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| APPLICATION NO | PA/2018/1093 |
| APPLICANT | Mrs J Jobson |
| DEVELOPMENT | Outline planning permission for the erection of four detached dwellings with all matters reserved for subsequent approval |
| LOCATION | Land north of Elsham House, Brigg Road, Wrawby, DN20 8RH |
| PARISH | Wrawby |
| WARD | Brigg and Wolds |
| CASE OFFICER | Mark Niland |
| SUMMARY RECOMMENDATION | Grant permission subject to conditions |
| REASONS FOR REFERENCE TO COMMITTEE | Objection by Wrawby Parish Council Departure from local plan |

POLICIES

National Planning Policy Framework: Paragraph 8 states that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- (a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- (b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and
- (c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

Paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable development.

For plan-making this means that:

- (a) plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change;

- (b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:
 - (i) the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or
 - (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

For decision-taking this means:

- (c) approving development proposals that accord with an up-to-date development plan without delay; or
- (d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

(Footnote 7) This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.

Paragraph 111 states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

Paragraph 124 states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

Paragraph 170 states that planning policies and decisions should contribute to and enhance the natural and local environment by:

- (a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- (b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- (c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
- (d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- (e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
- (f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

North Lincolnshire Local Plan:

Policy RD2 (Development in the Open Countryside)

Policy H5 (New Housing Development)

Policy H8 (Housing Design and Housing Mix)

Policy H10 (Public Open Space Provision in New Housing Development)

Policy T2 (Access to Development)

Policy T19 (Car Parking Provision and Standards)

Policy DS1 (General Requirements)

North Lincolnshire Core Strategy:

Policy CS1 (Spatial Strategy for North Lincolnshire)

Policy CS2 (Delivering More Sustainable Development)

Policy CS3 (Development Limits)

Policy CS5 (Design)

Policy CS7 (Overall Housing Provision)

Policy CS8 (Spatial Distribution of Housing Sites)

Policy CS9 (Affordable Housing)

Policy CS16 (North Lincolnshire's Landscape, Greenspace and Waterscape)

Policy CS17 (Biodiversity)

Policy CS27 (Planning Obligations)

CONSULTATIONS

Highways: The highways department has no objections to the proposed development at outline stage. There are issues with the existing indicative plans. However, the officer considers that imposing conditions would provide appropriate mitigation to the proposal.

Ecology: No objections subject to a condition securing bio-diversity enhancements.

Archaeology: No objections to the proposed development.

Environmental Health: No objections subject to conditions relating to land contamination which includes a phase 1 desk top study, remediation report and verification report.

Anglian Water Developer Services: No comments received.

Drainage: No objections subject to planning conditions.

Spatial Planning: The application site is located outside the defined development boundary for Wrawby and as such the proposed development is contrary to adopted policy (specifically policies CS3 and CS8 of the Core Strategy).

North Lincolnshire does not have a 5-year supply of housing land (currently stated as a 3.9-year supply). Therefore the council, based on current identified supply, is unable to meet its short-term housing needs. As a consequence there is a clear expectation (set out in the National Planning Policy Framework (NPPF)) that, unless material considerations imply otherwise, sites that offer the opportunity to deliver additional housing should be considered in the context of the presumption in favour of sustainable development within the National Planning Policy Framework. In such circumstances the council will have to balance carefully the effects of proposals against the significant need for new homes.

PARISH COUNCIL

The parish council has objected to the proposal as it is located outside the development boundary and the entrance to the proposed development is in a dangerous location.

PUBLICITY

A site and press notice have been posted. Four objections have been received which are summarised below:

- the proposal is in the open countryside

- it is outside the development limit for Wrawby and is therefore not in accordance with the plan
- highway safety issues relating to the access
- surface water and foul sewage issues
- parking provision is inadequate.

ASSESSMENT

Site characteristics

The site is located just outside the settlement boundary of Wrawby in the open countryside; the settlement boundary runs across the northern elevation of Orchard Rise. The site is also located within flood zone 1. There is a private access serving three properties at present which all front to the east. Furthermore, there are outbuildings on the site and a caravan, and the land is grassed and lined by trees on either side.

Principle

Outline planning permission is sought for a residential development of four dwellings with associated access road and layout shown only as indicative. The application includes the demolition of an existing outbuilding. All matters are reserved for subsequent approval. The application site falls outside the existing development boundary for Wrawby.

The development plan for North Lincolnshire comprises three parts: those policies of the North Lincolnshire Local Plan (2003) (LP) which were saved by a direction of the Secretary of State in September 2007, the North Lincolnshire Core Strategy DPD (2011) (CS), and the Housing and Employment Land Allocations DPD (2016) (HELAP).

Policy CS1 of the Core Strategy sets out the overarching spatial strategy for North Lincolnshire, which, amongst other matters, provides that rural settlements will be supported as thriving sustainable communities, with a strong focus on retaining and enhancing local services to meet local needs and that any development that takes place should be in keeping with the character and nature of the settlement.

Policy CS8 deals with the distribution of housing sites and prioritises development in Scunthorpe and the market towns, with brownfield sites and sites within development boundaries being the primary focus. With regard to rural settlements, the policy states that new housing will create opportunities for small-scale infill development that maintains the viability of the settlement and meets identified local needs without increasing the need to travel. Policy CS8, whilst restricting housing outside development limits, contemplates some greenfield development as it refers to allowing development on such sites where it can be demonstrated that this would bring additional community benefits, contribute to building sustainable communities and be acceptable in terms of its impact on the high quality environment and adjoining countryside. This overall approach is supported by policy CS2 which sets out a sequential approach for development.

Policy CS3 provides that development limits will be defined in future development plan documents. Outside these boundaries, development will be restricted to that which is essential to the functioning of the countryside. The development limits were subsequently

defined in the HELAP, and the application site is located outside the designated development limit for Wrawby. There are no allocated housing sites within Wrawby.

LP saved policy RD2 restricts development in the open countryside other than in exceptional circumstances. This policy only supports residential development outside defined development limits where it is to meet an essential proven need and the open countryside is the only appropriate location for the development. Whilst this policy remains part of the development plan, it has largely been overtaken by policies in subsequent plans addressing the same issue (such as policies CS2 and CS3 referenced above).

The aforementioned policies are aimed at focussing housing within settlement limits as defined in the HELAP. The application site is entirely outside the defined development boundary for Wrawby and is therefore in breach of policies CS2, CS3 and CS8 of the CS and RD2 of the North Lincolnshire Local Plan.

Notwithstanding the development plan policies set out above, the NPPF is a material consideration when determining planning applications. Paragraph 11(d) of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. Where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites, relevant policies which guide the supply of housing should not be considered up-to-date.

A recent Supreme Court judgement (Suffolk Coastal DC Vs Hopkins Homes Ltd [2017] UKSC 37) provides clarity on the policies which are considered 'relevant policies' for the supply of housing. These do not include general restrictive policies such as those restricting development in the open countryside. As such policies RD2 and CS3 are considered up-to-date. However, the weight to be afforded to them needs to be balanced against the need to deliver new housing and the broader merits of the scheme when viewed in the context of sustainable development.

The five-year housing land supply statement sets out North Lincolnshire Council's assessment of its supply of housing land from 1 April 2016 to 31 March 2021, having regard to Government guidance on how this is calculated. This report states that North Lincolnshire has a 3.9 year housing land supply of deliverable sites during the period April 2016 to March 2021.

This statement confirms that North Lincolnshire Council does not currently have a five-year supply of deliverable housing sites. The consequence of this shortfall is to demonstrate that current policies are failing to deliver a five-year supply of housing in accordance with paragraph 11 (footnote 7) of the NPPF and they are, therefore, failing to meet short-term housing needs. As such it is considered that there is a clear and demonstrable need for housing development in the area. Accordingly the operation of paragraph 11 of NPPF triggers a tilted balance whereby there is a presumption in favour of sustainable development and development proposals should be approved unless the adverse impacts significantly and demonstrably outweigh the benefits (Paragraph 11, b, ii).

There are three dimensions to sustainable development as set out in paragraph 8 of the Framework. These are: economic, social and environmental.

The North Lincolnshire Sustainable Settlement Survey positions Wrawby as an overall hierarchy position of 32 with 3 out of 7 key facilities. These include a public house, village hall/church hall, community centre and primary school. In terms of economic sustainability

the increased growth of the village by a further four dwellings would support the existing services and amenities of the area as well as supporting the market town of Brigg.

In terms of environmental sustainability, the application site would link to the Ancholme Valley Circular Cycle Route which provides connections between Wrawby, Kettleby, Howsham and Brigg. Furthermore, there is potential to secure sustainable drainage techniques as well as biodiversity enhancement.

Lastly, and in relation to the housing mix that would be created, the dwellings would provide present and future generations with the opportunity to continue living within the village or introduce new families to contribute to healthy vibrant heterogeneous communities.

Overall, the site is considered to be of low environmental sensitivity and the magnitude of change to the character of the landscape and public views will be minor (especially given recent approvals within close proximity that are located outside the development boundary. Although there would be some limited harm to the character and appearance of the area and a conflict with the development plan in this respect, the extent of harm does not weigh heavily in the balance and the environmental dimension of sustainable development would therefore be achieved.

Whilst the restrictive policies of the development plan (CS2, CS3 and CS8) do still apply, the lack of a five-year supply of housing land and the scale of the shortfall limit the weight which can be attributed to these policies. Restricting development to land within development limits, if strictly applied, would severely affect the ability of the authority to address the need for housing. Overall it is considered that the proposal represents sustainable development in the context of the Framework and HELAP policy PS1, which sets a presumption in favour of sustainable development. The limited adverse impact of granting planning permission would not significantly and demonstrably outweigh the benefits of the proposal, when assessed against the policies in the Framework taken as a whole. For these reasons the principle of development is considered to be acceptable.

Highway safety

Policy T2 of the North Lincolnshire Local Plan is concerned with access to development which states that all proposals should be served by a satisfactory access. Policy T19 of the North Lincolnshire Local Plan is concerned with parking provision and directs developers to appendix 2 of the local plan where standards are set out.

The council's highways department has assessed the submission and has concerns over the proposed arrangement. However, acknowledging that the arrangement is indicative, the officer does not object to the proposal and suggests planning conditions in relation to the main access, access points to dwellings and parking provision. It is considered that a suitable scheme can be achieved that would not carry any unacceptable highway safety impacts.

Given the aforementioned mitigation through conditions, it is considered that the proposal would align with policies T2 and T19 of the North Lincolnshire Local Plan and is considered acceptable.

Character impacts

Policy CS5 of the North Lincolnshire Core Strategy states that all new development in North Lincolnshire should be well designed and appropriate for its context. It should

contribute to creating a sense of place. Although the application is contrary to the principle aims of policy RD2 of the local plan the policy does set out provisions within part 'C' stating that the development would not be detrimental to the character or appearance of the open countryside or a nearby settlement in terms of siting, scale, massing, design and use of materials.

The proposal has to be judged upon the character impacts that built form in this location would have upon the open countryside. The proposal would not carry any wider impacts given that the site abuts the development boundary. There would be limited views from the A18 whilst the landscape views from Barton Road would be slightly altered, although the view from this area is of built form already. The proposal would not be out of keeping with the existing settlement given the recent approval of Applefields as well as the tandem development of Mayfield House which is located to the east. Further to the west Dovecote Meadows, which is a cul-de-sac, also emanates from the A18.

It is therefore considered that, whilst there will be some harm, the proposal is not entirely out of keeping as evidenced by the residential developments exemplified above. The proposal therefore has the potential to satisfy policy CS5 subject to an acceptable scheme at reserved matters stage.

Flooding and drainage

The proposal is located within Flood Zone 1 in accordance with the North and North East Lincolnshire SFRA 2011. Policy CS19 of the North Lincolnshire Core Strategy is concerned with flood risk and it seeks to mitigate development from flood risk. Policy DS14 is concerned with surface water and foul sewage and is also considered relevant.

The applicant has not submitted any information in relation to drainage of the site; however, the council's drainage team has made an assessment. They have no objection subject to the imposition of a condition requiring the submission of an FRA as well as a drainage strategy.

Given the aforementioned mitigation, it is considered that the proposal has the potential to satisfy policies CS19 and DS14 and is considered acceptable.

Land contamination

Policy DS7 is concerned with contaminated land. It states that permission will only be granted on contaminated sites where a detailed site survey has been submitted, and a suitable scheme of remedial measures has been agreed to overcome any existing contamination.

The site has an historic agricultural use and at present is mainly laid to grass with an outbuilding located to the southern part of the site. The applicant has not submitted any information in relation to ground conditions. The council's Environmental Health team has been consulted and states, given that the end use will introduce sensitive receptors, a phase 1 desk top study, remediation and verification report will be required. It is considered, given that there is an omission of information, that such a condition should be attached and is considered both reasonable and necessary to establish ideal ground conditions. Given the mitigation, the proposal is therefore considered to align with policy DS7 of the North Lincolnshire Local Plan.

Ecology

Policy CS17 is concerned with biodiversity and seeks to capture an ecological net gain; it is read alongside paragraph 170 of the NPPF.

The council's ecologist has reviewed the planning application and states that there is no requirement for an ecological assessment. The officer has, in line with the aforementioned policy, proposed a condition which would require the applicant to submit a biodiversity management plan. It is considered, given the open countryside location, that mechanisms to support the existing wildlife habitat network are required. The condition should therefore be attached.

Therefore, subject to the aforementioned mitigation, the proposal is in accordance with both policy CS17 of the Core Strategy as well as paragraph 170 of the NPPF.

Environmental issues

Policy DS11 of the local plan is concerned with polluting activities (of which noise is one). Whilst policy DS1 is partly concerned with impacts upon residential amenity. It states that "...No unacceptable loss of amenity to neighbouring land uses should result in terms of noise, smell, fumes, dust or other nuisance, or through the effects of overlooking or overshadowing".

The proposal would inevitably cause disturbance during the construction process and a construction environmental management plan would be required. The condition would require the applicant to demonstrate how the control of noise and dust would be mitigated through construction in order to protect neighbouring amenity. It is therefore considered, given the above mitigation, that the proposal would align with policies DS1 and DS11 of the North Lincolnshire Local Plan.

RECOMMENDATION Grant permission subject to the following conditions:

1.

Approval of the details of the layout, scale and appearance of the building(s), the means of access thereto and the landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the local planning authority in writing before any development is commenced.

Reason

The application has been made under Article 5(1) of the Town & Country Planning (Development Management Procedure) (England) Order 2015.

2.

Plans and particulars of the reserved matters referred to in condition 1 above, relating to the layout, scale and appearance of any buildings to be erected, the means of access to and the landscaping of the site, shall be submitted in writing to the local planning authority and shall be carried out as approved.

Reason

The application has been made under Article 5(1) of the Town & Country Planning (Development Management Procedure) (England) Order 2015.

3.

Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

Reason

To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

4.

The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason

To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

5.

No development shall take place until details of:

- (i) the location and layout of the vehicular access; and
- (ii) the number, location and layout of vehicle parking and turning spaces within the curtilage of the site;

have been submitted to and approved in writing by the local planning authority.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

6.

Adequate vehicle access and parking facilities serving the existing dwelling shall be retained in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

7.

The existing vehicular access to the site shall be improved within highway limits in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan.

8.

No development shall take place until details showing an effective method of preventing surface water run-off from hard paved areas within the site onto the highway have been

submitted to and approved in writing by the local planning authority. These facilities shall be implemented prior to the access and parking facilities being brought into use.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan.

9.

No loose material shall be placed on any driveway or parking area within 10 metres of the adopted highway unless measures are taken in accordance with details to be submitted to and approved in writing by the local planning authority to prevent the material from spilling onto the highway. Once agreed and implemented these measures shall be retained.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan.

10.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), nothing shall at any time be erected, retained, planted or allowed to grow over 1.05 metres in height above the level of the adjoining carriageway for a distance of 2 metres from the highway boundary across the site frontage.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

11.

No dwelling on the site shall be occupied until the vehicular access to it and the vehicle parking and turning space serving it have been completed and, once provided, the vehicle parking and manoeuvring space shall be retained.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

12.

No development shall begin until details of the private driveway, including construction, drainage, lighting and where appropriate signage/street naming arrangements, have been agreed in writing with the local planning authority and no dwelling on the site shall be occupied until the private driveway has been constructed in accordance with the approved details. Once constructed the private driveway shall be retained.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

13.

No development shall take place until a construction phase traffic management plan showing details of all associated traffic movements, including delivery vehicles and

staff/construction movements, any abnormal load movements, contractor parking and welfare facilities, storage of materials and traffic management requirements on the adjacent highway, has been submitted to and approved in writing by the local planning authority. Once approved the plan shall be implemented, reviewed and updated as necessary throughout the construction period.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan.

14.

No development shall take place until a biodiversity management plan has been submitted to and approved in writing by the local planning authority. The plan shall include:

- (a) details of measures to avoid harm to hedgehogs, bats and nesting birds during demolition, vegetation clearance and construction works;
- (b) details of bird nesting and bat roosting features to be installed on the new buildings;
- (c) restrictions on lighting to avoid impacts on bat roosts, bat foraging areas, bird nesting sites and sensitive habitats;
- (d) provision for hedgehogs to pass through any fencing installed between gardens and between areas of grassland;
- (e) prescriptions for the retention, planting and aftercare of trees and shrubs of high biodiversity value;
- (f) proposed timings for the above works in relation to the completion of the building.

Reason

To conserve and enhance biodiversity in accordance with policies CS5 and CS17 of the North Lincolnshire Core Strategy.

15.

No development shall take place until a detailed flood risk statement and drainage strategy has been submitted to and approved in writing by the local planning authority. This should outline all sources of flood risk (including surface water, ground water and ordinary watercourse) and proposals to mitigate this ,and include preliminary drainage layout plans and ground investigation details to support the feasibility of infiltration for the site. Infiltration tests should comprise full scale tests to demonstrate long-term effectiveness and suitability. SuDS should be considered. Reference should be made to North Lincolnshire Council's SuDS and Flood Risk Guidance Document. The development lies within an area identified as at risk of localised flooding.

Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation, and future adoption and maintenance, of the sustainable drainage structures in accordance with policy DS16 of the North Lincolnshire Local Plan, and policies CS18 and CS19 of the North Lincolnshire Core Strategy.

16.

The drainage scheme shall be implemented in accordance with the approved submitted details required by condition 15 above, completed prior to the occupation of any dwelling or building within each phase or sub-phase of the development on site, and thereafter retained and maintained in accordance with the scheme for the life of the development unless otherwise agreed in writing with the local planning authority.

Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation, and future adoption and maintenance, of the sustainable drainage structures in accordance with policy DS16 of the North Lincolnshire Local Plan, and policies CS18 and CS19 of the North Lincolnshire Core Strategy.

17.

No development shall take place until a detailed survey and investigation of adjacent and upstream watercourses and pond have been carried out, including existing outfalls and mitigation measures should these features be breached, the results of which shall be submitted to and approved in writing by the local planning authority.

Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation, and future adoption and maintenance, of the sustainable drainage structures in accordance with policy DS16 of the North Lincolnshire Local Plan, and policies CS18 and CS19 of the North Lincolnshire Core Strategy.

18.

Unless otherwise agreed by the local planning authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts 1 to 4 below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the local planning authority in writing until part 4 has been complied with in relation to that contamination.

Part 1: Site Characteristics

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the local planning authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the local planning authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health

- property (existing or proposed), including buildings, crops, livestock, pets, woodland, and service lines and pipes
- adjoining land
- groundwaters and surface waters
- ecological systems
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and a proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Part 2: Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Part 3: Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the local planning authority. The local planning authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the local planning authority.

Part 4: Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Part 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Part 2, which is subject to the approval in writing of the local planning authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the local planning authority in accordance with Part 3.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy DS7 of the North Lincolnshire Local Plan.

19.

No stage of the development hereby permitted shall commence until a construction environmental management plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include particular reference to noise and vibration, lighting and dust. The development shall take place in accordance with the approved details and retained for the duration of the construction period.

Reason

To protect amenity and in accordance with policies DS1 and DS11 of the North Lincolnshire Local Plan.

Informative 1

Our records indicate that the proposed development site is bounded by, or has running through it, a watercourse (Surface water pipe/culvert or ditch). Following inspection, the watercourse may need to be cleared, replaced, protected or diverted by the landowner at their expense in accordance with their riparian responsibilities. An easement adjacent to the watercourse may need to be provided for future maintenance. Any other drainage feature found during excavations must be immediately reported to the LLFA Drainage Team on 01724 297522, prior to any further construction works being carried out.

Informative 2

The development hereby granted planning permission requires works to be carried out within the limits of the adopted (public) highway. Therefore:

- before ANY construction works take place within the limits of the highway you **MUST** contact the highway authority on telephone number 01724 297000 to arrange for the relevant permissions/licenses to be issued;
- before ANY service (utility) connections take place within the limits of the highway you **MUST** contact the highway authority on telephone number 01724 297319 to arrange for the relevant permissions/licenses to be issued.

Informative 3

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.

