SOUTH HOLLAND DISTRICT COUNCIL

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Town and Country Planning Act 1990

Planning Permission

Reference: H16-0537-15 **Received:** 15th June 2015 **Type:** SEC 73 MODIFICATION

Name: Cley Developments Ltd.
Willow Lodge
Horseshoe Road
Spalding
Lincolnshire
PE11 3JA

Agent: Cley Developments Ltd.
Willow Lodge
Horseshoe Road
Spalding
Lincolnshire
PE11 3JA

Description: Demolition of former bakery and erection of six one bed apartments approved under H16-0327-12. Modification of condition 3 relating to affordable housing.

Location : Victoria Street Spalding

South Holland District Council hereby give notice that PERMISSION HAS BEEN GRANTED for the proposal described above, subject to any condition(s) set out below:

1 The development must be begun not later than 4th February 2016.

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 for planning permission H16-0327-12:
Location plan, dwg. nos. 18310/25 and VS/12/02 received 20 April 2012.
Dwg. no. VS/12/01A received 15 October 2012.
Extract site layout plan showing waste storage/collection areas received 24 October 2012.
Email from Cley Developments Ltd received 17 December 2012.

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

3 No development shall take place until a written scheme of archaeological investigation has been submitted to and approved in writing by the Local Planning Authority. This scheme should include the following and should be in accordance with the archaeological brief supplied by the Lincolnshire County Council Historic Environment advisor on behalf of the Local Planning

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Authority:
1. An assessment of significance and proposed mitigation strategy (i.e preservation by record, preservation in situ or a mix of these elements).
2. A methodology and timetable of site investigation and recording.
3. Provision for site analysis.
4. Provision for publication and dissemination of analysis and records.
5. Provision for archive deposition.
6. Nomination of a competent person/organisation to undertake the work.
7. The scheme to be in accordance with the Lincolnshire Archaeological Handbook.
The archaeological site work shall only be undertaken in accordance with the approved written scheme.

Reason: To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation.
This Condition is imposed in accordance with national guidance contained in Section 12 of the National Planning Policy Framework, 2012.

4 The applicant shall notify the Lincolnshire County Council Historic Environment Department in writing of the intention to commence at least fourteen days before the start of archaeological work required in connection with Condition 3 above in order to facilitate adequate monitoring arrangements.

Reason: To ensure satisfactory archaeological investigation and retrieval of archaeological finds.
This Condition is imposed in accordance with national guidance contained in Section 12 of the National Planning Policy Framework, 2012.

5 A copy of the final report required in connection with Condition 3 above shall be submitted within three months of the work being carried out to the Local Planning Authority and the Lincolnshire Historic Environment Record. The material and paper archive required as part of the written scheme of investigation shall be deposited with an appropriate archive in accordance with guidelines published in The Lincolnshire Archaeological Handbook.

Reason: To ensure satisfactory arrangements are made for the recording of possible archaeological remains.
This Condition is imposed in accordance with national guidance contained in Section 12 of the National Planning Policy Framework, 2012.

6 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) and until the measures approved in that scheme have been implemented. The scheme shall include all of the following measures unless the LPA

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dispenses with any such requirement in writing.
i) a desk-top study 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). Two full copies 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, a 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 new use. Two full copies 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 requirements for land contamination and/or pollution of controlled waters affecting the site shall be submitted to and approved in writing by the LPA, and all requirements shall be implemented and completed to the satisfaction of the LPA. 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 suspect contamination has been submitted to and agreed in writing by the LPA.
iv) two full copies of a full closure report shall be submitted to and approved in writing by the LPA. 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 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.

The applicant's attention is also drawn to the document entitled "Developing Land Within Lincolnshire - A guide to submitting planning applications to develop land that may be contaminated", which can be obtained through the Local Environmental Health Department.
Reason: To assess whether the site is polluted and to address any pollution to ensure a satisfactory development.
This Condition is imposed in accordance with Policy SG13 of the South Holland Local Plan 2006.

7 Before the commencement of the development hereby permitted, full details of the existing and proposed site levels and proposed floor levels of the buildings and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be

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constructed in accordance with the details so approved.

Reason: To ensure that the Local Planning Authority retains control over the finished site and floor levels of the development, in the interests of the amenity of adjacent residents and its visual and architectural relationship with adjacent development.
This Condition is imposed in accordance with Policies SG14 and SG17 of the South Holland Local Plan 2006 and national guidance contained in Section 12 of the National Planning Policy Framework, 2012.

8 Before the commencement of the development hereby permitted a schedule of external materials of construction of buildings and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. Samples shall be provided as may be required by the Local Planning Authority of the materials in the schedule and the use of such samples shall be approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the schedule and samples so approved.

Reason: To ensure that the Local Planning Authority retains control over the external materials of construction of the development 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 Policy SG14 of the South Holland Local Plan 2006 and national guidance contained in Section 12 of the National Planning Policy Framework, 2012.

9 The brickwork to the development hereby permitted shall be constructed in English Garden Wall bond at a ratio of one course of headers to every three courses of stretchers.

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 Policy SG14 of the South Holland Local Plan 2006 and national guidance contained in Section 12 of the National Planning Policy Framework, 2012.

10 A one metre square freestanding panel of brickwork showing the type of brick to be used in the construction of the development hereby permitted shall be constructed on site and approved by the Local Planning Authority before the commencement of the development hereby permitted. All new brickwork shall match that of the approved panel in terms of the type of bricks used, the method of bonding, mortar colour and pointing style. The brickwork panel so constructed shall be retained on the site until the development hereby approved has been completed.

Note: The applicant is advised that a buff coloured mortar (white Portland cement or similar and yellow/orange sand) with a flush, bagged finish to reveal the aggregate in the mix would be appropriate.

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Reason: To ensure that the Local Planning Authority retains control over the external materials of construction of the development 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 Policy SG14 of the South Holland Local Plan 2006, and national guidance contained in Section 12 of the National Planning Policy Framework, 2012.

11 Notwithstanding the submitted details, the guttering to the development hereby permitted shall be of metal construction painted black and 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 Policy SG14 of the South Holland Local Plan 2006, and national guidance contained in Section 12 of the National Planning Policy Framework, 2012.

12 Details of the design of all external doors to be utilised in the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Such details shall indicate, at a scale of not less than 1:10, the longitudinal and cross-sectional detailing, cill and threshold detailing, and means of opening. The doors shall be installed in accordance with the approved details and thereafter so maintained.

Reason: To ensure that the Local Planning Authority retains control over these details of the development 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 Policy SG14 of the South Holland Local Plan 2006, national guidance contained in Section 12 of the National Planning Policy Framework, 2012.

13 For the avoidance of doubt, the new windows to the front elevation shall be traditional, painted timber, box sliding sashes, set at least 10 cm in reveal, with the boxes recessed behind the masonry. The sashes shall have 2/2 panes to the three central bays and 2/2 panes with sidelights to the outer bays, decorative horns, and full constructional details, at a scale of not less than 1:10, or full scale samples shall be submitted to and approved in writing by the Local Planning Authority before development is commenced. The windows shall be installed in accordance with the approved details and thereafter so maintained.

Reason: To ensure that the Local Planning Authority retains control over these details of the development 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 Policy SG14 of the South Holland Local Plan 2006, and national guidance contained in Section 12 of the National Planning Policy Framework, 2012.

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14 Details of all other window frames to be utilised in the development hereby permitted, including samples if so required, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Such details shall indicate, at a scale of not less than 1:10, the longitudinal and cross-sectional detailing, cill and lintol detailing, and means of opening. The window frames shall be of painted timber construction and shall be installed in accordance with the approved details and thereafter so maintained.

Reason: To ensure that the Local Planning Authority retains control over these details of the development 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 Policy SG14 of the South Holland Local Plan 2006, and national guidance contained in Section 12 of the National Planning Policy Framework, 2012.

15 Notwithstanding the approved drawings, large scale details (at a scale of at least 1:10) of the following features shall be submitted to and be approved in writing by the Local Planning Authority and no work shall commence in advance of that approval. These details shall provide for elevation and cross sectional detailed drawings at 1:10 scale for each feature and the development shall be constructed in accordance with the details so approved:
- Front door surround, overlight and doorstep.
- Brick window head arches, to have exposed brick arch soffit (a non-traditional lintel detail may be required in order to comply with Condition 14 above).
- Window cills.
- Pedestrian access gate and railings.

Reason: To ensure that the Local Planning Authority retains control over these details of the development 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 Policy SG14 of the South Holland Local Plan 2006, and national guidance contained in Section 12 of the National Planning Policy Framework, 2012.

16 Details of the bins to be used for the external storage of refuse shall be submitted to and be approved by the Local Planning Authority and the development shall not be occupied in advance of that approval. The approved scheme shall be provided before the first occupation of the residential flats to which they relate and shall thereafter be so maintained. Refuse shall not be left in the collection area at the front of the property other than on the day of collection.

Note: The applicant is advised that a sealed, waterproof bin to serve each flat should be specified, so as to prevent the release of odours or leaks and to make cleaning easier.

Reason: To ensure that adequate facilities are made available for refuse storage and disposal to avoid pollution, to protect residential amenity, and in the interests of the appearance of the site and the area within which it is set.

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This Condition is imposed in accordance with Policies SG13 and SG17 of the South Holland Local Plan 2006.

The Local Planning Authority has acted positively and proactively in determining this application by assessing the application against all material considerations, including national guidance, planning policies and representations that have been received during the public consultation exercise and subsequently determining to grant planning permission within the statutory timeframe in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Copies of all documentation submitted in connection with this application can be viewed online at www.sholland.gov.uk/doitonline/plandev/plansearch.aspx

Note(s):

Where a Condition requires the approval of a sample (for example a brick, tile or surfacing material) you should arrange for the sample to be delivered to the application site for inspection and approval by the case officer. We are unable to accept samples delivered to the Council's offices.

The applicant's attention is drawn to the correspondence from Lincolnshire Police regarding 'Secured by Design' standards which was attached to planning permission H16-0327-12.

Paul Jackson
Planning Manager

9th July 2015 **H16-0537-15**

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.