DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H17-0577-26**	**Applicant:**	**Cedar Homes Ltd**
Proposal:	Details of biodiversity gain plan, 30-year Habitat Management and Maintenance Plan (HMMP), scheme to deal with any contamination of land or pollution of controlled waters, Construction Management Plan and Method Statement, existing and proposed site levels, proposed floor levels, hard surfaced areas, garden/amenity areas, foul and surface water disposal and proposed boundary treatments (Conditions 5, 6, 8, 10, 12, 13 and 14 of H17-0004-26)		
Location:	1 Park Lane Surfleet Spalding		
Terminal Date:	13th August 2026		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

National Guidance

National Planning Policy Framework December 2024

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	2
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Description of Proposal

This application seeks to discharge conditions 5, 6, 8, 10, 12, 13 and 14 of H17-0004-26 relating to details of biodiversity gain plan, 30-year Habitat Management and Maintenance Plan (HMMP),

scheme to deal with any contamination of land or pollution of controlled waters, Construction Management Plan and Method Statement (CMMP), existing and proposed site levels, proposed floor levels, hard surfaced areas, garden/amenity areas, foul and surface water disposal and proposed boundary treatments.

Site Description

The site is within the settlement boundaries of Surfleet, as outlined within the South-East Lincolnshire Local Plan, 2019. The site is located approximately 35 metres south of the river Glen, on the eastern side of the B1356. The area is characterised by a mixture of use, with residential dwellings to the north, south and west, and commercial premises to the east. 50 metres to the north is the Grade II listed Mermaid Inn, and 75 metres beyond that is the Grade I listed St Laurence's Church.

The site itself is currently occupied by two flats, with associated parking to the front. The building itself is somewhat unique in the area, featuring a flat roof not replicated elsewhere. The materials currently present are red brick work and off-white render.

Relevant History

H17-0554-02 - Full. Change of use from office to 2 flats. Refused 12/08/02.

H17-0008-04 - Full. Change of use of office building to single residential unit. Refused 20/04/04. Decision overturned on appeal.

H17-0585-23 - Full. Conversion of 2 flats into single dwelling including new roof, replacement porches, internal alterations and extended vehicular access. Approved 18/08/23.

H17-0004-26 - Full. Demolition of Existing Building and Erection of 2 New Dwellings. Approved 02/04/26.

Consultation Responses

The responses received from consultees during the initial consultation exercises, which can be viewed in their entirety through the South Holland website, can be summarised as follows:

Highway and Lead Local Flood Authority

The Highway and Lead Local Flood Authority do not wish to make comment on Condition nos. 5, 6, 8, 10, 12, 13 and 14 of H17-0004-26 as these were not requested by ourselves, and the authority has no objection to their discharge.

SELCP Ecologist

Comments
·HMMP
oWe appreciate the applicant providing an HMMp for this application and we are confident that they will achieve the proposed habitats for this development. Due to the scale of the proposal however, we will not require long term monitoring for this site.
oWe feel that sufficient detail was provided in the HMMP and we therefore fully support the discharge of condition 6 of H17-0004-26.
·Biodiversity Gain Plan
oOverall, the biodiversity gain plan corresponds to the outcomes of the BNG metric calculations and we are confident that a net gain of 1938.3% will be achieved onsite for this application. We therefore fully support the discharge of condition 5 of H17-0004-26.

Welland and Deepings Internal Drainage Board

Further to receipt of the above, I confirm that Welland & Deepings IDB have no comment to make.

Environmental Protection - Noise

the construction management plan includes working hours of 08-17:00 for Saturday working. we would advise revising this to 08:00-13:00 to protect amenity of nearby resident

Environmental Protection - Contaminated Land

I have reviewed EPS, Phase 1 Geo-Environmental Desk Study for 1 Park Lane, Surfleet, Spalding, PE11 4AF, Project Reference: UK26.7845, Dated: 5th May 2026. I am in general agreement with this report that further investigations are required to identify plausible land contamination onsite. i therefore recommend that a phase 2 site investigation is undertaken.

Public Representations

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, no letters of representation have been received.

Key Planning Considerations

Condition 5

Wording

The development hereby permitted shall not commence until a biodiversity gain plan has been submitted to and approved in writing, by the Local Planning Authority. The development shall then be carried out in accordance with the details as approved.

Assessment

The submitted gain plan is considered acceptable, meeting the requirements of Condition 5 and by extension the standard biodiversity net gain condition applied under Schedule 7A of the Town and Country Planning Act, 1990.

Condition 5 can be discharged.

Condition 6

Wording

Prior to any vegetation clearance (defined as the deliberate removal of any semi-natural vegetative habitat e.g., grassland, trees, and native shrubs); or prior to the commencement of any development hereby permitted (whichever comes first); a written 30-year Habitat Management and Maintenance Plan (HMMP) for the Site in question shall be submitted to and approved in writing by the Local Planning Authority.

The approved HMMP shall be strictly adhered to and implemented in full for its duration and shall contain:

A) Aims, objectives and targets for management, including habitat target conditions matching the Statutory Biodiversity Metric submitted with the application.

B) Details of the phasing and implementation of the habitats

C) Details of the management operations necessary to achieving aims and objectives.

D) Preparation of a works schedule, including timescales for habitat clearance and habitat creation and/or enhancement.

E) Details of the monitoring needed to measure the effectiveness of management and details of an assessment as to whether the target condition is achieved within the time to target period specified within the approved metric.

F) Details of the persons responsible for the implementation and monitoring.

G) Mechanisms of adaptive management and remedial measures to account for changes in the work schedule to achieve required targets.

Assessment

The submitted HMMP is considered to be acceptable, providing an adequate maintenance of the gains secured via the gain plan. As such, Condition 6 can be discharged.

Condition 8

Wording

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.

Assessment

The relevant consultee from the Environmental Protection department have indicated that they are satisfied with the report provided.

The details provided are considered acceptable and the condition can be discharged.

Condition 10

Wording

Prior to the commencement of any development hereby permitted, a Construction Management Plan and Method Statement shall be submitted to and approved in writing by the Local Planning Authority.

The Construction Management Plan and Method Statement shall indicate measures to mitigate against the adverse impacts of vehicle movements and vehicle parking and shall include;
- the phasing of the development to include access construction;
- the parking of vehicles of site operatives and visitors;
- the loading and unloading of plant and materials;
- the storage of plant and materials used in constructing the development;
- wheel washing facilities;
- a strategy stating how surface water run off on and from the development will be managed during construction

The development hereby permitted shall thereafter be undertaken in accordance with the approved

Construction Management Plan and Method Statement.

Assessment

The submitted CMMP is considered to be acceptable. The contents cover the relevant points listed within Condition 10 in a manner proportionate to the scale of the development. The comments of the Environmental Protection department are noted with regard to working hours; however, it is not considered that the additional hours of Saturday working would be significantly impactful to residential amenity

Condition 10 can be discharged

Condition 12

Wording

Before the commencement of the development hereby permitted, full details of the existing and proposed site levels and the proposed floor levels of the buildings, hard surfaced areas and garden/amenity areas, including any mitigation measures arising as a consequence (for example increased height of boundary treatment), shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed and retained in accordance with the details so approved.

Note: Site levels and finished floor levels have not been approved. Where levels are raised above existing ground levels, the submission shall be supported by cross-sectional drawings showing the relationship with adjoining uses and buildings to enable the Local Planning Authority to be satisfied that sufficient mitigation measures will be in place.

Assessment

The submission has included a topographical survey of the existing plot. This shows high variation in existing ground levels, without an overly clear gradient to the land. That being said, there is a general rising of the plot towards the roadside. Conditions vary between 4.515m (central eastern edge) to 4.963 (north-western corner). A spot towards the centre of the site rises to 5.007m, although seeing as it is surrounded by far lower points, this appears to be anomalous.

The most relevant boundary is the southern. Here the points range from 4.509m to 4.921m (east to west). The gradient rises slow between the two. The mean AOD is 4.672m, with this reading correlating with the central figures. This would provide a difference of 0.3m between this boundary and the FFL of the dwellings. It is not considered that this difference would result in a significant level of overlooking, and the majority of views would still be obscured by the treatments.

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 submitted details achieve the aims of the conditions and are considered acceptable. Conditions 5, 6, 8, 10, 12, 13 and 14 can be discharged.

Recommendation

Based on the assessment detailed above, it is recommended that the proposal should be approved under Delegated Authority.