

**PLANNING AND REGULATION COMMITTEE  
 31 JULY 2023**

**PRESENT: COUNCILLOR I G FLEETWOOD (CHAIRMAN)**

Councillors P Ashleigh-Morris, T R Ashton, I D Carrington, Mrs J E Killey, Mrs S A J Nutman, Mrs M J Overton MBE, N Sear and T J N Smith

Officers in attendance:-

Neil McBride (Head of Planning), Martha Rees (Senior Lawyer), Matthew Stapleton (Senior Project Manager – Corporate Property), Mick Phoenix (Traffic Manager), Tina Featherstone (Senior Traffic Engineer) and Thomas Crofts (Democratic Services Officer)

17 APOLOGIES/REPLACEMENT MEMBERS

Apologies for absence were received from Councillors A M Hall, C L E Vernon and N H Pepper.

18 DECLARATIONS OF MEMBERS' INTERESTS

For openness and transparency, Councillor T Smith declared that he was in attendance at the meeting of the Planning and Regulation Committee when item 6a on today's agenda had been previously discussed, but no decision taken.

19 MINUTES OF THE PREVIOUS MEETING OF THE PLANNING AND REGULATION COMMITTEE HELD ON 3 JULY 2023

RESOLVED

That the minutes of the Planning and Regulation Committee held on 3 July 2023 be agreed and signed by the Chairman as a correct record.

20 TRAFFIC ITEMS

21 SKEGNESS, SCARBOROUGH AVENUE CAR PARK - PROPOSED AMENDMENT TO LCC OFF-STREET PARKING PLACES ORDER 2021

A report was received which invited the Committee to consider an amendment to the Council's off street parking places order in relation to a car park at Scarborough Avenue, Skegness. The Traffic Manager introduced the report.

It was noted that Skegness Town Council maintained the asset and wished to increase the charges to park at the car park, and that an opportunity had arisen to reconsider the current

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arrangements. It was also noted that in order to enable enforcement and ensure the conditions of use the asset required an off street parking order.

On a motion proposed by Councillor I G Fleetwood, and seconded by Councillor Mrs M J Overton MBE, it was:

RESOLVED (unanimous)

That the Committee approve the amendment so that the necessary process to bring it into effect may be taken forward.

22 COUNTY COUNCIL APPLICATIONS

22a To construct a one and two storey 28 bed secure children's home (Class C2a) and associated support accommodation including administration facilities, kitchen and dining spaces, education and teaching spaces, sports facilities (including a MUGA) and external secure courtyard areas. Supporting infrastructure includes: a new service road, a car park, surface water attenuation pond, landscaped areas, renewable energy provision and battery store at Bone Mill Farm, Bonemill Lane, Sleaford - Lincolnshire County Council (Agent: JEH Planning Ltd) - 23/0539/CCC

Consideration was given to a report which outlined an application seeking permission by Lincolnshire County Council to construct a one and two storey 28 bed secure children's home and associated support accommodation. Supporting infrastructure included a new service road, a car park, surface water attenuation pond, landscaped areas, renewable energy provision and battery store at Bone Mill Farm, Bonemill Lane, Sleaford.

The Head of Planning introduced the report alongside a presentation and advised that an update to the report was published ahead of the meeting which amended the original recommendations as a completed unilateral undertaking had now been received.

The following matters were highlighted to the Committee regarding the application:

- The development was set back away from the road access and the neighbouring industrial estate and was shielded by a tree boundary.
- Energy provision was derived from onsite renewable energy sources.
- The design was a 1 to two story layout.
- A railway level-crossing was situated on the road access.
- Following the consultation and publicization of the development support had been received from the local County Councillor, Councillor M Allan, and Sleaford Town Council, and no further objects had been received upon the resubmission of drawings and plans.
- North Kesteven District Council had submitted a detailed response to the consultation and raised no objections.

- Improvements were required to make the access, via Bonemill Lane, appropriate for the increased use.
- A Grampian condition had been placed on the access improvement works, which required improvements to be made before works could take place to ensure safe traffic access. However, the full extent of the improvements were not required until the building was occupied.

Matthew Stapleton (Senior Project Manager – Corporate Property – Lincolnshire County Council) spoke on behalf of the applicant and stated the following:

- There was a national shortage of secure children’s accommodation and this application would help contribute additional capacity and modernise by replacing the existing smaller facility in Sleaford.
- The building would be net zero in terms of energy use, with the capacity to generate off-grid power.
- The application would create 100 new jobs in the sector and would act as a flag ship facility for Lincolnshire.

The Committee discussed the report and the following matters were raised:

- The application was sufficiently isolated away from the neighbouring industrial estate.
- Network Rail’s objection was noted regarding the application’s breach of their policy that no new level-crossings be created. However, the Committee felt that the application did not create a new level-crossing but rather brought an existing level-crossing into greater use. Overall, the Committee felt that the application’s intended use of the crossing was safe and that continued dialogue with Network Rail should be pursued to resolve the issue.
- The Central Lincolnshire Local Plan included policies towards meeting net zero targets and as such the application’s incorporation of renewable energy technologies helped conform to the Plan without setting a precedent for the land to be considered as being used for energy.
- The application was assessed on the basis that ground floor windows would be closed. If it was reviewed that windows were to be able to open, further evidence would be needed to give a proper assessment.
- It was clarified that the recommendations regarding biodiversity and net zero ambitions were meetable and in line with the latest frameworks.

The Committee agreed that the development would be good for local employment and would build on the Council’s provisions for childrens’ health and social care.

On a motion by Councillor T R Ashton, seconded by Councillor T Smith, it was:

RESOLVED (unanimous)

That planning permission be granted subject to the following conditions:

1. The development hereby permitted shall be commenced within three years of the date of this permission. Written notification of the date of commencement of development shall be sent to the County Planning Authority within seven days of commencement.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall only be carried out in accordance with the following documents and plans unless otherwise modified by the conditions attached to this planning permission or details subsequently approved pursuant to those conditions, as follows:

Documents

- Application form (received 11 April 2023)
- Agricultural Land Assessment (received 25 May 2023)
- Air Quality Assessment (received 17 April 2023)
- Air Quality Technical Note (received 11 April 2023)
- Arboricultural Survey and Constraints Report (received 11 April 2023)
- Archaeological Desk-Based Assessment (received 11 April 2023)
- Archaeological Evaluation Report: Geophysical Survey by Magnetometry (received 27 April 2023)
- Biodiversity Metric 3.1 (received 9 June 2023)
- Biodiversity Net Gain Report (received 11 April 2023)
- Commercial Market and Development Assessment (received 11 April 2023)
- Design and Access Statement (received 11 April 2023)
- Evaluating Operational Energy Net Zero Carbon in Operation (NZCIO) Pathway (received 2 June 2023)
- Evaluating Operational Energy TM54 Report (received 2 June 2023)
- Flood Risk Assessment and Drainage Statement (received 11 April 2023)
- Framework Travel Plan Rev P04 (received 25 May 2023)
- Ground Investigation Report (received 11 April 2023)
- Health Planning Checklist (received 25 May 2023)
- Minerals Assessment (received 25 May 2023)
- Need Assessment (received 11 April 2023)
- Noise and Vibration Assessment Rev C (received 2 June 2023)
- Odour Assessment (received 31 May 2023)
- Planning Statement (received 11 April 2023)
- Planning Policy Response S6, S7, S8 and S14 (received 2 June 2023)
- Preliminary Ecological Appraisal Survey Report (received 11 April 2023)
- Reptile and Great Crested Newt eDNA Survey Report (received 9 June 2023)
- Reptile Mitigation Survey Report (received 25 May 2023)
- Response to the New Lincolnshire Plan Policy S7 Rev B (received 31 May 2023)
- Site Suitability Assessment (received 11 April 2023)
- Socio-Economic Benefits Statement (received 11 April 2023)
- Stage 1 Preliminary UXO Risk Assessment (received 11 April 2023)
- SUDS Maintenance Guide Rev 3 (received 7 June 2023)
- Thermal Comfort Report (received 11 April 2023)

- Transport Assessment (except drawing LSCH21-HEX-XX-XX-DR-Y-0101 (S2) P01 Proposed Access Arrangement and Highway Improvements which is not approved) Rev P04 (received 26 May 2023).

Drawings

- LSCH21-KBS-ZZ-XX-D-A-1000 (S2) Rev P06 Site Location Plan (received 20 April 2023)
- LSCH21-KBS-ZZ-XX-D-A-1001 (S2) P04 Site Plan Existing (received 20 April 2023)
- LSCH21-KBS-ZZ-XX-D-A-1010 (S2) P12 Site Plan Proposed (received 7 June 2023)
- LSCH21-KBS-XX-00-D-A-1100 (S2) P03 Ground Floor GA Plan (received 2 June 2023)
- LSCH21-KBS-XX-01-D-A-1105 (S2) P04 First Floor GA Plan (received 2 June 2023)
- LSCH21-KBS-XX-RF-D-A-1110 (S2) P04 Roof Plan GA Plan (received 2 June 2023)
- LSCH21-KBS-XX-XX-D-A-1300 (S2) P03 GA Elevations (received 2 June 2023)
- LSCH21-KBS-XX-XX-D-A-1301 (S2) P01 GA Elevations (received 7 June 2023)
- LSCH21-KBS-XX-XX-D-A-1400 (S2) P03 Site Sections (received 2 June 2023)
- LSCH21-KBS-ZZ-00-D-A-2100 (S2) P05 Ground Floor GA Plan (received 8 June 2023)
- LSCH21-KBS-ZZ-01-D-A-2101 (S2) P04 First Floor GA Plan (received 8 June 2023)
- LSCH21-KBS-ZZ-XX-D-A-3001 (S2) P03 GA Elevations – Typical Residential House Elevations (received 20 April 2023)
- LSCH21-KBS-ZZ-XX-D-A-3003 (S2) P03 GA Elevations – Health Hub Courtyard (received 20 April 2023)
- LSCH21-SBK-XX-XX-DR-C-510 P03 Surface Finishes and Kerbs (received 2 June 2023)
- LSCH21-SBK-XX-XX-DR-C-530 P03 Drainage Design (received 2 June 2023)
- LSCH21-ALA-00-XX-DR-L-0210 (S2) P02 Planting Strategy (received 2 June 2023)
- LSCH21-ALA-00-XX-DR-L-0201 (S2) P04 Site Wide Illustrative Masterplan (received 2 June 2023)
- LSCH21-ALA-00-XX-DR-L-0202 (S2) P05 Illustrative Masterplan (received 2 June 2023)
- LSCH21-ALA-00-XX-DR-L-0203 (S2) P04 Landscape General Arrangement (received 2 June 2023)
- LSCH21-ALA-00-XX-DR-L-0204 (S2) P05 Site Wide Boundary Treatment (received 2 June 2023)
- Proposed Trenches V2 (received 25 May 2023)
- Proposed Trenches V3 (received 25 May 2023).

Reason: To define the permission and to ensure the development is implemented in all respects in accordance with the approved details.

3. Prior to the commencement of development a Construction Environmental Management Plan and Method Statement shall be submitted to and approved in writing by the County Planning Authority. The Construction Environmental Management Plan and Method Statement shall be based on the Construction Environmental Management Plan submitted on 9 June 2023,

- limiting the days and hours of construction;
- measures to mitigate the adverse impacts of vehicle activity, including:
- the phasing of the development to include access construction;
- the on-site parking of all vehicles of site operatives and visitors;
- the on-site loading and unloading of all plant and materials;
- the on-site storage of all plant and materials used in constructing the development;
- wheel washing facilities;
- the route of construction traffic to and from the site including any off-site routes for the disposal of excavated material;
- a strategy stating how surface water run-off on and from the development will be managed during construction and protection measures for any sustainable drainage features, including drawing(s) showing how the drainage systems (temporary or permanent) connect to an outfall (temporary or permanent) during construction;
- a Dust Management Plan;
- details of measures to secure the safe operation of the adjacent operational railway; and
- a stakeholder communication plan.

The approved Construction Environmental Management Plan and Method Statement shall thereafter be implemented in full for the duration of the construction phase of the development hereby approved.

4. No part of the development hereby permitted shall be commenced before on site works to improve the public highway by means of carriageway widening on Bonemill Lane have been certified as complete by the County Planning Authority.  
Reason: To ensure the provision of safe and appropriate means of access to the permitted development.
5. The development hereby permitted shall not be occupied before a 3m wide footway/cycleway to connect the development to the existing highway network at East Road Roundabout has been provided in accordance with details that shall first have been submitted to and approved in writing by the County Planning Authority following consultation with Network Rail. The works shall also include appropriate arrangements for the management of surface water run-off from the highway.  
Reason: To ensure the provision of safe and adequate pedestrian access to the permitted development without increasing flood risk to the highway and adjacent land and property. The following Conditions are then re-numbered accordingly
6. With respect to archaeology, the following measures shall be undertaken:  
Part 1  
Prior to the commencement of development on site a written scheme of archaeological investigation shall be submitted to and approved in writing by the County Planning Authority. This scheme shall include the following:
  - a. an assessment of significance and proposed mitigation strategy (i.e. preservation by record, preservation in situ or a mix of these elements);
  - b. a methodology and timetable of site investigation and recording;
  - c. provision for site analysis;
  - d. provision for publication and dissemination of analysis and records;

- e. provision for archive deposition; and
- f. nomination of a competent person/organisation to undertake the work.

The scheme of archaeological investigation must only be undertaken in accordance with the approved details.

#### Part 2

The archaeological site work must be undertaken only in full accordance with the approved written scheme referred to in Part 1 of this condition. The applicant will notify the County Planning Authority of the intention to commence at least fourteen days before the start of archaeological work in order to facilitate adequate monitoring arrangements. No variation shall take place without prior consent of the County Planning Authority.

#### Part 3

A report of the archaeologist's findings shall be submitted to the County Planning Authority and the Historic Environment Record Officer at Lincolnshire County Council within three months of the works hereby given consent being commenced unless otherwise approved in writing by the County Planning Authority; and the condition shall not be discharged until the archive of all archaeological work undertaken hitherto has been deposited with the County Museum Service, or another public depository willing to receive it.

Reason: In order to ensure that satisfactory arrangements are made for the investigation, retrieval and recording of any possible archaeological remains on the site.

7. Prior to the commencement of development on site an arboricultural method statement and scheme for protection of the trees along the eastern site boundary shall be submitted to and approved in writing by the County Planning Authority.

This scheme shall include:

- a. a plan showing details and positions of the root protection areas;
- b. details and position of protection barriers;
- c. details and position of underground service/drainage runs/soakaways and working methods employed should these runs be within the designated root protection area of any retained trees on or adjacent to the application site;
- d. details of any special engineering required to accommodate the protection of retained trees; and
- e. details of construction and working methods to be employed for the installation of any paths within the root protection areas of any retained trees on or adjacent to the application site.

The development hereby approved shall only be carried out in full accordance with the approved arboricultural method statement and tree protection scheme.

Reason: To ensure the retention and protection of trees which are important to the character and amenity of the surrounding area.

8. Notwithstanding the details on the documents and drawings hereby approved, prior to the commencement of development on site a landscaping and biodiversity gain plan shall be submitted to and approved in writing by the County Planning Authority. The required plan shall accord with the national (Metric 3.1) and the Delivering Biodiversity Net Gain In Central Lincolnshire (April 2023) good practice requirements

for biodiversity net gain assessment, and shall set out (with appropriate supporting evidence):

- a. details, including planting specifications, aftercare and long-term management, of the steps to be taken to minimise the adverse effect of the development on the biodiversity of the on-site habitat and any other habitat;
- b. the pre-development biodiversity value of the onsite habitat;
- c. details, including planting specifications, species (taking into account species not acceptable in proximity to the railway boundary), numbers, spacing and positions, aftercare and long-term management, of all landscape and biodiversity net gain measures;
- d. the post-development biodiversity value of the onsite habitat;
- e. any registered off-site biodiversity gain allocated to the development and the biodiversity value of that gain in relation to the development; and
- f. any biodiversity credits purchased for the development.

The approved landscape and biodiversity gain plan shall be implemented in full in the first available planting season following the confirmation of the written approval from the County Planning Authority and the required habitats maintained for a period of not less than 30 years.

Reason: To secure landscaping and biodiversity net gain and in the interest of the visual amenity of the area. Please see the informative in the e-mail dated 13 June 2023 from Network Rail regarding species not acceptable in proximity to the railway boundary.

9. Prior to any vegetation clearance, groundworks or site preparation works taking place on the site, the site shall be surveyed by a suitably qualified ecologist to ascertain the nature of the use by badger and the results submitted to the County Planning Authority. In the event that the site is found to be used by badger, no works shall take place until a detailed mitigation strategy has been submitted to and approved in writing by the County Planning Authority. All works shall thereafter be carried out in full accordance with the approved mitigation strategy and written confirmation of the implementation of the approved mitigation strategy shall be submitted to the County Planning Authority prior to the first occupation of the development hereby permitted.

Reason: To ensure the appropriate protection of, and mitigation for, badgers as a protected species.

10. Prior to any vegetation clearance or works affecting existing drainage ditches and the River Slea taking place, a water vole survey shall be carried out by a suitably qualified ecologist and the results submitted to the County Planning Authority. Should no water voles be identified then any vegetation clearance that could affect water vole habitat shall be gradually and directionally removed under the supervision of an appropriately qualified ecologist. In the event that water voles are found to be present, then no works shall take place until a detailed method statement including details of the measures to be adopted to displace and protect water voles from the works has first been submitted to and been approved in writing by the County Planning Authority. All works shall thereafter be carried out in full accordance with the approved details and written confirmation of the implementation of the method

statement shall be submitted to the County Planning Authority prior to the first occupation of the development hereby permitted.

Reason: To ensure the appropriate protection of, and mitigation for, water voles as a protected species.

11. Prior to any vegetation clearance, groundworks or site preparation works taking place on the site, the site shall be reappraised by a suitably qualified ecologist with respect to reptiles and Great Crested Newts and the Working Method Statement set out in the Reptile and Great Crested Newt eDNA Survey Report (received 9 June 2023) shall be implemented in full. Written confirmation of the implementation of the method statement shall be submitted to the County Planning Authority prior to the first occupation of the development hereby permitted.

Reason: To ensure the appropriate protection of, and mitigation for, reptiles and Great Crested Newts as protected species.

12. Prior to any vegetation clearance, groundworks or site preparation works taking place on the site, a precautionary method statement with respect to brown hare and European hedgehog shall be submitted to and approved in writing by the County Planning Authority. The approved precautionary method statement shall thereafter be implemented in full and written confirmation of the implementation of the method statement shall be submitted to the County Planning Authority prior to the first occupation of the development hereby permitted.

Reason: To ensure the appropriate protection of, and mitigation for, brown hare and European hedgehog.

13. No vegetation clearance or soil stripping shall be undertaken between March and September inclusive unless otherwise approved in writing with the County Planning Authority. If these works cannot be undertaken outside this time, the land affected should be evaluated and checked for breeding birds by a suitably qualified ecologist and if appropriate, an exclusion zone set up. No work shall be undertaken within the exclusion zone until the birds and any dependent young have vacated the area.

Reason: To avoid disturbance to birds during the breeding season.

14. Prior to the commencement of any above ground works, details of all external materials shall be submitted to and approved in writing by the County Planning Authority. The development hereby permitted shall thereafter be constructed in accordance with the approved materials.

Reason: To ensure that the development is carried out in an acceptable manner in the interests of visual amenity.

15. The development hereby approved shall be carried out in full accordance with the Flood Risk and Drainage Strategy (received 11 April 2023), the SUDS Maintenance Guide Rev 3 (received 7 June 2023) and drawing LSCH21-SBK-XX-XX-DR-C-530 P03 Drainage Design (received 2 June 2023) except insofar as that prior to the implementation of any surface water drainage works in association with the development hereby permitted, full details of the strategy for the protection and retention of all of the existing poplar trees along the eastern site boundary in relation to the drainage connection between the attenuation pond and the River Sleas shall be submitted to and approved in writing by the County Planning Authority. The development shall thereafter be carried out in full accordance with the approved details.

Reason: To ensure the site has a suitable surface water drainage system and to protect the existing poplar trees.

16. Prior to the installation of any external lighting, a lighting scheme and impact assessment shall be submitted to and approved in writing by the County Planning Authority. The lighting scheme and impact assessment shall include details of:
- potential impacts on the use of the site and surrounding area by bats;
  - potential impacts on the use of the adjacent railway line, with specific reference to potential impacts on the visibility of train drivers and the potential for confusion with signalling arrangements on the railway;
  - potential impacts on the amenities of nearby residential dwellings; and
  - all mitigation measures required to overcome any identified potential impacts.

The installation of external lighting shall thereafter only be implemented in accordance with the approved lighting scheme.

Reason: In the interests of protecting the use of the site and surrounding area for bats, to ensure the safe use and operation of the adjacent railway line and in the interests of protecting the amenities of nearby residential properties.

17. The development hereby permitted shall be carried out in complete accordance with the details set out in the submitted Evaluating Operational Energy TM54 Report (received 2 June 2023), Evaluating Operational Energy Net Zero Carbon in Operation (NZCIO) Pathway (received 2 June 2023) and Planning Policy Response S6, S7, S8 and S14 (received 2 June 2023) documents. For the avoidance of doubt this includes the standards set for the performance of the fabric of the building, the utilisation of Air Source Heat Pumps, and the provision of photovoltaic panels. In addition, no services shall be laid to the building or within proposed roads serving the development for the provision of piped natural gas.

Reason: To ensure that the development takes place in accordance with the approved details and incorporates the proposed measures for energy efficiency and on-sit energy generation.

18. Prior to the development hereby permitted first coming into use updated, accurate and verified 'as built' calculations of energy performance shall be submitted to and approved in writing by the County Planning Authority. These calculations shall be undertaken in accordance with Simplified Building Energy Model or any future standard adopted under Part L of the Building Regulations. If these calculations fall below the standards set in the submitted Evaluating Operational Energy TM54 Report (received 2 June 2023), Evaluating Operational Energy Net Zero Carbon in Operation (NZCIO) Pathway (received 2 June 2023) and Planning Policy Response S6, S7, S8 and S14 (received 2 June 2023) documents, a course of remedial action, including timescales, shall be submitted to and approved in writing with the County Planning Authority and subsequently implemented.

Reason: To ensure that the development takes place in accordance with the approved details and incorporates the proposed measures for energy efficiency and on-sit energy generation.

19. Prior to the development hereby permitted first coming into use, all noise attenuation measures set out in the Noise and Vibration Assessment Rev C (received 2 June 2023) shall be installed and shall thereafter be retained for the lifetime of the development.

Reason: To protect the amenities of the future occupants of the development.

20. Prior to the development hereby permitted first coming into use, the parking arrangements and electric vehicle charging point, as shown on drawing LSCH21-ALA-00-XX-DR-L-0202 (S2) P05 Illustrative Masterplan (received 2 June 2023) shall be provided and thereafter retained for the lifetime of the development.

Reason: To ensure an appropriate level of car parking is available and facilities for electric vehicle charging are delivered.

21. Prior to the development hereby permitted first coming into use, a scheme for the installation of bat and bird boxes at the site, including details of the design and proposed locations of the bat and bird boxes, shall be submitted to and approved in writing by the County Planning Authority and the approved scheme shall be installed in full and thereafter maintained for the lifetime of the development.

Reason: In the interests of safeguarding bats and nesting birds.

22. Prior to the development hereby permitted first coming into use, details of the entrance barrier to the site shall be submitted to and approved in writing by the County Planning Authority. The entrance barrier shall be installed in accordance with the approved details.

Reason: In the interests of visual amenity.

23. Prior to the development hereby permitted first coming into use, one fire hydrant conforming to BS750-2012 shall be installed within 90 metres of the entrance of the premises.

Reason: In the interests of fire and safety.

24. The Framework Travel Plan approved as part of this decision shall be implemented upon the development hereby permitted first coming into use and shall thereafter be regularly reviewed (i.e. not less than every two years) and the results of these reviews shall be made available to the County Planning Authority upon request.

Reason: To support and ensure that appropriate measures are taken to encourage sustainable modes of transport.

25. All ground floor windows in the development hereby approved shall be non-opening windows and retained as such for the lifetime of the development.

Reason: In the interests of protecting the amenities of the future occupants and users of the development.

26. The following are prohibited activities and must not be carried out under any circumstances:

- a. no fires to be lit on site within 10 metres of the nearest point of the canopy of any retained tree on or adjacent to the proposal site;
- b. no equipment, signage, fencing etc shall be attached to or be supported by any retained tree on or adjacent to the application site;
- c. no temporary access within designated root protection areas without the prior written approval of the County Planning Authority;
- d. no mixing of cement, dispensing of fuels or chemicals within 10 metres of any retained tree on or adjacent to the application site;
- e. no soak-aways to be routed within the root protection areas of any retained tree on or adjacent to the application site;
- f. no stripping of top soils, excavations or changing of levels to occur within the root protection areas of any retained tree on or adjacent to the application site;

- g. no topsoil, building materials or other to be stored within the root protection areas of any retained tree on or adjacent to the application site;
- h. no alterations or variations of the approved works or protection schemes shall be carried out without the prior written approval of the County Planning Authority.

Reason: To ensure the protection and retention of trees which are important to the character and amenity of the surrounding area.

27. In the event that previously unidentified contamination is found at any time when carrying out the development hereby approved, immediate contact must be made with the County Planning Authority and all works must cease in that area. An investigation and risk assessment must then be undertaken in accordance with a scheme to be submitted to and approved in writing by the County Planning Authority. Where remediation is necessary, a remediation scheme must be prepared and submitted to and approved in writing by the County Planning Authority. The approved remediation scheme must be implemented in full and verified in a report to be submitted to the County Planning Authority prior to the recommencement of works in the area of the previously unidentified contamination.

Reason: To ensure that previously unidentified contamination is appropriately dealt with and appropriate remediation measures are undertaken. Informative Attention is drawn to:

- i. Network Rail e-mail - dated 13 June 2023;
- ii. Witham First District Internal Drainage Board e-mail, reference FD-5957-2022-PLN - dated 15 May 2023;
- iii. Anglian Water letter, reference 202617/1/0177993 - dated 27 June 2023;
- iv. British Transport Police letter, reference DOCU-2023-0976 - dated 21 June 2023;
- v. Environment Agency letter reference AN/2023/134329/01-L01 - dated 24 May 2023;
- vi. Lincolnshire County Council Highways letter, reference PL/0029/23 dated 28 June 2023;
- vii. Lincolnshire Fire and Rescue letter, reference 10006537195/LW dated 30 May 2023;
- viii. Lincolnshire Wildlife Trust letter - dated 16 June 2023;
- ix. Sections 4 and 7 of the Chronically Sick and Disabled Persons Act 1970;
- x. The Code of Practice for Access of the Disabled to Buildings (British Standards Institution Code of Practice BS 5810:1979) or any prescribed document replacing that code; and
- xi. In dealing with this application the County Planning Authority has worked with the applicant in a positive and proactive manner by giving pre-application advice in advance of the application, seeking further information to address issues identified and has processed the application efficiently so as to prevent any unnecessary delay. This approach ensures the application is handled in a positive way to foster the delivery of sustainable development which is consistent with the requirements of the National Planning Policy Framework and as required by Article 35(2) of the

Town & Country Planning (Development Management  
Procedure)(England) Order 2015.

The meeting closed at 11.20 am