

DECISION DELEGATED TO HEAD OF PLANNING

Application No:	H17-0286-26	Applicant:	Ms K Woods
Proposal:	Details of external materials & hard surfaced areas, contamination of land or pollution of controlled waters, verification report, soakaway system for disposal of surface water & mitigation method statement setting out measures to provide mitigation for water voles & details of bird & bat boxes (Conditions 3, 4, 5, 7 & 9 of H17-0700-25)		
Location:	Adjacent To 23 Reservoir Road Surfleet Spalding		
Terminal Date:	19th May 2026		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
04	Approach to Flood Risk
28	The Natural Environment
30	Pollution

National Guidance

National Planning Policy Framework December 2024

Section 2 - Achieving sustainable development
Section 4 - Decision-making
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

Representations:

	Object	Support	No Obj.	Comments
HIGHWAYS & SUDS SUPPORT	0	0	0	1
WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This application seeks to discharge the following conditions from permission H17-0700-25:

- Condition 3 (external materials and surfaced areas)
- Condition 4 (contamination)
- Condition 5 (verification report)
- Condition 7 (soakaway system / surface water strategy)
- Condition 9 (water vole mitigation method statement)

Approval was granted under permission H17-0700-25 for a self-build dwelling on 19 December 2025.

Site Description

The site comprises land next to the River Glen and 23 Reservoir Road. No. 23 comprises a detached single storey dwelling located to the east of the site. The site currently features some planting, including shrubs and trees and a parking space with a vehicular access from Reservoir Road.

The site is located within the settlement boundary of Surfleet as identified within the South East Lincolnshire Local Plan (2019) and the accompanying policies map.

The site is within Flood Zone 3, as identified by the Environment Agency's flood risk maps.

Relevant Planning History

H17-0700-25: (Full Application) Proposed self-build detached single storey dwelling (Class C3) with onsite parking utilising an existing vehicular access - approved 19 December 2025

Consultation

Welland and Deepings Internal Drainage Board: No comments.

Lincolnshire County Council - Highways and SUDS: Lincolnshire County Council did not request any of the conditions to be discharged. H17-0700- 25 is classified as a Minor Application and it is therefore the duty of the Local Planning Authority to consider the surface water flood risk and drainage proposals for this planning application.

Ecology Officer: . Having reviewed the email from Archer Ecology, we are happy to agree that we no longer require water vole mitigation for this site.

I have reviewed the photograph of the bird box proposed for the site and am content that it is appropriate. However, we would request photographic evidence of the bat box that is to be installed on the building. Once this has been reviewed, we will be happy to support the discharge of this element of Condition 9 of H17-0700- 25.

Environmental Protection: I have reviewed G & J Geoenvironmental Consultants Ltd, Interpretive Desk Study for reservoir road, Surfleet, Ref: GJ394-01-R001-DS-V1, Dated: March 2026. This report has concluded that significant contamination that would present a risk for the proposed development is low and such no further investigations are required in relation land contamination. I am in agreement with this report and therefore recommend that the land contamination condition can be fully discharged.

Key Planning Considerations

Condition 3 set out the following:

"Before the commencement of the development hereby permitted beyond oversite, 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. The development shall be constructed in accordance with the materials 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 character and appearance of the development and the visual amenity of the area in which it is set.

This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 and Section 12 of the National Planning Policy Framework, December 2024."

The proposed external materials are set out within the submitted cover letter. The materials include:

- Roof integrated solar PV panels (Viridian solar);
- EWI & Lime Render for the external walls (Weber);
- Nordan windows and doors (timber frames); and
- Permeable paving (Cellpave 4).

It is considered that the external materials are suitable and as such, condition 3 can be discharged.

Condition 4 set out the following:

"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:

- 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. 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."

The application is accompanied by an Interpretative Desk Study, prepared by G & J Geoenvironmental Consultants Ltd. This report concludes that the risks from land contamination are considered to be very low to low and as such, no further investigations are required in relation to land contamination. The council's environmental protection team agree with the findings of the report and as such, condition 4 can be discharged.

Condition 5 set out the following:

"If contamination of land and/or pollution of controlled waters has been identified as a result of investigation undertaken in accordance with Condition 4 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 Policy 30 of the South East Lincolnshire Local Plan, 2019."

Condition 5 does not need to be discharged as no further investigation has been deemed necessary based on the submitted contamination assessment that has been provided for condition 4.

Condition 7 set out the following:

"Before any development beyond oversite is commenced, full details of the proposed soakaway system for the disposal of surface water from the development hereby permitted, including percolation test results, shall be submitted to and approved in writing by the Local Planning Authority.

This shall include the calculations undertaken to determine the volume of storage required. Should the percolation test results be considered unacceptable by the Local Planning Authority, details of an alternative means of providing for surface water drainage shall be submitted for consideration and approved by the Local Planning Authority.

The approved means of surface water drainage shall be implemented in full before the development hereby permitted is first brought into use.

Reason: To ensure that the site is adequately drained, to avoid pollution, and to prevent increased risk of flooding.

This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019 and Section 14 of the National Planning Policy Framework, December 2024."

The submitted cover letter has set out that a soakaway will not work so close to the river:

"A soakaway will not work this close to the river. Precipitation landing on this narrow riverbank site is already discharging into the river as surface run-off. This is often described as 'rapid overland flow', where the water flows over the ground unable to infiltrate the soil (high water table) and flows directly into the stream."

As such, the applicant considers that a soakaway is infeasible within the site. It is acknowledged that soakaways need to comply with Building Regulations which typically require soakaways to be placed 5m from buildings and 2.5m from site boundaries. Due to the small size of the site, it is unlikely that these separation distances could be achieved.

Initially, it was unclear what the alternative drainage strategy was. This was queried with the applicant's agent, and it was subsequently clarified that the strategy is to use an existing brick-built drainage chamber within the site and the neighbouring plot of land at 23 Reservoir Road. According to the applicant this chamber measures 2m by 3m and this has sufficient capacity to accommodate with the water runoff from both the existing dwelling at 23 Reservoir Road and the proposed dwelling. Although requirements vary from site to site, typically a storage capacity of 1 cubic metre can manage a run-off area of 50sqm. Although the impermeable area within the site has not been confirmed, it is considered that the drainage chamber has sufficient capacity to accommodate run-off from the site.

Condition 9 set out the following:

"Prior to the commencement of development, a mitigation method statement setting out measures to provide mitigation for water voles shall be submitted to and approved in writing by the Local Planning Authority (LPA). Details of at least one bird box and one bat box shall also be submitted and approved by the LPA. The approved measures shall be provided prior to the first occupation of the development and shall thereafter be retained.

Reason: In the interests of protecting biodiversity and providing mitigation for protected species. This Condition is imposed in accordance with Policy 28 of the South East Lincolnshire Local Plan, 2019."

The application is accompanied by an email from Archer Ecology which sets out that a mitigation method statement for water voles is not considered to be necessary in this instance. The council's ecology officer has reviewed this information and agrees with this conclusion.

The proposed bat and bird boxes are considered to be suitable. The council's ecology officer has asked for photographic evidence of the bat box on the building. The development has not yet started and as such a building is not yet in place within the site. Condition 9 is a pre-commencement condition and as such, it would not be reasonable to expect photographic evidence of the bat box in order for the condition to be discharged. The condition requires the box to be installed prior to the occupation of the development and does not specifically require photographic evidence of this to be provided. As such, it is considered that the details are acceptable and that condition 9 can be discharged.

Additional Considerations

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.

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.

Conclusion

The details address the requirements of conditions 3, 4, 5, 7 and 9 of permission H17-0700-25.

Recommendation

Discharge conditions 3, 4, 5, 7 and 9.