

APPLICATION NO	PA/2017/1975
APPLICANT	Mr A Carruthers
DEVELOPMENT	Outline planning permission to erect up to 23 dwellings with appearance, landscaping, layout and scale reserved for subsequent approval
LOCATION	Off Westgate Road, Westgate, Belton
PARISH	Belton
WARD	Axholme Central
CASE OFFICER	Andrew Willerton
SUMMARY RECOMMENDATION	Subject to a section 106 agreement, grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Departure from the development plan Objection by Belton Parish Council

POLICIES

National Planning Policy Framework (2018):

Chapter 2 – Achieving sustainable development

Chapter 4 – Decision making

Chapter 5 – Delivering a sufficient supply of homes

Chapter 9 – Promoting sustainable transport

Chapter 11 – Making effective use of land

Chapter 12 – Achieving well-designed places

Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Chapter 15 – Conserving and enhancing the natural environment

Chapter 16 – Conserving and enhancing the historic environment

North Lincolnshire Local Plan:

Policy RD2 – Development in the Open Countryside

Policy H5 – New Housing Development

Policy H8 – Housing Design and Housing Mix

Policy T2 – Access to Development

Policy T19 – Car Parking Provision and Standards

Policy LC14 – Area of Special historic Interest

Policy DS1 – General Requirements

Policy DS14 – Foul Sewage and Surface Water Drainage

Policy DS16 – Flood Risk

North Lincolnshire Core Strategy:

Policy CS1 – Spatial Strategy for North Lincolnshire

Policy CS2 – Delivering More Sustainable Development

Policy CS3 – Development Limits

Policy CS5 – Delivering Quality Design in North Lincolnshire

Policy CS6 – Historic Environment

Policy CS7 – Overall Housing Provision

Policy CS8 – Spatial Distribution of Housing Sites

Policy CS9 – Affordable Housing

Policy CS19 – Flood Risk

Policy CS25 – Promoting Sustainable Transport

Housing and Employment Land Allocations DPD:

Policy PS1 – Presumption in Favour of Sustainable Development

CONSULTATIONS

Environment Agency: No objections.

Highways: No objections subject to conditions.

Drainage: No objections subject to conditions.

Environmental Health: Suggest a Phase I report be supplied at this stage. No further objections subject to conditions.

Ecology: No objections subject to conditions.

Tree officer: No objection subject to a condition.

Strategic Housing: Request 10% on-site affordable housing provision.

HER: Object on the grounds of harm to historic landscape character.

Spatial Planning: No objections. Financial contributions required towards recreation, and potentially SUDS maintenance.

Education: No objection. No contributions required.

Water Level Management Board: No objections.

PARISH COUNCIL

Object on grounds of principle, highway safety and ecology.

PUBLICITY

The application has been advertised by site notice. Approximately 200 letters of objection have been received raising the following, summarised concerns:

- The proposal would result in harm to a heritage asset and this should be weighted heavily against the scheme. This stance is supported by relevant case law.
- The site is located in an unsustainable location.
- The proposal would detract from the character of the area.
- The proposal would set a dangerous precedent.
- The proposal would be of detriment to highway safety.
- Services in the area cannot support developments of this nature and this is not a sustainable location.
- There are alternative sites available to accommodate this development.
- The proposal is contrary to the current development plan.
- The proposal will have an adverse impact on local ecology.
- The proposal would have an adverse impact on the character of the site and surrounding area.
- The proposal would have an unacceptable impact on trees.
- The proposed dwelling density is too high.
- The proposals would harm neighbouring living conditions.
- The proposal may increase flood risk/drainage problems.
- The proposal may be disruptive during the construction phase.

ASSESSMENT

Site

The application site comprises a broadly rectangular parcel of land measuring approximately 0.9 hectares in size. The site is located within the small rural settlement of Westgate, which is physically connected to the large settlement of Belton to the east.

The site currently comprises a dwellinghouse adjacent to Westgate Road and outbuildings and paddocks to the rear. The site is located close to the junction of Westgate Road and Carrhouse Road. Access is gained via Westgate Road to the north, with the existing 119 Westgate Road proposed for demolition to facilitate this.

The site is bounded by residential dwellings to the west and north. To the south the site is bounded by a highly landscaped parcel of land belonging to properties on Carrhouse Road and to the east the site is bounded by an open field.

The site is located within Flood Zone 1 (low risk) and falls within an area of Special Historic Landscape Interest (policy LC14 of the NLLP). The site is not subject to ecological designations, nor are there any designated heritage assets within or adjacent to the site.

Proposal

This application seeks outline planning permission for up to 23 dwellings with appearance, landscaping, layout and scale reserved for subsequent approval. Access is being considered as part of this application.

The main issues to consider in the determination of this application are whether the principle of residential development is acceptable and whether the proposal would have an unacceptable impact in respect of highway safety or the historic landscape.

Principle

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. In this instance the development plan consists of the saved policies of the North Lincolnshire Local Plan (NLLP), the North Lincolnshire Core Strategy (NLCS) and the Housing and Employment Land and Allocations Development Plan Document (HELADPD).

Policy CS1 of the Core Strategy sets out a 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 Belton. Westgate has no designated development limit. No sites for housing were allocated within Westgate or Belton within the HELAP.

Local plan 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, it has largely been overtaken by policies in subsequent plans addressing the same issue (such as policies CS2 and CS3 referenced above).

The afore-mentioned policies are aimed at focussing housing within settlement limits as defined in the Housing and Employment Land Allocations DPD. The application site is located exclusively in the open countryside, outside of any designated development boundary and is therefore in breach of policies CS2, CS3 and CS8 of the Core Strategy and policy RD2 of the local plan.

Notwithstanding the development plan policies set out above, the NPPF is a material consideration when determining planning applications. Footnote 7 of paragraph 11 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 policy 73 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 footnote 7 of paragraph 11 of NPPF triggers the 'tilted

balance' in paragraph 11(d) of the Framework 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.

There are three overarching objectives to sustainable development as set out in paragraph 8 of the Framework. These are: economic, social and environmental. These objectives are independent and need to be pursued in mutually supportive ways.

The proposed development would have the social and economic benefits of addressing the current under-supply of housing land by the provision of market housing as well as affordable housing (in line with policy CS27). Investment in construction and related employment would represent a benefit, as would the support which the additional population would produce for the local economy. There are local facilities within reach of the site on foot and a wide range of further services accessible by bicycle; public transport is also available.

It is acknowledged that Westgate is a smaller rural settlement with limited facilities, which ranks 53rd overall out of all settlements in North Lincolnshire and as such is not considered to be a sustainable settlement in its own right. However, Westgate lies immediately to the west of, and is physically linked to, the larger settlement of Belton, with a floodlit footpath running along Westgate Road providing pedestrian access to this settlement. Belton is considered to be a sustainable settlement, ranking 19th out of all settlements in North Lincolnshire and providing a range of services for the local community. Indeed, Belton plays an important role in meeting the needs of residents in the adjoining settlements of Westgate and Carrhouse. Paragraph 78 of the Framework, which seeks to secure the vitality of rural communities, confirms that "*Where there are groups of smaller settlements, development in one village may support services in a village nearby*". Therefore, the proposal is considered to accord with the need to site development in locations with accessible local services. These matters weigh heavily in favour of the proposal in terms of the economic and social dimensions of sustainability.

In terms of the environmental dimension, the development will clearly result in the loss of greenfield land, and will have an adverse impact on the Isle of Axholme Historic Landscape, which is an environmental disbenefit. As mentioned above, the site is located in a residential area and is bounded by residential development on two sides (north and west); to the south the site is further enclosed by a heavily landscaped parcel of land belonging to a neighbouring property and is bound to the east by agricultural land separated from the site by mature hedging. Therefore the site is comparatively well contained. Further consideration is given to the historic landscape below. However, given the fact that the site comprises open paddocks, is comparatively well enclosed, and lies directly adjacent to existing residential development, it is considered that the landscape impact would be mitigated to some degree. Further mitigation can be secured at the reserved matters stage when the layout and landscaping of the proposal are considered.

The council's conservation officer has confirmed that the site comprises commonplace habitats and is currently of limited biodiversity value, and that, subject to conditions, the development is unlikely to have an adverse impact on protected species. The site is not designated as being of specific ecological importance, nor is it located adjacent to such a designation. Furthermore, the proposed development has the potential to provide biodiversity enhancement through a well-designed landscaping scheme; this will be considered at the reserved matters stage.

Overall, the site is considered to be of relatively low environmental sensitivity. Although there would be some harm to the character and appearance of the historic landscape 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 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.

Heritage

The application site lies within the Area of Special Historic Landscape Interest of the Isle of Axholme. Policy LC14 is therefore considered of relevance. This policy aims to ensure new developments do not have an unacceptable impact on the character, appearance or setting of the historic landscape, or any of its features.

The historic landscape is a non-designated heritage asset as defined in the NPPF. Paragraph 192 sets out how local planning authorities should determine planning applications involving heritage assets:

'In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c) the desirability of new development making a positive contribution to local character and distinctiveness.'*

Paragraph 197 is specific in relation to non-designated heritage assets:

'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'

During consideration of the application, the applicant has supplied a Heritage Statement which concludes:

'Accepting that there are, at most, negligible levels of harm associated with the infill of the current plot and favourable opportunity to introduce more vernacular architecture to the built-up edge of the village of Westgate, this report finds that the impact of the proposed

development on the ability to appreciate the heritage significance of the non-designated heritage asset of the Isle of Axholme from within its setting as neutral.'

This conclusion is in conflict with the conclusion of the HER officer who states:

'The Historic Environment Record recommends refusal of planning permission for residential development at this site as it would adversely affect the character, appearance and setting of the historic landscape of the Isle of Axholme, including the historic landscape character types of the Early Enclosed Land and the Ancient Open Strip Field (Belton Open Field), as well as the historic settlement form of Westgate. This would be contrary to local plan policies LC14, LC7 and RD2, and Core Strategy policy CS6. The proposal would not be in accord with NPPF 192 or 200 as the proposed development would not make a positive contribution to local character and distinctiveness, and would detract from the significance of the historic landscape at this location.'

The HER officer has recommended that the application site be reduced in area to lessen harm.

It is considered clear that a residential development at this location would result in inevitable encroachment into the historic landscape. In accordance with guidance in the NPPF, a balanced judgement needs to be reached which factors in the significance of the heritage asset, and the scale of the resultant harm.

The significance of the heritage asset is common ground between all parties: the landscape is of national significance, and is one of the best surviving examples of its kind in the country. However, the proposal is of a relatively limited scale, and the impacts of the scheme can be limited to a degree via appropriate design and landscaping at reserved matters stage.

The HER officer appears to suggest a more limited site area would be deemed acceptable. This may be the case but such a scheme is not proposed by the applicant. In this instance it is considered that the relatively small scale of development would ensure the harm would not be significant.

The surrounding area is known to be of archaeological interest. The applicant has undertaken initial trial trenching which suggests archaeological remains may be present throughout the site. The council's HER officer is happy with the results of the trenching and conditions are recommended to ensure further investigation and recording takes place prior to the commencement of development.

Ecology/trees

The applicant has provided a detailed tree report which demonstrates that none of the trees within the site are of category A status. Furthermore, none of the trees within the site are the subject of a tree preservation order.

To accommodate 30 dwellings within the site it will be necessary to remove a number of the trees within the site. To mitigate the loss of such trees it will be necessary for the applicant to provide soft landscaping and potentially replanting within the site. Subject to this matter being fully addressed at reserved matters stage it is considered that the removal of trees within the site does not represent a barrier to the grant of planning permission.

The applicant has also provided an ecological report which demonstrate some limited ecological value at the site. The council's ecologist has offered no objections to the scheme subject to conditions. The proposal is therefore considered acceptable in this regard.

Design

Outline planning permission is sought for up to 23 dwellings within the site. All matters are reserved with the exception of access. The application is supported by an indicative layout plan which shows a mixture of detached and terraced plots.

It is acknowledged that the proposed dwelling density at the site would be higher than the prevailing densities within the area. However, subject to sensitive design at reserved matters stage, including consideration of heights, footprints and materials, it is considered that the proposal would not have a detrimental impact on character to a point worthy of refusal.

It is therefore considered that the proposed scheme would not have a detrimental impact on the character of the area and accords with policies DS1 of the NLLP, CS5 of the NLCS and relevant guidance contained within the NPPF.

Residential amenity

The submitted site plan shows that 23 dwellings could be provided with sufficiently sized rear garden areas. There is sufficient space to ensure that future residents would be provided with a sufficiently high standard of living environment.

Subject to a considered design at reserved matters stage it is considered that the site can accommodate up to 23 well-sized dwellings without resulting in an unacceptable degree of harm to neighbouring living conditions. It will be crucial to ensure that any reserved matters application strikes the appropriate balance between the need to protect residential amenity, the need to respectfully relate to the character of the area, and the need to provide high quality accommodation within the site.

It is accepted that there would be some disruption to local residents during the construction phase. This impact can be sufficiently mitigated by controls on construction hours, and a requirement for the provision and adherence to a construction environmental management plan.

It is therefore considered that the proposal would provide a sufficiently high standard of living environment within the site without unacceptably impacting on living conditions at any neighbouring dwelling.

Highways safety

Following a site visit, the council's Highways officer has offered no objections to the access arrangement, subject to conditions. Concerns exist relating to the internal layout, with the officer stating:

'While I accept that the layout shown is indicative, I am not happy with the number of units served by what look to be private drives and I do not feel that the square is appropriate or needed on this type of development.'

The applicant would need to consider these comments in the preparation of a more detailed layout plan at reserved matters stage.

Whilst it is accepted that the proposal would result in an increase in vehicular movements, it is not considered that the scale of the development would place unacceptable strain on the existing highway network.

It is therefore considered that the scheme would not have an unacceptable impact on vehicular or pedestrian safety and sufficiently accords with policy in this regard.

Drainage/flood risk

The application site is not located within an area known to be at risk of flooding according to national flood risk maps. The Environment Agency (EA) has offered no objections to the scheme and has confirmed that the site is well above the critical flood level for the area.

It is noted that the site is partially within zone 2/3a according to the local planning authority's Strategic Flood Risk Assessment. However, there is no actual risk of flooding at the site and the EA's maps are considered more accurate in this regard. It is also considered that the sequential and exceptions tests would be comfortably passed given the nature of the development and the extent of the 2/3a zone in the SFRA.

The applicant has provided an initial drainage strategy and no objections have been received from the Lead Local Flood Authority. Appropriate conditions can be attached to any approval to ensure further details are adequately controlled at reserved matters stage.

It is therefore considered that the type/scale of development would not place unacceptable strain on existing drainage infrastructure. Furthermore, the proposal would not be at unacceptable risk from flooding and would not give rise to an increase in flood risk in the locality.

Land contamination

The proposal would introduce a sensitive receptor (residential dwellings) to the site. Any approval would need to be accompanied by appropriate conditions ensuring adequate investigative, and if required mitigatory, works would take place prior to the commencement of development to ensure human health would be adequately protected. Subject to such controls it is considered that the scheme would be acceptable in this regard.

Section 106 contributions

Following receipt of relevant consultation responses, and discussions with the applicant, it has been agreed that the following contributions would be secured by a section 106 agreement:

- on-site provision of three dwellings for affordable housing (10% of total development)
- an off-site recreation contribution of £9460.20 (index linked).

The council's Education team has confirmed that there is no requirement for an educational contribution towards the provision of either primary or secondary educational infrastructure in this instance.

Other issues

The following issues have not been expressly addressed in the above report:

- The proposal would set a dangerous precedent – *each application must be treated on its own merits.*
- There are alternative sites available to accommodate this development – *each application must be treated on its own merits.*
- Objectors to the scheme have highlighted two examples of case law which they consider justify the refusal of the scheme on heritage grounds (Suffolk Coastal and Barnwell) – *it is considered that the approach set out above, which considers the significance of the heritage asset and the impact on the asset, and weighs this in the planning balance, is consistent with all relevant case law.*

Conclusion

The proposed development conflicts with some of the restrictive policies of the development plan due to the site being located outside of defined development limits where residential development is not normally supported and within an area of special historic landscape interest. However, the proposal is considered to constitute sustainable development which would make an important contribution towards meeting a proven shortfall in the provision of housing land within North Lincolnshire. Given the lack of a demonstrable five-year supply of deliverable housing sites, it is considered that the benefits of the proposed development with regard to the delivery of housing must be given significant weight in the planning balance. The adverse impacts of the development are considered to not significantly and demonstrably outweigh the benefits and as such, in line with the 'tilted balance' set out in paragraph 11 of the NPPF, the development must be considered acceptable and should be approved.

RECOMMENDATION

Subject to the completion of a formal agreement under Section 106 of the Town and Country Planning Act 1990 providing for:

- **on-site provision of three dwellings for affordable housing (10% of total development); and**
- **an off-site recreation contribution of £9460.20 (index linked);**

the committee resolves:

- (i) it is mindful to grant permission for the development;**
- (ii) the decision be delegated to the Group Manager – Development Management and Building Control upon completion of the obligation;**
- (iii) if the obligation is not completed by 28 May 2019 the Group Manager – Development Management and Building Control be authorised to refuse the application on grounds of non-compliance with policy CS9 of the North**

Lincolnshire Core Strategy, and policies H8 and DS1 of the North Lincolnshire Local Plan; and

(iv) the permission so granted be subject to the following conditions:

1.

Approval of the details of the layout, scale and appearance of the building(s), 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, 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.

Construction and site clearance operations shall be limited to the following hours:

- 7am to 7pm Monday to Friday

- 7am to 1pm on Saturdays.

No construction operations shall take place on Sundays or public/bank holidays.

HGV movements shall not be permitted outside these hours during the construction phase without prior written approval from the local planning authority.

Installation of equipment on site shall not be permitted outside these hours without prior written approval from the local planning authority.

Reason

For the protection of residential amenity and to accord with policy DS1 of the North Lincolnshire Local Plan.

6.

No authorised development shall commence until a construction environmental management plan (CEMP) has been submitted to and approved in writing by the local planning authority. This shall include details of mitigation measures for the control of pollution including noise, vibration, dust and light. All construction work shall be carried out in accordance with the approved CEMP unless otherwise agreed in writing by the local planning authority.

Reason

For the protection of residential amenity.

7.

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.

8.

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 the vehicle parking space(s) 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.

9.

Within three months of the completion of the new access, any redundant access to the site shall be removed and the area reinstated to footway/verge (including the provision of full height kerbs) 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.

10.

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.

11.

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.

12.

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

14.

No development shall begin until details of:

- (i) the layout, drainage, construction, services and lighting of the proposed access road, including the junction with the adjacent highway; and
- (ii) the number and location of vehicle parking space(s) on 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.

15.

No dwelling on the site shall be occupied until the access road has been completed to at least base course level and adequately lit from the junction with the adjacent highway up to the access to the dwelling.

Reason

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

16.

No other works shall be commenced on the site until the access road junction with the adjacent highway, including the required visibility splays, has been set out and established.

Reason

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

17.

No dwelling on the site shall be occupied until the footway has been constructed up to base course level from the junction with the adjacent highway to the access to the dwelling.

Reason

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

18.

No works shall be commenced on the penultimate dwelling on the site until the access road has been completed.

Reason

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

19.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 (or any order revoking and re-enacting that order with or without modification), no development shall take place within any service strip adjacent to any shared surface road, and any planting or landscaping within this service strip shall be of species which shall be agreed in writing with the local planning authority prior to planting.

Reason

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

20.

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.

21.

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 bats, hedgehogs and nesting birds during demolition, vegetation clearance and construction works;
- (b) details of bat roosting features to be installed in at least seven new dwellings;
- (c) details of at least eight bird nesting features to be installed to support a variety of species, including swift and house sparrow;
- (d) restrictions on lighting to avoid impacts on bat roosts, bat foraging areas, bird nesting sites and sensitive habitats;
- (e) provision for hedgehogs to pass through any fencing installed between gardens and between areas of grassland;

- (f) prescriptions for the planting and aftercare of native trees, shrubs and wildflowers of high biodiversity value;
- (g) details of existing trees, shrubs and hedgerows to be retained;
- (h) prescriptions for biodiversity enhancement in drainage features;
- (i) a commitment to provide each new dwelling with a wildlife gardening advice pack to be approved in writing by the local planning authority;
- (j) proposed timings for the above works in relation to the completion of the dwellings.

Reason

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

22.

The biodiversity management plan shall be carried out in accordance with the approved details and timings, and the approved features shall be retained thereafter, unless otherwise approved in writing by the local planning authority. Prior to the occupation of the twentieth dwelling hereby approved, the applicant or their successor in title shall submit a report to the local planning authority, providing evidence of compliance with the biodiversity management plan.

Reason

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

23.

No development shall take place until an archaeological mitigation strategy, as defined in a brief prepared by the North Lincolnshire Historic Environment Record, has been submitted to, and approved in writing, by the local planning authority. The strategy shall include details of the following:

- the proper identification and assessment of the extent, character and significance of archaeological remains within the application area
- measures to ensure the preservation by record of archaeological features of identified importance
- methodologies for the recording and recovery of archaeological remains, including artefacts and ecofacts
- post-fieldwork methodologies for assessment and analyses
- report content and arrangements for dissemination, and publication proposals
- archive preparation and deposition with recognised repositories

- a timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the strategy
- monitoring arrangements, including the notification in writing to the North Lincolnshire Historic Environment Record Office of the commencement of archaeological works and the opportunity to monitor such works
- a list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications.

Reason

To comply with paragraph 141 of the National Planning Policy Framework, policy CS6 of the North Lincolnshire Core Strategy and policy HE9 of the North Lincolnshire Local Plan because a structure of local historic interest is to be demolished and archaeologically significant remains may be destroyed during groundwork associated with this development.

24.

No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of the approved archaeological mitigation strategy, including notification to the local planning authority of the commencement of archaeological works. The approved archaeological mitigation strategy shall then be carried out in accordance with the approved details and timings, subject to any variations agreed in writing by the local planning authority.

Reason

To comply with paragraph 141 of the National Planning Policy Framework, policy CS6 of the North Lincolnshire Core Strategy and policy HE9 of the North Lincolnshire Local Plan because a structure of local historic interest is to be demolished and archaeologically significant remains may be destroyed during groundwork associated with this development.

25.

A copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy and historic building recording shall be deposited at the North Lincolnshire Historic Environment Record within six months of the date of completion of the development hereby approved by this permission or such other period as may be agreed in writing by the local planning authority.

Reason

To comply with paragraph 141 of the National Planning Policy Framework, policy CS6 of the North Lincolnshire Core Strategy and policy HE9 of the North Lincolnshire Local Plan because a structure of local historic interest is to be demolished and archaeologically significant remains may be destroyed during groundwork associated with this development.

26.

No development shall take place until a strategy for the management of surface water drainage, that includes the implementation of SUDS, and their adoption and maintenance agreements, has been submitted to and agreed in writing by the local planning authority.

Reason

To prevent the increased risk of flooding and to accord with policies DS16 of the North Lincolnshire Local Plan, and CS18 and CS19 of the North Lincolnshire Core Strategy.

27.

The drainage scheme shall be implemented in accordance with the details approved under condition 26, completed prior to the occupation of any dwelling, and retained and maintained thereafter for the lifetime of the development unless otherwise agreed in writing with the local planning authority.

Reason

To prevent the increased risk of flooding and to accord with policies DS16 of the North Lincolnshire Local Plan, and CS18 and CS19 of the North Lincolnshire Core Strategy.

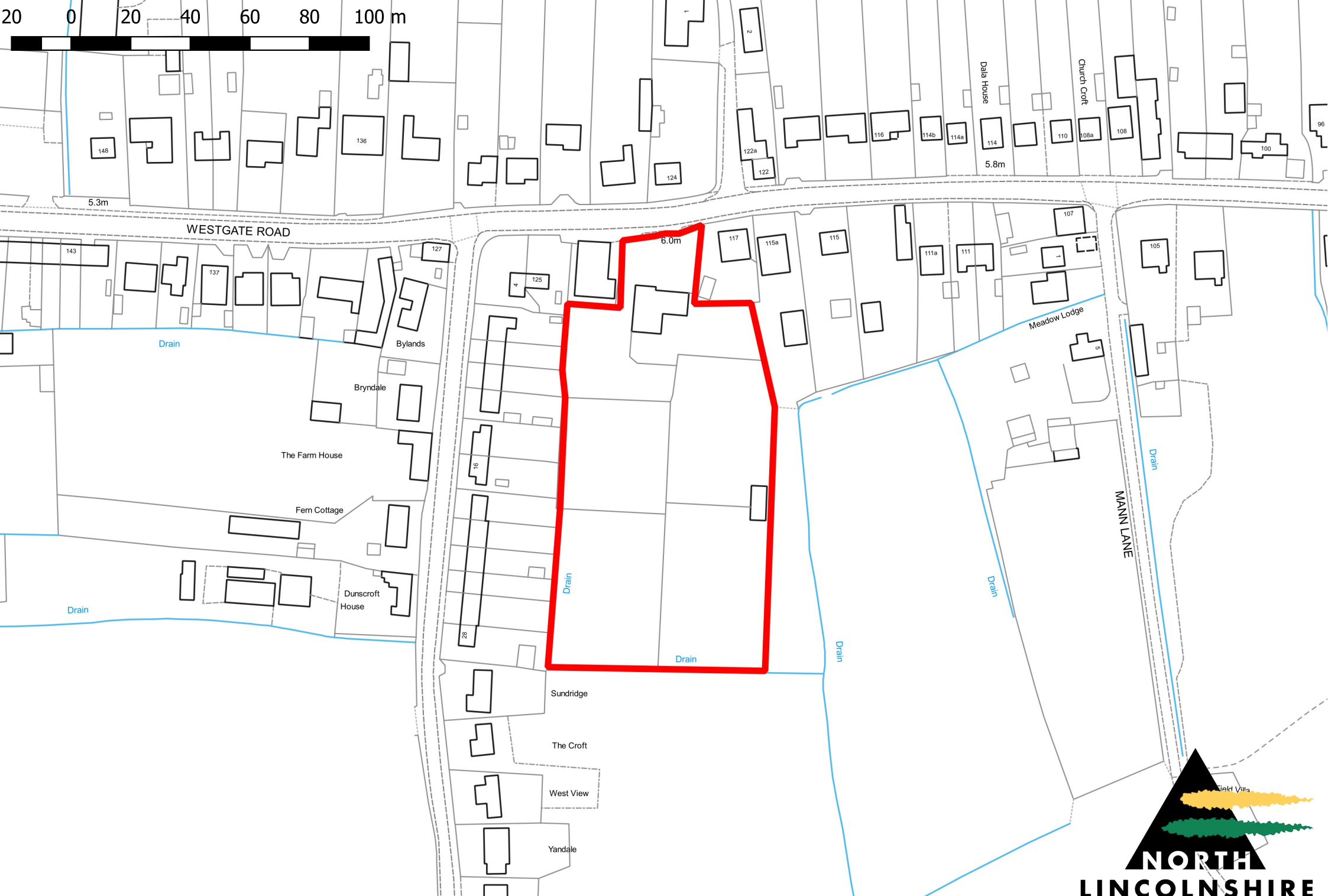
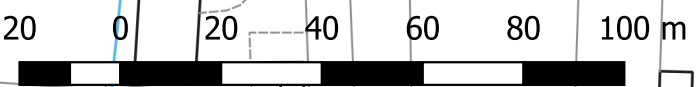
Informative 1

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 2

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.



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