

[06] Full Planning Permission

S/195/02091/ 23

APPLICANT: C W Parker (Wainfleet) Limited

VALID: 03/11/2023 **AGENT:** Robert Doughty Consultancy Ltd,

PROPOSAL: Planning Permission - Erection of 5no. dwellings with the creation of internal roads, including the demolition of existing agricultural buildings.

LOCATION: LAND OFF, BOSTON ROAD, WAINFLEET ST MARY

1.0 REASONS FOR COMMITTEE CONSIDERATION

1.1 The proposed development would constitute a departure from the development plan for the district and is recommended for approval. It is therefore required to be determined by the Planning Committee.

2.0 THE SITE AND SURROUNDINGS

2.1 The application site is located in an open countryside location to the north and west of the three main groups of dwellings which make up the settlement of Wainfleet St Mary and is within Flood Zone 3 - High Risk but not the Coastal Hazard Zone. The site itself is on the southern side of Boston Road and has two large accesses along the frontage. Between the accesses are a group of mature trees. Within the site are a range of agricultural buildings, some of which are two storey, constructed in mainly blockwork walls with elements of cement fibre sheet cladding on the walls and roof. The far western building is also built in blockwork but with some corrugated iron on the walls and roof. The buildings were formerly used as grain stores but are now used for general agricultural storage. To the northwest adjoining the site is a dwelling known as Adcocks Barn with a detached outbuilding in its rear garden bordering the western boundary.

3.0 PROPOSED DEVELOPMENT

3.1 The application seeks planning permission for the erection of 5no. dwellings, the creation of internal roads and includes the demolition of existing agricultural buildings.

3.2 All of the existing agricultural buildings within the site would be demolished to make way for the erection of 5no. dwellings. The existing accesses would be retained with one serving plots 3-5 and one serving plots 1-2. Parking and turning areas would be laid with 2-3 spaces provided for each property. The existing trees bordering the road would be retained whilst additional landscaping is proposed for the south and southeastern boundaries. The layout of the site would be as follows: -

3.3 Plot 1 would be erected in the northwest of the site and would comprise a single storey dwelling with 3 bedrooms built in a red multi brick with cedar cladding and a clay pantile roof.

- 3.4 Plots 2 and 3 would be a pair of semi-detached dwellings positioned southeast of plot 1 and have the appearance of a 'T' shape with a single storey element protruding out to the northeast. This element would provide a garage for each of the plots. Whilst plot 2 is single storey with 3 bedrooms, there is a two storey element proposed on plot 3 but it would still have 3 bedrooms. Both would be built in the same red multi brick with cedar cladding and a clay pantile roof.
- 3.5 Plots 4 and 5 are a second pair of semi-detached dwellings at the far southeastern edge of the site and are similar in appearance to plots 2 and 3 with the 'T' shape. Plot 4 is two storeys with 3 bedrooms and an attached single garage. Plot 5 is single storey and forms an 'L' shape with 2 bedrooms and an attached single garage.
- 3.6 The application is accompanied by the following supporting information: -
- Design and Access Statement
 - Flood Risk Assessment
 - Preliminary Ecological Assessment
 - Class Q Justification Statement
 - Biodiversity Net Gain Site Plan

4.0 CONSULTATION

- 4.1 Set out below are the consultation responses that have been received on this application. These responses may be summarised, and full copies are available for inspection separately. Some of the comments made may not constitute material planning considerations.

Publicity

- 4.2 The application has been advertised by means of a press notice and site notice and neighbours have been notified in writing. The application has also been advertised on site and in the local press as a departure from the Local Plan. It is worth noting that the consultation period following the advertisement does not expire until 14/08/2024 and a decision cannot be issued before this time.

Consultees

- 4.3 PARISH COUNCIL - No objections, requests the trees to the frontage be retained.
- 4.4 LCC HIGHWAYS AND LEAD LOCAL FLOOD AUTHORITY - No objections, informative to be added to any permission in relation to the amendment of access.
- 4.5 ENVIRONMENTAL SERVICES (Environmental Protection) - Not received at the time of writing report.
- 4.6 ENVIRONMENTAL SERVICES (Drainage) - Not received at the time of

writing report.

- 4.7 ENVIRONMENTAL SERVICES (Contamination) - Phase 1 required but can be secured via Pre-Commencement condition.
- 4.8 ENVIRONMENT AGENCY- Support subject to the imposition of conditions included within the response as shown on the Council's website.
- 4.9 LINDSEY MARSH IDB- Conditional Support in relation to surface water drainage.

Neighbours

One (1) representation received in relation to the protection of Swifts.

5.0 RELEVANT PLANNING HISTORY

- 5.1 None.

6.0 PLANNING POLICY

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan comprises of the East Lindsey Local Plan (adopted 2018), including the Core Strategy and the Settlement Proposals Development Plan Document; and any made Neighbourhood Plans. The Government's National Planning Policy Framework (NPPF) is a material consideration.

East Lindsey Local Plan:

SP1 - A Sustainable Pattern of Places
SP2 - Sustainable Development
SP4 - Housing in Inland Medium and Small Villages
SP8 - Rural Exceptions
SP10 - Design
SP16 - Inland Flood Risk
SP22 - Transport and Accessibility
SP23 - Landscape
SP24 - Biodiversity and Geodiversity

National Planning Policy Framework

7.0 OFFICER ASSESSMENT OF THE PROPOSAL

Main Planning Issues

- 7.1 The main planning issues in this case are considered to be:
 - **The principle of development**
 - **Impact on the character of the area**

- **Impact on residential amenity**
- **Drainage and Flood Risk**
- **Ecology**
- **Contamination**
- **Highways Safety**
- **Biodiversity and Net Gain**
- **The Planning Balance**

The Principle of Development

- 7.1 Policy SP1 of the East Lindsey Local Plan confirms the settlement hierarchy for the district and states that Wainfleet St Mary is a medium village reflecting its range of services but at the same time looking to the towns and Large villages for a greater number of community facilities.
- 7.2 Policy SP4 deals with housing in the Medium villages and supports the conversion and redevelopment of sites for housing where the sites are brownfield or have agricultural buildings on them that have become disused subject to compliance with certain criteria. The policy also lends support to new housing in 'appropriate locations' within the developed footprint of the settlement as infill, frontage development of not more than 2 units. An appropriate location is defined as the continuous built form of the settlement and excludes individual buildings or groups of dispersed buildings detached from the continuous built-up area of the settlement.
- 7.3 However, this application site is in the countryside located some 600m southeast of where the settlements of Wainfleet St Mary and Wainfleet All Saints adjoin and where services and facilities are located. Consequently, the proposal would not accord with the requirements of SP4.
- 7.4 Furthermore the proposed development would not accord with SP8 which offers support for housing in such countryside locations, but only in exceptional circumstances. Those circumstances (where a site is in and adjoining the medium and small villages) include needed affordable housing (when proven) and for new houses associated with rural workers when there is an established existing full-time functional need for the worker that requires a permanent presence on site and that need cannot be fulfilled by an existing unit on the site or in the surrounding area. Neither of those circumstances apply to this proposal such that the development as proposed by virtue of its location and scale would constitute a departure from the adopted development plan.
- 7.5 In support of the proposal, the applicant has submitted a statement in which the topic of a Class Q permission for the site has been discussed. In particular, the statement makes reference to particular case law for consideration ('Mansell v Tonbridge and Malling Borough Council (2017) EWCA Civ 1314').
- 7.6 That case related to an application for the demolition of a barn and bungalow and the erection of 4 dwellings in its place. A Class Q

application had not been submitted for the conversion of the barn into three dwellings but the viability of a likely approval for a Class Q application was then used as the fallback position for the justification of the erection of 4no. dwellings. The judgement given addressed the materiality of Class Q as a fallback and concluded that if a case for a Class Q application was a real prospect, material weight could be given when considering an alternative proposal. It also confirmed that the degree of weight should be based on a planning judgement in the particular circumstances of the case in hand.

- 7.7 In terms of this application, the existing buildings appear to be in a good structural condition and it would appear that there is scope for their conversion to residential dwellings as 'permitted development' under Class Q. As further explanation, 'Class Q' grants planning permission for the change of use and conversion of agricultural buildings and any land within their curtilage to a use falling within Use Class C3 (dwellings) subject to seeking prior approval through an appropriate notification. The regulations were amended in April 2024 to state that the maximum number of dwellings permitted by a Class Q is 10, however, the cumulative floor area of proposed dwellings cannot exceed 1,000sqm. No prior approval application has been submitted, but an indicative plan has been included within the submission which shows how the large existing building along the frontage of the site could be converted to provide 5no. dwellings comprising of 4no. smaller dwellings with a floor area of 100sqm each and a larger dwelling with a ground floor area of 375sqm with an 85sqm mezzanine. The existing building to the rear of the plans is shown as to be demolished.
- 7.8 A detailed statement has also been provided to support the submission that further assesses the site and proposals against the Class Q requirements and confirms that there would be a real prospect for securing a class Q permission for 5 dwellings. Mindful of the case law referenced above, it is therefore considered that in this particular case, weight can be given to the Class Q opportunity as a fallback position when considering the current proposal.
- 7.9 To reiterate the policy overview position, the site is not in an appropriate location for new housing development nor satisfies any exceptions opportunity, so needs to be considered as contrary to adopted policy. However, the applicants believe the scheme proposed presents an opportunity for 'betterment' when considered against the fallback position and allows for a grant of planning permission, notwithstanding the policy position.
- 7.10 Those 'betterments' that have been suggested as part of this application include design and biodiversity. These are discussed in further detail below.

Impact on the character of the area

- 7.11 SP10 of the Council's Local Plan relates to the design of new development. It sets out criteria by which the Council will support well-

designed sustainable development which maintains and enhances the character of the District's towns, villages and countryside. This advice is reiterated in the National Planning Policy Framework in paragraphs 135.

- 7.12 As noted above, there are three existing buildings on the site, two of which run parallel with Boston Road and one which sits to the rear of the larger building. The larger of the two frontage buildings is constructed in block work walls with elements of fibre sheet cladding on the walls and roof. The smaller frontage building is similar in appearance but with a corrugated sheeting to the top half of the walls. Both the frontage buildings have elements of red colouring to the external walls.
- 7.13 The existing buildings are an established feature in the streetscape but have an overtly functional aesthetic that somewhat dominates the streetscene detracting from the more open rural aspects of the area. The conversion of those buildings through a class Q opportunity would effectively maintain that situation with a neutral impact on the character of the area. It is relevant to note that the alterations that can be carried out under Class Q do not allow for increases in the external footprint, therefore, aside from adding in windows and doors where necessary the external appearance would remain the same. The conversion of the existing buildings therefore would not harm the character of the area, but, equally would not result in enhancement. In contrast, it is considered that the application proposal would see the loss of the existing buildings and their replacement by 5no. dwellings. Those dwellings would be set further back in the site than the existing buildings but maintain the linear pattern within the street scene. In terms of streetscape therefore, it is considered that more recessive siting would be of some benefit in strengthening a sense of openness and rurality.
- 7.14 The detail, scale and form of the proposed development takes inspiration from more traditional farming buildings and mimics a farm crew yard. The dwellings themselves would be largely single storey with two storey elements on plots 3 and 4. The proposed materials would reflect those one would expect to find on traditional rural buildings including a red brick and clay pantile roof tile. There are also elements of cedar cladding proposed near the windows. The windows themselves seek to bring a modern touch to the traditional design of the dwellings. The openings are all large and the majority of the glazing is single paned set in an aluminium PPC frame.
- 7.15 It is considered that design approach not only respects the pattern of development within the adjoining site to the north west in terms of scale and massing, but would also result in aesthetic enhancement of the street scene and built character of the area by virtue of form, architectural detailing and palette of materials proposed. There is therefore some weight that can be given to this general and detailed enhancement when considering against the class Q fall-back position and the conflict with adopted policy.

Impact on residential amenity

- 7.16 Clause 5 of SP10 of the Council's Local Plan states that development will be supported provided it does not unacceptably harm any nearby residential amenity. This advice is reiterated in the National Planning Policy Framework in paragraph 135.
- 7.17 Adjoining the site to the northwest is the detached dwelling of Adlocks Barn. The dwelling is two storeys with a single storey addition on the rear and sits centrally within its plot. It has a detached double garage positioned within the southern corner of the plot adjacent to the boundary of the site.
- 7.18 There would be a separation gap of 8.5 metres between the rear elevation of plot 1 and the eastern elevation of Adlocks Barn. The separation distance between the much larger existing buildings and Adlocks Barn is 5 metres. The spatial relationship to the neighbouring dwelling as proposed by this proposal in terms of the built form is therefore more generous and considered acceptable.
- 7.19 Furthermore, plot 1 is a single storey dwelling with a height to ridge line of 5.2 metres with its principal elevation facing east. There are no windows proposed on the rear west elevation so there is no risk of overlooking. Given the scale of the dwelling and the angle of the roof slope plot 1 would not impact the light through the side windows on Adlocks Barn.
- 7.20 The erection of additional residential development would potentially result in some generation in noise and disturbance for those residents who live within close proximity. However, although of a different nature, it is not considered that amenity impacts would be any greater than the potential levels of disturbance that could be generated from the current use of the existing buildings for agricultural purposes. Furthermore, the level of traffic generation etc would be no greater than that generated from the acknowledged class Q conversion opportunity. Amenity impacts are therefore considered acceptable.

Drainage and Flood Risk

- 7.21 Wainfleet falls under the Inland Flood Risk Policy SP16. The site is within Flood Zone 3 and is at risk from tidal and fluvial flooding as illustrated on the Environment Agency Flood Maps. Footnote 55 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk of flooding. A site-specific flood risk assessment should be provided for all development in Flood Zones 2 and 3.
- 7.22 Policy SP16 of the Council's Local Plan sets out the limited circumstances when development in areas at risk from flooding would be considered acceptable. For new housing developments this is effectively restricted to regeneration/brownfield sites. Where development proposals lie in Flood Zone 3, there is a need to pass the sequential test and, where necessary, the exception test as laid down in the NPPF. This proposal would not relate to a brownfield site (agricultural buildings are excluded

from the definition of previously developed land) but the proposal is effectively presented as a regeneration/betterment opportunity on the basis of the class Q fallback position, such that, if that is accepted, the site provides the only option for the erection of these dwellings. Sequentially therefore, there are no other sites for consideration, but the exceptions test needs to be satisfied.

- 7.23 There are two parts to the exceptions test, however to pass the exception test it should be demonstrated that:
- a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
 - b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

Both elements of the exception test should be satisfied for development to be permitted.

- 7.24 The applicants have suggested that the sequential and exceptions tests should be considered as passed by virtue of the class Q fallback position. That position is however, not accepted. As referenced above, although the sequential test may be satisfied on the basis of the regeneration considerations for the proposal, there are no wider sustainable benefits to the community that arise from this proposal, and which would outweigh the flood risk concerns.
- 7.25 However, mindful of the fallback position, a practical consideration of the circumstances does lead towards acceptance of an outcome with no greater adverse impacts or increased risks. In other words, the proposal would fail the first part of the exceptions test, but the particular fallback circumstances for the site are also a material consideration in considering an overall planning balance position.
- 7.26 It is clear from the submitted information in relation to the Class Q conversion that given the size and scale of the existing buildings, internal alterations would allow the appropriate mitigation measures to pass the Flood Risk considerations which in turn would allow for the Class Q approval and therefore weight can be given to this.
- 7.27 The applicant has submitted a Flood Risk Assessment with no objection being raised by the Environment Agency subject to the finished floor levels being set no lower than 0.3 metres above ground level, with solid floor construction, raised electric sockets and registration with the EA's Flood warning system. These elements could be secured via condition (subject to para. 56 of the framework) in order to make the development safe for its lifetime.
- 7.28 Surface water from the development will be discharged into soakaways as disclosed in the Flood Risk Assessment and will be installed in accordance with the BRE 365 regulations with a water butt with at least 220l capacity. This can be secured via condition.

- 7.29 Foul Drainage from the site is to be discharged into the existing main sewer in accordance with the comments received from the Environment Agency. A pre-commencement condition can be added to ensure a suitable connection point is agreed upon.

Ecology

- 7.30 A Preliminary Ecology Assessment (PEA) has been submitted completed by CGC Ecology dated September 2023. The report concluded that there was no evidence of Great Crested Newts or Badgers within the site but that it is likely they could be in the nearby vicinity. Similarly, the existing buildings were not considered a suitable habitat for any bats given the lack of exposed openings or niches within the buildings.
- 7.31 The report concluded with a section detailing the appropriate mitigation measures required on site including but not limited to external lighting left to a minimum, no works to the existing trees/hedgerows during nesting season and the installation of bat boxes and swift bricks within each dwelling.
- 7.32 The mitigation measures detailed within the Assessment can be secured by condition.

Contamination

- 7.33 Environmental Health advised that a Phase 1 report was required to further assess any potential contamination on the site due to the historic use as agriculture and the nature of residential occupation being considered a 'sensitive end use'. The applicant has confirmed that at no time have the buildings been used to store contaminative materials and during the site visit there was no evidence to suggest such materials were present. However, it is considered appropriate that should planning permission be granted, a pre-commencement condition be imposed to ensure that the suitable assessment is undertaken.

Highways Safety

- 7.34 SP22 of the Council's Local Plan is concerned with Transport and Accessibility. As referenced above, the site is accessed from Boston Road which is one of the main roads entering and exiting Wainfleet.
- 7.35 The existing site currently benefits from two wide accesses which would be retained and utilised within the development and there is a pedestrian footpath that runs the length of Boston Road into Wainfleet. The access in the southeast section of the site would serve plots 3, 4 and 5 and the access northeast would serve plots 1 and 2.
- 7.36 The policy advises that a minimum of one parking space shall be provided per dwelling. In this case, Plot 1 which is the smallest dwelling proposed has 2 spaces provided whilst the remaining 4 plots all have three. Each of the plots has an adequate area of hardstanding for manoeuvring and the spaces are angled so that a vehicle could

manoeuvre within the space and exit the site in a forward gear. That requirement of policy would therefore be satisfied.

- 7.37 This stretch of Boston Road has a 60mph speed limit, however, the visibility when exiting the site is good, even when considering the existing trees to the frontage which are to be retained and the highway authority has raised no objection.

Biodiversity

- 7.38 Paragraph 180 of the NPPF states that development should minimise impacts on and provide net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. SP24 of the Local Plan is also relevant to biodiversity and geodiversity and states that development proposals should seek to protect and enhance the biodiversity and geodiversity value of land and buildings and minimise fragmentation and maximise opportunities for connection between natural habitats.
- 7.39 In England, Biodiversity Net Gain (BNG) is now mandatory having for new development proposals. BNG is an approach to development that seeks to ensure that habitats for wildlife are left in a measurably better state than they were before the development. Developers must deliver a BNG of 10%. This means a development will result in more or better-quality natural habitat than there was before development.
- 7.40 However, his application was submitted prior to the mandatory requirement for BNG, so it is not a statutory requirement for this proposal.
- 7.41 However, notwithstanding that situation, in order to offer and identify further betterment beyond the Class Q position, the applicant has identified BNG for the scheme.
- 7.42 The existing site is largely hardstanding with a section of modified grassland, a row of trees to the frontage and a row of Leyland Cyprus Trees along the southeastern boundary.
- 7.43 Ecological Enhancements have been identified through the PEA including that the non-native Leyland Cyprus Trees along the southeast boundary be removed and replaced with native hedgerow. Additionally, new native species trees would be planted, and a Biodiversity Site Layout plan has been provided which details areas set aside to secure BNG. The Councils ecologist has confirmed that the proposed measures would result in 10% BNG on the site.
- 7.44 In this case, the application has been submitted on the basis of a betterment scheme with a Class Q fall back in an otherwise unsustainable location. As such, in this case, it is considered that the net gain in biodiversity plays a fundamental role in the success of the development and increases the public benefit as a result. The proposals will lead to a large public benefit in terms of the ecological

enhancements. A condition shall be added that states a BNG Management Plan shall be submitted to the Local Planning Authority for approval and to ensure the appropriate gains are met and implemented.

The Planning Balance

- 7.45 The proposed development for 5 new dwellings in an open countryside location would not comply with adopted locational policy requirements or that of the NPPF. However, the existing functional buildings, although not unduly harmful to the wider character of the area, are somewhat unattractive and do detract from the street scene and rural aesthetic of the immediate area. Those buildings have a realistic fallback opportunity for conversion to 5 dwellings. That fallback position is fully accepted and consequently given notable weight as a material consideration.
- 7.46 Equally, it is considered that such conversion would likely maintain the existing unattractive aesthetic, whereas the current proposal offers a more pleasing and sympathetic design outcome by reference to the form of development, siting of buildings, materials proposed and architectural concept. That is considered as a potential benefit when compared to the class Q fallback and given modest weight in the planning balance.
- 7.47 The proposed development would deliver BNG of 10%. There is no mandatory requirement for that, and the Class Q proposal would equally not deliver such benefit. That outcome is therefore equally considered as a benefit and afforded modest weight.
- 7.48 The site lies within Flood Zone 3 and therefore requires assessment against NPPF required sequential and exception tests. Although, if considered as a regeneration type opportunity, the sequential test can be satisfied, but not the exception test in terms of providing wider benefits to the community. That shortcoming weighs against the proposal, but again, with reference to the fallback position the practical outcomes of the two alternative development proposals in terms of flood risk would be similar. Non-compliance with the exceptions test requirement therefore is not considered as an impediment to the grant of permission for this site should it be considered that the comparative benefits of the proposal are substantive enough.
- 7.49 That planning judgement is considered to be finely balanced in this case, but the character, ecological and BNG enhancements when compared to the reality of the fallback position are collectively considered to be sufficient to enable a grant of planning permission subject to imposition of appropriate conditions.

RECOMMENDATION: Approve

subject to the following conditions:

1. Full planning permission
The development hereby permitted shall begin not later than 3 years from the date of this decision.

Reason: As required by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved drawings and other documents and any drawings approved subsequently in writing by the local planning authority pursuant to any conditions on this decision letter.

Plan no. 1381-1-PL LP01	Received by the LPA 26.10.2023.
Plan no. 1381-1-PL SP01	Received by the LPA 26.10.2023.
Plan no. 1381-1-PL DD01	Received by the LPA 26.10.2023.
Plan no. 1381-1-PL EL02A	Received by the LPA 03.11.2023.
Plan no. 1381-1-PL EL01A	Received by the LPA 03.11.2023.
Plan no. 1381-1-PL GA01A	Received by the LPA 03.11.2023.
Plan no. 1381-1-PL PL01A	Received by the LPA 03.11.2023.
Plan no. 1381-1-PL PL02A	Received by the LPA 03.11.2023.
Plan no. 1381-1-PL SP03	Received by the LPA 18.07.2024.

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

- 3 No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until the works have been carried out in accordance with the foul water strategy so approved.

Reason: To ensure the most sustainable foul water drainage is secured and to prevent deterioration to the water environment in accordance with SP16 of the East Lindsey Local Plan.

- 4 Prior to the first occupation of the development hereby permitted, the approval of the Local Planning Authority is required to a scheme of landscaping and tree planting for the site indicating, inter alia, the number, species, heights on planting and positions of all the trees, together with details of post-planting maintenance. Such scheme as is approved by the Local Planning Authority shall be carried out in its entirety within the first planting season following the date on which development is commenced or in line with a phasing strategy agreed in writing with the Local Planning Authority. All trees, shrubs and bushes shall be maintained by the owner or owners of the land on which they are situated for the period of five years beginning with the date of completion of the scheme and during that period all losses shall be made good as and when necessary.

Reason: To ensure that the landscape enhancement measures detailed in the application are implemented on site to achieve compliance with SP10 and SP23 of the East Lindsey Local Plan and the National Planning Policy Framework.

- 5 The development hereby permitted shall not be commenced until further investigation has been 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 Local Planning Authority prior to the commencement of works.

Reason: To ensure potential risks arising from previous site uses have been fully assessed in accordance with the requirements of the National Planning Policy Framework.

- 6 Where the risk assessment 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 and approved by the LPA. 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.

Reason: To ensure potential risks arising from previous site uses have been fully assessed in accordance with the requirements of the National Planning Policy Framework.

- 7 Remediation of the site shall be carried out in accordance with the approved remediation strategy. No deviation shall be made from this scheme.

Reason: To ensure potential risks arising from previous site uses have been fully assessed in accordance with the requirements of the National Planning Policy Framework.

- 8 On completion of remediation, two copies of a validation report shall be submitted to the Local Planning Authority. 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.

Reason: To ensure potential risks arising from previous site uses have been fully assessed in accordance with the requirements of the National Planning Policy Framework.

- 9 If during redevelopment contamination not previously considered is identified, then the Local Planning Authority 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 with the LPA. On completion of the development the LPA shall be notified in writing if no additional contamination was identified during the course of the development and the dwellings hereby permitted shall not be occupied until the LPA has acknowledged receipt of the same.

Reason: To ensure potential risks arising from previous site uses have been

fully assessed in accordance with the requirements of the National Planning Policy Framework.

- 10 The development hereby permitted shall be carried out in accordance with the requirements of the ****. The further details required by the Net Gain Plan shall be submitted for approval in writing to the Local Planning Authority in the form of a Management and Monitoring Plan. The requirements and detail of the Management and Monitoring Plan shall be implemented as so approved.

Reason: In the interests of securing enhanced biodiversity as required by SP24 of the East Lindsey Local Plan and the NPPF.

- 11 The development shall only proceed in accordance with the recommendations detailed in Section 5, pages 15-21 inclusive of the Ecological Appraisal by CGC Ecology dated September 2023.

Reason: To protect wildlife at the site in accordance with SP24 of the East Lindsey Local Plan and in accordance with the National Planning Policy Framework.

- 12 Notwithstanding the details shown on the approved plans, all surface water run-off from the development hereby approved shall be collected and discharged through a soakaway scheme the design for which shall be based on the procedures described in [Part H of the Building Regulations relating to soakaway design (for soakaways serving under 25m²)/ BRE Digest 365 or BS EN 752-4 relating to soakaway design]. If it is found that the use of a soakaway is not suitable in this location, details of the alternative proposed scheme for discharge of surface water must be submitted to and agreed in writing by the Local Planning Authority prior to any works taking place. Before the development hereby approved is brought into use the agreed scheme must be fully implemented and thereafter so maintained.

Reason: Reason: To ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, or upstream of, the permitted development. This condition is imposed in accordance with SP16 of the East Lindsey Local Plan.

- 13 The dwellings shall not be occupied until the Building Regulations Part G(2)(b) standards limiting water consumption to 110 litres per person per day has been complied with.

Reason: To reduce demand for finite resources as the district is in a water scarce area. This condition is imposed in accordance with SP10 of the East Lindsey Local Plan.

- 14 The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment undertaken by RM Associates (Ref Version 1 dated October 2023) and the following mitigation measures detailed within the FRA:

- Finished floor levels shall be set no lower than 300mm above existing ground level.
- Flood resilience and resistance measures to be incorporated into the development as stated.

The mitigation measures shall be fully implemented prior to occupation and subsequently shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with SP16 of the East Lindsey Local Plan.

15 Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order), unless otherwise show on the approved plans, none of the following developments or alterations shall be carried out:

- i) the erection of freestanding curtilage buildings or structures including car ports, garages, sheds, greenhouses, pergolas or raised decks;
- ii) the erection of house extensions including dormer windows, conservatories, garages, car ports, porches or pergolas.

Reason: In order to protect the integrity for the development, the visual amenity in which it is set and the wider rural character of the area in accordance of SP10 of the East Lindsey Local Plan.