and character of this part of the Conservation Area within which it is set.

This Condition is imposed in accordance with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 16 of the National Planning Policy Framework, 2021.

4. The development hereby permitted shall incorporate the following flood risk measures:
- Finished floor levels shall be 300mm above existing ground level;
- Flood resilient construction shall be incorporated within the development up to 300mm above finished floor level.
The mitigation measures shall be fully implemented prior to occupation.

Notes:

1. The applicant is advised to refer to the following document for information on flood resilience and resistance techniques that could be incorporated into the development: "Improving Flood Performance of New Buildings - Flood Resilient Construction" (Department for Communities and Local Government, 2007);
2. Future occupants are advised to sign up to the Environment Agency's free Floodline Warnings Direct Service.

Reason: To ensure that the development does not increase the risk of flooding or be at risk of flooding.

This Condition is imposed in accordance with Policy 4 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 14 of the National Planning Policy Framework, 2021.

5. All new window frames, glazing bars and external door frames shall be of timber construction, painted white and thereafter so maintained.

Reason: In the interests of the architectural composition and appearance of the development and the character and visual amenity of this part of the Conservation Area in which it is set. This Condition is imposed in accordance with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 16 of the National Planning Policy Framework, 2021.

6. The rainwater goods utilised in the development hereby permitted shall be coloured black and of metal construction and thereafter so maintained.

Reason: In the interests of the appearance of the development and the character and visual amenity of this part of the Conservation Area in which it is set. This Condition is imposed in accordance with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 16 of the National Planning Policy Framework, 2021.

7. The guttering to the development hereby permitted shall be fixed to the external walls by means of gutter spikes/rise and fall brackets and no fascia boarding shall be used.

Reason: In the interests of the architectural composition and appearance of the development and the character and visual amenity of this part of the Conservation Area in which it is set. This Condition is imposed in accordance with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 16 of the National Planning Policy Framework, 2021.

8. The scheme of boundary screening/treatment, including bricking up of the existing opening within the rear wall, shall be fully implemented in accordance with the approved details prior to occupation of the dwelling and shall thereafter be so maintained.

Reason: In order to ensure that the site is adequately screened, in the interests of the character and appearance of the development and the amenity of nearby occupiers. This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

9. All new and replacement brickwork relating to the rear boundary wall shall match that existing, as closely as possible.

Reason: In the interests of the architectural and visual integrity of the overall development, and the character and visual amenity of this part of the Conservation Area in which it is set. This Condition is imposed in accordance with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 16 of the National Planning Policy Framework, 2021.

10. The external face of the garage door shall be timber (not steel).

Reason: In the interests of the architectural and visual integrity of the overall development, and the character and visual amenity of this part of the Conservation Area in which it is set. This Condition is imposed in accordance with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 16 of the National Planning Policy Framework, 2021.

11. No external boxes for gas and electricity supplies shall be installed on the front elevation.

Reason: In the interests of the appearance of the development, and the character and visual amenity of this part of the Conservation Area in which it is set. This Condition is imposed in accordance with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 16 of the National Planning Policy Framework, 2021.

12. A detailed scheme of construction management to minimise disturbance during the construction process through noise, dust, vibration and smoke shall be submitted to and approved in writing by the Local Planning Authority before the development commences and the construction process shall be carried out in accordance with the scheme so approved. It shall also include a method statement, detailing how construction traffic, site personnel vehicles, materials deliveries and site accommodation will be managed to safeguard highway safety, free passage along Chancery Lane and residential amenity.

Reason: In the interests of the amenity of local residents. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works. This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

13. The development hereby permitted shall not be commenced until a scheme to deal with any contamination of land or pollution of controlled waters has been submitted to and approved in writing by the Local Planning Authority (LPA).

The scheme shall include all of the following measures unless the LPA dispenses with any such requirement in writing:

- i) A preliminary risk assessment (desk study) shall be carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk-top study shall establish a 'conceptual site model' and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/Quantitative Risk Assessment (or state if none required). A full copy of the desk-top study and a non-technical summary shall be submitted to the LPA without delay upon completion.
- ii) If identified as being required following the completion of the desk-top study, an exploratory site investigation shall be 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 end use. A full copy of the site investigation and findings shall be forwarded to the LPA without delay upon completion.
- iii) Thereafter, a written method statement detailing the remediation strategy for land contamination and/or pollution of controlled waters affecting the site and a timetable for their completion shall be submitted to and approved in writing by the LPA. This shall include details of the proposed verification plan including compliance criteria and monitoring details.

No deviation shall be made from this scheme without the express written agreement of the LPA. If during redevelopment contamination not previously considered is identified, then the LPA shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspected contamination has been submitted to and agreed in writing by the LPA.

Reason: To assess whether the site is polluted and to address any pollution to ensure a satisfactory development. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works. This Condition is imposed in accordance with Policy 30 of the South East Lincolnshire Local Plan, 2019.

14. If contamination of land and/or pollution of controlled waters has been identified as a result of investigation undertaken in accordance with Condition 13 above and remediation is required, a full copy of a verification report shall be submitted to, and approved in writing by, the Local Planning Authority prior to the first occupation of the development. The report shall provide verification 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 to demonstrate that the required remediation objectives and criteria has been fully met.

Note: The applicant is advised that the phased risk assessment required by the Contaminated Land Scheme Condition should be carried out in accordance with the procedural guidance of the Environmental Protection Act 1990 Part 11A.

Reason: To ensure the satisfactory remediation of contaminated land and/or waters. This Condition is imposed in accordance with Condition 30 of the South East Lincolnshire Local Plan, 2019.

15. 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 the South East Lincolnshire Local Plan, 2019). The person carrying out the work must inform the Building Control Body that this duty applies. A notice confirming the requirement for the water consumption has been met shall be submitted to the Building Control Body and Local Planning Authority, no later than five days after the completion of the dwelling.

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.

16. Note: The Local Planning Authority has acted positively and proactively in determining this application by assessing it against all material considerations, including national guidance, planning policies and representations that have been received during the public consultation exercise, and by identifying matters of concern within the application and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal.

This decision notice, the relevant accompanying report and the determined plans can be viewed online at <http://planning.sholland.gov.uk/OcellaWeb/planningSearch>

17. Note; Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections 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.

Background papers:- Planning Application Working File

Lead Contact Officer

Name and Post:	Richard Fidler , Development Manager
Telephone Number:	01775 764428
Email	rfidler@sholland.gov.uk

Appendices attached to this report:

Appendix A Plan A

MapThat Scale Print Title

