

Development Management Delegated Decision Report

B/21/0019/CD1



SUMMARY OF APPLICATION

Application Reference	B/21/0019/CD1
Application Type	Discharge of Condition
Proposal	Application to have details approved relating to Condition 5 (Ecology & Protected Species Survey), C8 (Contaminated Land Investigation), C9 (Contaminated Land Risk Assessment), C10 (Remediation) & C11 (Closure Report) of planning approval B/21/0019
Location	Rectory Farm, Great Fen Road, Wyberton Fen, Boston PE21 7PB
Applicant	Mr G Dunmore
Agent	Mrs Jenny McIntee, JMAD Architecture
Target Decision Date:	
Statutory Expiry Date:	24-Sep-2021
Extension of Time:	N/A
Recommendation	DISCHARGE Conditions
Report by:	Megan Epton
Date:	24-Sep-2021

Officer Appraisal / Comments:

Full planning permission (B/21/0019) was granted on 21-Apr-2021 for the Conversion and alteration of 2 adjoining barns into 1 single residential dwelling at Rectory Farm, Great Fen Road, Wyberton Fen, Boston, PE21 7PB.

The applicant wishes for details to be approved relating to Conditions 5 (Ecology & Protected Species Survey), 8 (Contaminated Land Investigation), 9 (Contaminated Land Risk Assessment), 10 (Remediation) and 11 (Closure Report).

Condition 5

Condition 5 required details regarding the inclusion of the enhancement measures outlined in the approved Ecology and Protected Species Survey (Helen Scarborough, February 2021) to be submitted to the Local Planning Authority prior to any development taking place above ground level. The measures to be included were listed as:

- Specification, location and number of sparrow terrace boxes and location of bird nest boxes; timetable for implementation of the above measures.
- The approved works shall be carried out in accordance with the approved details.

The applicant has now submitted Drawing Number '04G Proposed Plans & Elevations' which indicates a sparrow terrace nesting box is proposed on the eastern elevation, positioned 3m above ground level under the eaves.

In terms of the timetable for implementation of the above, the agent has confirmed in an email dated 24-Sep-2021 that the measures will be implemented "before occupation of the dwelling".

It is considered that the proposed specification, location and number of sparrow terrace bird nest



boxes, provided they are installed prior to the occupation of the dwelling, are suitable and satisfy the requirements of Condition 5.

Condition 8

Condition 8 required a comprehensive contaminated land investigation to be submitted and approved in writing by the Local Planning Authority prior to the commencement of development.

A Phase 1 Preliminary Risk Assessment (dated 11-May-2021) has been submitted as part of this submission, which concludes the site is free from any significant risks in terms of ground contamination and concludes that no further investigation is required.

Environmental Health were consulted and have no issues with the report and its findings and are content for Condition 8 to be discharged.

It is considered this condition has been satisfied.

Conditions 9, 10 & 11

The above conditions were put in place in the event significant risks/ contamination were identified during the initial works. As the risks identified were considered low and the recommendation of the report is that no further investigation works are needed, no further action is needed in regard to Conditions 9, 10 and 11.

Condition number	Condition	Details submitted	Status
C5	<p>No development shall take place above ground level until details regarding the inclusion of the enhancement measures outlined in the approved Ecology and Protected Species Survey (Helen Scarborough, February 2021) have been submitted to and approved by the Local Planning Authority. The measures shall include:</p> <p>Specification, location and number of sparrow terrace boxes and location of bird next boxes;</p> <ul style="list-style-type: none"> • Timetable for implementation of the above measures. • The approved works shall be carried out in accordance with the approved details. 	<p>Drwg no. '04G Proposed Plans & Elevations'</p> <p>Email dated 24.09.21</p>	Details Acceptable
C8	The development hereby permitted shall not be commenced until details of a comprehensive contaminated land investigation has been submitted to and	Phase 1 Preliminary Risk Assessment (11-May-2021)	Details Acceptable

	<p>approved in writing by the Local Planning Authority 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). A full desk top study and a non-technical summary shall be submitted in writing to the Local Planning Authority.</p> <p>b) 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 and take into account the site's existing status and proposed new use. A copy of the site investigation and findings shall be submitted in writing to the Local Planning Authority.</p>		
C9	<p>Where the risk assessment (see preceding condition) identifies any unacceptable risk or risks, a detailed remediation strategy to deal with land contamination and/or pollution of controlled waters affecting the site shall be submitted to and approved in writing by the Local Planning Authority. No works, other than investigative works, shall be carried out on the site prior to receipt of written approval of the remediation strategy by the Local Planning Authority.</p>	<p>Phase Preliminary Assessment (11-May-2021)</p> <p>1 Risk (11-</p>	<p>No further action required</p>

C10	Remediation of the site shall be carried out in accordance with the approved remediation strategy (see preceding condition). No deviation shall be made from this scheme.	Phase Preliminary Assessment (11-May-2021)	1 Risk	No further action required
C11	On completion of remediation, a copy of a closure report shall be submitted to the Local Planning Authority for approval in writing. The report shall provide validation and certification 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.	Phase Preliminary Assessment (11-May-2021)	1 Risk	No further action required
NOTES FOR DECISION NOTICE:				