

## SOUTH HOLLAND DISTRICT COUNCIL

Report of: Development Manager  
To: Planning Committee - 19 December 2018  
(Author: Mark Simmonds - Planning Officer)  
Purpose: To consider Planning Application H16-0423-18

Application Number: H16-0423-18                      Date Received: 03 May 2018

Application Type: FULL

Description: Replacement dwelling following permission for demolition of existing dwelling

Location: 11 Tower Lane Spalding

Applicant: Mr C Bond                                      Agent: Remway Design Ltd

Ward: Spalding St Marys                              Ward Councillors: Lord Porter  
Cllr H T Drury

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

<http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H16-0423-18>

### 1.0 REASON FOR COMMITTEE CONSIDERATION

1.1 Environment Agency Objection. Recommendation of approval in light of this objection, design and amenity issues warrant Committee determination.

### 2.0 PROPOSAL

2.1 Replacement dwelling following permission for demolition of existing dwelling. There have been several changes of plans and supporting documents as the planning officers have wrestled with the competing issues during the application process, and the rationale for the design presented to Committee is set out in the Assessment below, including in particular with regards to Flood Risk.

### 3.0 SITE DESCRIPTION

3.1 This application relates to the redevelopment of the site of the former dwelling known as Leathercote House in Spalding, a Grade II Listed Building that stands relatively close to a number of listed buildings  
The property that previously occupied this site was almost entirely destroyed in a fire, tragically there was also loss of life. The building was very extensively damaged by the fire (in 2016) and was considered unsafe, therefore, was partially demolished. Areas of the ground floor still remained at the last site visit. The remains of the dwelling are no longer fit for habitation and continued to remain unsafe.

3.2 The area is predominantly residential in nature and the property in question was formerly a two-storey detached dwelling. The majority of buildings surrounding the site are of similar height and stature.

The remnants of the building that were left were felt to not be able to be meaningfully reused or rescued and Listed Building Consent was granted to remove the last parts of the previous building still on site, these were felt to create a public hazard through the very poor condition of the site with fragments of construction materials and open services and gas/electric points etc.

- 3.3 The site is within the Development Boundary for Spalding and also within the Spalding Conservation Area and is within a built up area and generally complies with Policy HS4 and other policy guidance on new residential development.

## 4.0 RELEVANT PLANNING POLICIES

### 4.1 The Development Plan

#### South Holland District Local Plan, July 2006

The South Holland Local Plan 2006 was formally adopted on 18 July 2006. Following a direction from the Government Office for the East Midlands under paragraph 1(3) of Schedule 18 to the Planning and Compulsory Purchase Act 2004, as of 18 July 2009 only certain Local Plan policies have been extended and continue to form part of the development plan. In the context of those saved policies referred to below, it is considered that the Local Plan was adopted in general accordance with the Planning and Compulsory Purchase Act 2004 (albeit under the transitional arrangements). Those policies referred to below are considered to accord with the thrust of guidance set out in the National Planning Policy Framework, and in the context of paragraph 215 of the NPPF should, therefore, continue to be given substantial weight in the decision making process.

Policy SG1 - General Sustainable Development  
Policy SG2 - Distribution of Development  
Policy SG3 - Settlement Hierarchy  
Policy SG14 - Design and Layout of New Development  
Policy SG15 - New Development: Facilities For Road Users, Pedestrians And Cyclists  
Policy SG16 - Parking Standards in New Development  
Policy SG17 - Protection of Residential Amenity  
Policy HS4 - New Housing in in Spalding and the Area Centres (Other Towns and Donington) (Non-Allocated Sites).

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.

### 4.2 National Guidance

#### National Planning Policy Framework (NPPF), July 2018

Paragraph 11 - The presumption in favour of sustainable development  
Section 5 - Delivering a sufficient supply of homes  
Section 12 - Achieving well-designed places  
Section 14- Meeting the challenge of climate change, flooding and coastal change  
Section 16 - Heritage

#### Planning Practice Guidance (PPG), 2014

## 5.0 RELEVANT PLANNING HISTORY

- 5.1 H16-1026-17 - Listed Building Consent - to demolish remaining building which has already been largely demolished due to fire. APPROVED 22 January 2018

## 6.0 REPRESENTATIONS

### 6.1 Environment Agency

- Object

- maintain objection to this application as submitted as it does not comply with the requirements of the National Planning Policy Framework (NPPF) as set out in paragraph 30 of the flood risk and coastal change chapter of the Planning Practice Guidance (PPG).

The site could have possible flood depths of more than 2m as shown on the South Holland Residual Depth Spalding -Year 2115 1% Fluvial/ 0.5% Tidal Event Probability hazard map.

Drawing 2900/02 Rev F show the ground floor to be only 300mm above ground level but doesn't state the finished floor level in mAOD.

The minimum finished floor level we can accept is 5.1m AOD if the ground floor is habitable. This is based on the height of the flood defences. It is unlikely that the site will have been land raised as it won't tie into surrounding levels."

## 6.2 LCC SUDS (Highways)

- Do not wish to restrict the grant of permission.

## 6.3 LCC Historic Environment Officer

- Thank you for re-consulting us on the amended plans. This office welcomes the amended design as an improvement which addresses some of our original concerns.

- However, we would like to reiterate our earlier comments regarding the need to ensure that the Listed wall at Tower House is not damaged during the demolition of the remains of No. 11 Tower Lane. Our original recommendation to require the developer to commission a scheme of works for the archaeological monitoring of all groundworks also remains unchanged.

## 6.4 SHDC Environmental Protection

- Request the full contaminated land condition at this location.

## 6.5 LCC SUDS (Highways)

- No objections to re-siting of dwelling.

## 6.6 Internal Drainage Board

- Detailed comments re drainage, 9m easement. Not an objection.

## 6.7 Spalding & District Civic Society

- There would be no point in re-instating the house using bits left after the unfortunate fire, but we would prefer it if the replacement house would bear more resemblance to the previous one. We do not like the large windows, which seem out of keeping with the area.

## 6.8 Public

### Objections to current scheme (summarised):

- There is no way a car can turn round in 3.5 metres as per the drawing, the only way in or out is to reverse in or out 80m to the top road , a four- bedroom house is going to have at least 2 cars which make this even less workable. This will be a big problem who ever lives in Tower House. It also is a very busy public right of way and not wide enough for cars to park and people to walk by.

- Cannot see how a 4 bedroom house can only have 2 parking spaces,when two cars are in there they will have to back out all the way to Cowbit road approx 90m, there is no turning space the drawing seems to not show how that works,the Public foot path/bridle path is only just over 3m wide at that point too narrow to turn around and reversing up a foot path is not a good idea,school days this a busy footpath.

### Objections to the previous three-storey design

- Will overlook property taking away privacy and light. The gardens of both properties are very narrow and a three-storey house will totally overwhelm houses.
- Fully support the previous two-storey plans which are approved by Historic environment and in keeping with this conservation area and more in line with the listed building which was there before the fire. The flood risk has been described by the experts (not the Environment Agency) as a 1 in 200 year possibility.
- It appeared as if the Environmental Agency were trying to make the applicant alter his design to a three-storey building because of the supposed flood risk - assured me at the time that would not happen - therefore very surprised to see on your web site that new plans had been submitted for a three-storey building. It would mean that we would have two floors of the house looking straight into garden and bedroom windows. The house is very close to neighbouring property as the gardens of both are not deep. Cannot understand how the Environment Agency and presumably yourself can believe there to be a flood risk when the last flood in Spalding was in 1953 which led to the construction of the Coronation Channel as a defence. How come that Westbourne Gardens was allowed to be built within the last 20 years? None of the properties are three-storey and indeed some of them are bungalows. How did the old tax office development on Holland Road get approval in the last two years?
- Was previously assured that they would not require this development to be a three-storey house. This will totally overlook and dwarf property and be totally out of keeping with all the other properties in the area which was previously insisted upon leading to a revised plan which we supported. Westbourne Gardens was developed in the last 20 years and no properties are three-storey.
- Note that due to environmental considerations, namely flooding, the latest amended design now consists of a three-storey Georgian-style building with no habitable rooms on the ground floor. The latter now appears to consist of car-parking space, and a stairway to the upper floors.
- This has now resulted in all habitable areas being approximately 2.5 metres higher than before. This has now produced the following undesirable results:
  - (1) The latest design makes it much more difficult to ensure privacy (both ways) between the occupants of the new property and existing back gardens, by the use of trees.
  - (2) Older occupants of the new property would have some difficulty in negotiating the several stairways, noting that every use of a front or back door requires the use of one flight of steps.

### Then following reverting back to a two-storey dwelling:

- Can fully support these revised plans.

### Support to Two-Storey Plans when originally submitted:

- Support - have had to endure looking out over this eyesore now for over two and a half years
- urge the planning department to give immediate approval to these very attractive plans so that can commence with the demolition of this ruin - also point out that the property is presently a danger to children who are regularly heard fooling around in the site. No more delays please!!

### Comments

- Under no circumstances would it be acceptable to access the site from Westbourne Gardens concerned that this would be tempting, especially for demolition and works to the existing garage. Any such access would significantly adversely impact this quiet cul-de-sac - If this were proposed would Object - note that access information in this planning application only mentions Tower Lane from Cowbit Road, so expect works to adhere to that.
- Note from the application that they state that there are no trees on the site. This is incorrect as there is a beautiful Ash tree in the garden which provides cover and shade - would sincerely hope that there is no plan to remove this tree which is surely protected.

## 7.0 MATERIAL CONSIDERATIONS

- 7.1 The main issues relating to this application are:
- Principle/Policy
  - Flood Risk
  - The impact upon the Conservation Area;
  - Residential Amenity;
  - Highways and parking;
- 7.2 Principle/Policy
- 7.3 The site is located within the defined settlement limits of Spalding as outlined in the South Holland Local Plan, 2006, and part of the application site is within the development boundary. The development is within the defined settlement limits for Spalding.
- 7.4 As the site is within the heart of a built up area, the development is considered a sustainable location and complies with Policy SG1 and SG2 of the Local Plan.
- 7.5 The pertinent policy of the Local Plan with regards housing development is HS4;
- This states that:
- Residential development will be permitted on suitable sites within the Group Centres, where the following criteria are satisfied:
- 1) The site is within the defined settlement limits, as shown on the proposals map; and
  - 2) The site constitutes brownfield land, unless it can be demonstrated that no suitable brownfield sites are genuinely available.
- 7.6 It should also be noted that currently SHDC cannot demonstrate a 5 Year supply of housing land and the guidance in the NPPF is clear that the presumption is in favour of sustainable development, which this is considered to be.
- 7.7 The development, particularly as a replacement dwelling for a fire destroyed dwelling is considered acceptable in principle on this site.
- 7.8 Flood Risk
- 7.9 The Environment Agency has objected to the application in its current form, and has made it clear they require a Finished Floor Level of 5.1M AOD which relates to a rise in floor levels, for the finished floors this would result in a level of 1.4M above existing ground levels.
- 7.10 The site is within Flood Zone 3, and the SFRA sets out (as quoted from the submitted Flood Risk Assessment);
- 7.11 The resultant design, for a three-storey dwelling above garages, was considered unacceptable in design and heritage terms as it was completely out of context with the surrounding historic properties, and caused concerns to neighbours in terms of loss of amenity.
- 7.12 It was therefore decided to revert back to the earlier, two-storey design which is far more appropriate in terms of design, height, neighbour amenity and historic reference.
- 7.13 It is worth considering that if the fire damaged house had been capable of restoration flood risk would not have been an issue.
- 7.14 This is a very unusual set of circumstances, not likely to be replicated, certainly very rarely if at all.
- 7.15 The flood risk issue does mean that the Local Planning Authority is in a dilemma of having to choose between a design which has warranted Environment Agency objections, or a dwelling of

three-storey causing environmental, amenity and heritage impacts all considered unacceptably harmful.

- 7.16 Regarding the objection raised by the Environment Agency, this issue has been the subject of an internal debate within the planning team. The issue is a difficult one and although going against the advice of the Environment Agency is not something that planning officers would be comfortable with generally, but the final determination is the responsibility of South Holland District Council, not the Environment Agency. The line taken by the Environment Agency requires finished floor levels to be raised 1.4m - this is not acceptable in design terms in built up areas as the new dwelling would be entirely out of keeping due to the sudden rise in levels and the neighbours amenity could be adversely affected. The alternative - refusal - could blight large areas of Spalding in terms of new development.
- 7.17 In mitigation of the flood risk, the dwellings would be two-storey giving a means of refuge in the event of a flood. A condition requiring a flood evacuation plan could be imposed in any event to alleviate this issue by ensuring escape is planned.
- 7.18 With these measures in place, it is considered to be acceptable to grant permission.
- 7.19 Impact upon Conservation Area
- 7.20 The site is also within the Spalding Conservation Area. The proposal is for a two-storey dwelling in a traditional design - The design respects the character of the conservation area in terms of scale and massing. The design has been informed by the character, scale, and proportions of not only the neighbouring buildings, but also the large scale and mixed era and styles of the modern buildings around the Conservation Area, this larger context helps to assimilate the modern design with its historic context.
- 7.21 This application seeks consent to entirely demolish and remove the final remnants of a fire damaged listed building.
- 7.22 Standing advice from Historic England requests for further structural investigations on the surviving part of the building to consider the level of harm.
- 7.23 It is the view of the LPA that there is so little left of the building that it is not feasible to attempt to retain it, therefore, any further assessments would be futile and would not materially change the view of the LPA.
- 7.24 Whilst the remaining building continues to fall further into disrepair, it currently does not make a positive contribution to the built environment. Redevelopment would allow the opportunity for a cleared site to make way for a new building that could play a real enhancement role in boosting the character of the area.
- 7.25 Residential Amenity
- 7.26 The proposed two-storey house would not be considered to lead to any material or unacceptable loss of amenity through loss of light or overlooking. The design is suitable for a built up urban area in terms of amenity between neighbouring dwellings.
- 7.27 Highways and Parking
- 7.28 Highways do not object and the parking and access are acceptable. The site is highly sustainable being in close proximity to the Centre of Spalding.
- 7.29 Conclusion
- 7.30 On balance, the proposals are considered to be acceptable and it is recommended that permission be granted.

## 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:

2900/01 rev G  
2900/02 rev F  
2900/03 rev D  
2900/04 rev D  
2900/05 rev F

and the Design and Access Statement incorporating Statement of Significance and Heritage Impact Assessment prepared by Oglesby & Limb - May 2018

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

3. Before the commencement of the development hereby permitted a written schedule and samples 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 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 the National Planning Policy Framework, 2018.

4. 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 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 in accordance with national guidance contained in Section 16 of the National Planning Policy Framework, 2018. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works.

5. 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 4 above in order to facilitate adequate monitoring arrangements.

Reason: To ensure satisfactory archaeological investigation and retrieval of archaeological finds in accordance with national guidance contained in Section 16 of the National Planning Policy Framework, 2018.

6. A copy of the final report required in connection with Condition 4 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 in accordance with national guidance contained in Section 16 of the National Planning Policy Framework, 2018.

7. 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:

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. 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 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 SG13 of the South Holland Local Plan, 2006.

8. Before the commencement of the development hereby granted beyond oversight, full details of the means of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The details so approved 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 SG11 and SG13 of the South Holland Local Plan, 2006 and national guidance contained in Section 14 of the National Planning Policy Framework, 2018.

9. Unless otherwise agreed in writing the brickwork to the development hereby permitted shall be constructed in English Garden Wall bond at a ratio of 3 courses of stretchers to every course of headers.

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 the National Planning Policy Framework, 2018.

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 (using yellow/orange sand and white Portland cement or similar) with a flush, 'bagged' finish to reveal the aggregate in the mix would be appropriate.

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 the National Planning Policy Framework, 2018.

11. The guttering to the development hereby permitted shall be of metal construction painted black, 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 the National Planning Policy Framework, 2018.

12. All new window frames, glazing bars, doors and external door frames shall be of timber construction with a painted finish 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 Policy SG14 of the South Holland Local Plan 2006 and national guidance contained in the National Planning Policy Framework, 2018.

13. 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 a cross sectional detailed drawing at 1:10 scale for each feature and the development shall be constructed in accordance with the details so approved:
- Door and window-head gauged brick arch, lintol and cill detail;
  - Front door surround;
  - Gable chimney stacks, to be taller and deeper than indicated so as to relate better to the proportions of the house.

Note: The applicant is advised that the use of a pre-formed gauged brick arch and non-traditional lintol design may be necessary in order to meet the requirements of Condition 8.

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 the National Planning Policy Framework, 2018.

14. Details of the design and positions of all external boxes for gas and electricity supplies and of any gas flues and soil vent pipes shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted and there shall be no variation from the details so approved without the prior written consent of the Local Planning Authority.

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 the National Planning Policy Framework, 2018.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order or Statutory Instrument revoking and re-enacting that Order), none of the following developments or alterations shall be carried out without the prior written approval of the Local Planning Authority:
- i) the erection of house extensions including dormer windows, conservatories, garages, car ports, porches or pergolas;
  - ii) alterations including the installation of replacement or additional windows or doors and the installation of roof windows;
  - iii) alterations to the existing front boundary picket and close boarded fences, or the erection of replacement or additional fences which are taller than or in different positions to those existing fences.

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 SG14 and SG17 of the South Holland Local Plan 2006, and national guidance contained in the National Planning Policy Framework, 2018.

16. 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 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.

17. None of the existing trees on the site shall be cut down, up-rooted, destroyed, topped, lopped or pruned without the prior written consent of the Local Planning Authority.

Reason: To ensure the protection of existing trees on the site, in the interests of the visual amenity of the locality, the applicant having failed to identify which trees would be affected by the development.

This Condition is imposed in accordance with Policy SG18 of the South Holland Local Plan 2006, national guidance contained in the National Planning Policy Framework, 2018.

18. Where trees are to be retained on site they shall be protected during construction work as follows:

- i) chestnut pale or similar fencing 1.5 metres in height shall be provided around the trees to be retained before development is commenced at a minimum distance from the trunks equal to the spread of the crowns of the trees. No materials, equipment, site huts, fuels or other items shall be placed or stored within the areas enclosed by the fencing so erected and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority;
- ii) no burning of materials or other items shall take place within 3 metres of the crown spread of any of the trees to be retained;
- iii) no services shall be routed under the spread of the crowns of the trees to be retained without the prior written consent of the Local Planning Authority;
- iv) no retained tree shall be cut down, up-rooted, destroyed, topped or lopped without the prior written consent of the Local Planning Authority and if any tree which is to be retained dies within five years beginning with the date on which the development is commenced it shall be replaced with a tree of such size and species as may be specified in writing by the Local Planning Authority.

Reason: To ensure the protection of trees on the site.

This Condition is imposed in accordance with Policy SG18 of the South Holland Local Plan 2006 and national guidance contained in the National Planning Policy Framework, 2018.

19. Note(s):

20. 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 as timely a manner as possible 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](http://www.sholland.gov.uk/doitonline/plandev/plansearch.aspx)

21. 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.

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Background papers:- Planning Application Working File

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**Lead Contact Officer**

Name and Post: Richard Fidler , Development Manager

Telephone Number: 01775 764428

Email: [rfdler@sholland.gov.uk](mailto:rfdler@sholland.gov.uk)

**Appendices attached to this report:**

Appendix A Plan A

# MapThat Scale Print Title

