

Development Management Delegated Decision Report



SUMMARY OF APPLICATION	
Application Reference	B/19/0438/CD1
Application Type	Discharge of Condition
Proposal	Application to approve details relating to Condition 4 (Biodiversity), C7 (Construction Management Plan) & C9 (Contamination) of planning permission B/19/0438
Location	Land off Commonside, Old Leake, Boston PE22 9PR
Applicant	Mr J Gresham, WJ Gresham and Son
Agent	Mr A Oglesby, Oglesby & Limb Ltd
Statutory Expiry Date:	15-Feb-2022
Extension of Time:	01-Jun-2022
Recommendation	Approve Discharge of Conditions
Report by:	Charlie Parry
Date:	31-May-2022
Officer Appraisal / Comments: <u>Condition 4 – Biodiversity</u> <p>The applicant has submitted a Bio-diversity Enhancement Plan as part of the application. This plan indicates that there would be swift nest boxes and hedgehog friendly timber/concrete boards built in to the design. The swift boxes will be installed on the dwellings under the eaves. These two measures are considered acceptable and would contribute to a gain in biodiversity on the site.</p> <p>The applicant proposes soft landscaping on the site which includes planting to the front of plots 1 to 3 and planting to the rear boundaries in the gardens of plots 1 to 5. The planting will be shrubs and hedges and it is stated that there will be a 5 year aftercare for the maintenance and management of the proposed planting.</p> <p>A number of trees along the northern boundary of the site will be retained as well as some of the existing hedging elsewhere on the site.</p> <p>The programme that in year 1 the swift and the proposed grass areas will be seeded. In year 2 the grass and landscaping works will continue. In addition monitoring of the nesting boxes and landscaping will continue. This is similar to the third year.</p> <p>The proposed measures are considered acceptable and would reduce in a sufficient amount of biodiversity net gain for the site. Condition 4 can therefore be discharged in accordance with the submitted details.</p> <u>Condition 7 – Construction Management Plan</u>	



The applicant has submitted a Construction Management Plan in relation to this condition that has been produced by Oglesby and Limb Ltd. The document states that the site and vegetation clearance will have minimum disruption to neighbours with trees and shrubs being felled in to the site.

With regards to ground and water pollution, any dewatering of excavations is required, this will be carried out in accordance with the EA position statement Temporary Water Discharges from Excavations. They also set out further measures within this section in respect of this.

The storage and handling of fuels, oils and chemicals will be in compliance the Control of Pollution (Oil Storage) (England) Regulations. The fuel storage and chemical stores will remain locked when not in use. There will be clear labelling on containers and vessels amongst other measures.

In terms of the construction overview, hoarding will be erected where necessary to ensure the site is secure, foundations/excavations shall be carried out to Building Regulations compliance, fully in accordance with structural engineers design and details and operating health & safety precautions at all times. Once the buildings are watertight, internal fit-out will commence with dry-lining / plaster, joinery, plumbing, mechanical & electrical services and decoration internally.

External works to forms paths, drives, etc will take place once the scaffolding has been dropped. Landscaping and removal of all site hoarding and reinstatement will be the final operation.

Site will be cleared to the east of the site first, with plots 4 & 5 being the first to be constructed. Following this the existing buildings and outbuildings will be demolished and the remainder of the site will be cleared and stripped. Plots 1 to 3 will then be constructed following this.

The document also includes details on plant and equipment, the unloading strategy and materials/resource use.

The working hours for demolition, site clearance and construction will be the following: 07:30 to 17:30 on Monday-Friday and 08:00 to 12:00 hours on Saturdays with no construction works or deliveries to take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the Local Planning Authority.

Other control measures include housekeeping, dust management, noise/vibration, site hoarding and emergency contacts/complaints procedure.

Parking is available on the site for site visitors/personnel.

The existing access route to the site shall be used by the construction vehicles. All loading and unloading of materials and equipment will occur within the site boundary to prevent damage and congestion. Where feasible: -

- Consolidation of deliveries if possible to minimize vehicle movements,
- A system of 'just in time' deliveries to ensure excess materials are not stored on site.
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Delivery vehicles will be unloaded by hand or vehicle grab and materials lifted to the required position or stored in the allocated storage areas within the site. Public access is to be prohibited at all times.

The proposed materials will be stored at the premises of the builder and within the existing

building whilst plots 4 and 5 are constructed. This is considered to be acceptable.

Permanent site accommodation is not required and the existing building will provide welfare facilities during the construction of plots 4 and 5. Once this block has been removed, temporary WC facilities will be provided for the use of all the operatives during construction.

The above is considered to be appropriate and meet the criteria set out in condition 7.

Environmental Health and Lincolnshire County Council have raised no objections to this condition being discharged based on the information provided. As a result the Local Planning Authority approves the Construction Management Plan and the condition can be discharged in accordance with the submitted details.

Condition 9 – Contamination

The applicant has submitted a Phase 1 Geo-Environmental Desk Study by GIA and report on a Contamination Assessment by Ground Engineering. Environmental Health have been consulted on the submitted details and have stated that:

“The applicant has submitted a Phase 1 Geo-Environmental Desk Study (Project No. 21027-1) and Report on Contamination Assessment (Ref C15568). Environmental Health have no issues with regards to the adequacy of these reports and are content for condition 9 of the planning approval to also be discharged.

The Report on Contamination Assessment identifies soil contamination which needs to be remediated as part of the project and it makes some recommendations as to appropriate strategies to achieve this. We would ask that the applicant now provide a detailed remediation strategy identifying the chosen methodologies, as required by condition 10 of the planning consent.”

Therefore this condition can be discharged in accordance with the submitted details.

It should be noted that all the consultees (Internal Drainage Board, Environmental Health and Lincolnshire County Council) have raised no objections to the conditions relevant to this application being discharged.

Condition number	Condition	Details submitted	Status
C.4	No development shall commence above slab level until details of measures to enhance the biodiversity of the site as a consequence of the development, together with a timescale for implementation have been submitted to and approved by the local planning authority. The works thereafter shall proceed in accordance with the approved details.	Proposed Biodiversity Enhancement Plan, A1440-22, Rev P03, Received 09.02.2022	Details approved.
C.7	Prior to the commencement of the development hereby permitted, a	Construction Management Plan,	Details approved.

	<p>Construction Management Plan shall be submitted to the local planning authority for approval. The Construction Management Plan will prescribe how the construction of the site will be phased and developed, where site accommodation and welfare facilities will be placed, hours of working, where site vehicles and the vehicles of site personnel will be parked, where materials will be delivered and stored within the site and details of the measures designed to minimise dust, noise, vibration and fumes. The Construction of the permitted development shall be undertaken in accordance with the approved Construction Management Plan.</p>	<p>Oglesby & Limb Ltd, Received 20.12.2021</p>	
C.9	<p>The development hereby permitted shall not be commenced until details of a comprehensive contaminated land investigation has been submitted to and approved by the Local Planning Authority (LPA) and until the scope of works approved therein have been implemented. The assessment shall include all of the following measures unless the LPA dispenses with any such requirements in writing:</p> <p>a) A Phase I desk 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 study shall establish a 'conceptual model' of the site 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 study and a non-technical summary shall be submitted to the LPA.</p> <p>b) A site investigation shall be carried out to fully and effectively characterise the nature and extent of</p>	<p>Report on a Contamination Assessment, Ground Engineering, Received 19.05.2022</p> <p>Phase 1 Geo-Environmental Study, Ground Investigation Associates, Received 20.12.2021</p>	<p>Details approved.</p>

	any land contamination and/or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle and takes 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.		
NOTES FOR DECISION NOTICE:			