

<b>APPLICATION NO</b>	<b>PA/2018/1292</b>
<b>APPLICANT</b>	Mr Tony Pearson
<b>DEVELOPMENT</b>	Planning permission to erect a detached dwelling
<b>LOCATION</b>	Land between 47 and 51 Akeferry Road, Westwoodside, Haxey
<b>PARISH</b>	Haxey
<b>WARD</b>	Axholme South
<b>CASE OFFICER</b>	Tanya Coggon
<b>SUMMARY RECOMMENDATION</b>	<b>Grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Objection by Haxey Parish Council Member 'call in' (Cllr David Rose – significant public interest)

## **POLICIES**

**National Planning Policy Framework:** Paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

Paragraph 8 states that achieving sustainable development means that the planning system has three overarching objectives (economic, social and environmental), 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).

Paragraph 9 states that these objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

Paragraph 11 states that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision taking.

Paragraph 47 states that planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise.

Paragraph 68 states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly.

Paragraph 77 states that in rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs.

Paragraph 78 states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Paragraphs 124–127 state that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Paragraph 170 states 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).

Paragraph 175 states that development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

Paragraph 189 states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting.

Paragraph 190 states that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 192 states that 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 200 states local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

### **North Lincolnshire Local Plan:**

DS1 (General Requirements)

DS7 (Contaminated Land)

T2 (Access to Development)

T19 (Car Parking Provision and Standards)

LC12 (Protection of Trees, woodland and Hedgerows)

LC14 (Area of Special Historic Landscape Interest)

RD2 (Development in the Open Countryside)

H5 (New Housing Development)

H8 (Housing Design and Housing Mix)

DS14 (Foul Sewage and Surface Water Drainage)

DS16 (Flood Risk)

### **North Lincolnshire Core Strategy:**

CS1 (Spatial Strategy for North Lincolnshire)

CS2 (Delivering More Sustainable Development)

CS3 (Development Limits)

CS5 (Delivering Quality Design in North Lincolnshire)

CS6 (Historic Environment)

CS7 (Overall Housing Provision)

CS8 (Spatial Distribution of Housing Sites)

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

CS17 (Biodiversity)

CS19 (Flood Risk)

### **CONSULTATIONS**

**Highways:** No objection to the original or amended plans subject to conditions.

**Drainage:** No objection subject to conditions.

**Environmental Health:** No objection subject to a contamination condition.

**HER (original plans):** The site is within the Area of Special Historic Landscape Interest of the Isle of Axholme (local plan policy LC14). This area is designated for its unique historic landscape retaining the pattern of ancient open strip fields and early enclosures surrounding the villages on the Isle; the application site is located within the early enclosures between Westwoodside and Haxey. New information has come to light that old farm buildings at 47 Akeferry Road are a rare survival of a 19th century farmstead typical of the traditional farms of this period. The former farmhouse and adjoining barn are the sole surviving example of the vernacular form in this area and make a valuable contribution to the setting and significance of the historic landscape character.

The proposed new dwelling would be located within the former garden/yard of no. 47, immediately adjacent to the farmstead. The proximity of the proposed dwelling, and its scale, height and mass, would overwhelm the older farmhouse and its relationship with the historic landscape and will therefore alter and damage the character and setting of the historic landscape in this location, contrary to LC14.

**HER (amended plans):** The amended position of the proposed dwelling has marginally less impact on the neighbouring historic farmstead buildings at 47 Akeferry Road. The amended site plan and recently submitted street scene sketches show the two historic barns as retained but not the historic farmhouse that links these two structures; the implication is that the farmhouse will be demolished. The farmhouse is not a designated heritage asset and is not protected by legislation; a replacement dwelling has already been built at the rear (planning permission PA/2005/0514). The loss of the former farmhouse would diminish the character of the historic landscape in this location and its demolition would be regrettable but could not be prevented as a non-designated heritage asset. The farmhouse is, however, extant at the time of writing; it is noted that the planning application site is a separate property. The development would be detrimental to the character and the setting of the historic landscape of the Isle of Axholme, contrary to local plan policies LC14 and Core Strategy policy CS6. The proposal would not accord with paragraphs 192 or 200 of the National Planning Policy Framework (NPPF) 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.

**Trees (original plans):** The dwelling is located within the root protection areas of some of the trees on the site frontage and should be re-sited. The use of 3d cellular on the site has been noted; however, it should be remembered that this requires to be laid within the protection areas without any scraping of soils or compaction of the site having taken place and, if minded to give consent on the application, the use of this system as advocated by the manufacturer should be conditioned. Also, the location of service trenches on and off the site would need to be outside these protection areas. The existing frontage line of green infrastructure should be retained and improved, if possible, and, other than those considered within the report to be of poor quality such that they require removal, the trees should be retained.

**Trees (amended plans):** No objection subject to landscaping and tree protection conditions.

**Ecology:** No objection subject to conditions.

**Environment Agency:** No objection

## PARISH COUNCIL

**(Original plans):** 'The site is large, it is not been previously developed and therefore is not a brownfield site and can best [be] described as former garden between 47 and 51 Akeferry road, albeit the numbering suggests it was intended for development, it cannot be regarded as other than greenfield and subject to NPPF 48 and 53. No identified need or community benefits are demonstrated CS8. The immediate street scene is largely dormer or bungalows on the site side of the road with modern houses on the opposite side of the road. The proposed building has been reduced in size but remains large, it will create a dominant feature and we have concerns about the rear balconies and loss of privacy to neighbours. The design of the development reflects a more traditional style of building and this element is a welcome feature of the proposal. The historic environment record identifies the historic value of the farm house close to the proposal, it is our understanding the grant of permission at number 47 included a requirement to demolish the farmhouse and this has not been carried out. We do however support the views expressed in relation to the farmhouse and the possible damage such a development may have on it. No evidence is provided of a current housing need for this type of development CS1 CS2. It is not affordable or social housing and Westwoodside is on the settlement hierarchy, is a rural village and ranked 18 this means there are limited facilities and a proven need has to be demonstrated as it is not social or affordable, no such evidence has been provided CS8. It is our view it fails the sustainability test.

'1. Economic role is not the right type of land in the right places.

'2. Social role it will place further pressure on the limited resources

'3. Environmental role it neither enhances or protects the environment.

'It is not supported by policies in the NLC Local Plan CS1 5.43. To support this aim small-scale development will be allowed in rural settlements. However, the scale of new development will be limited and reflect local needs as well as the availability of facilities, services and infrastructure. Development will also make the best use of existing land and buildings within these settlements CS2 3. Small scale developments within the defined development limits of rural settlements to meet identified local needs.

'NPPF48 Local planning authorities may make an allowance for windfall sites in the five-year supply if they have compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply. Any allowance should be realistic having regard to the Strategic Housing Land Availability Assessment, historic windfall delivery rates and expected future trends, and should not include residential gardens. NPPF 53 Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area. CS8 the first priority is to re-use previously developed land and buildings within North Lincolnshire's built up areas which will be promoted by setting a target of 30% of the housing provision on such land. Second priority will be given to other suitable infill opportunities in North Lincolnshire's built up areas. Development on greenfield sites will only be allowed where it can be demonstrated that this will bring additional community benefits, contributing to building sustainable communities and is acceptable in terms of its impact on the high-quality environment of the urban space and adjoining countryside. Consideration has been given to the following:

- '1. No housing need for the type and size proposed.
- '2. It does not make best use of land garden/greenspace.
- '3. It damages the character of a rural village.
- '4. Historic value of the farmhouse.'

**(Amended plans):** 'Nothing in this application amendment appears to change our previous comments. We would expect highway conditions to be adhered to. The original comments made by the parish council also apply to the amended plans.'

## **PUBLICITY**

Both the original and the amended plans have been advertised by site notice. Three letters of objection have been received to the original plans and two in relation to the amended plans, raising the following issues; any further responses to the amended plans will be reported verbally at the planning committee meeting:

- the house is too large
- it would be out of character due to its scale, bulk and design
- detrimental impact on the area and adjacent properties
- contrary to policy
- intrusive and domineering
- over-development
- outside development boundary
- overbearing and will overlook adjoining properties
- domineering to the historic farm buildings
- it would overwhelm the adjacent farmhouse and its relationship with the historic landscape
- contrary to LC14
- loss of wider views of the historic landscape
- hedge and trees along site frontage have amenity and landscape value
- part of the site is agricultural land outside the development limit
- the amended siting will further impinge more severely in the rear of the property and on the garden

- the street scene sketch demonstrates that the development is out of character with the current street scene and emphasises the bulk, design and visually domineering nature of the property which is contrary to policies CS1 and CS5 of the Core Strategy
- the site still extends beyond the development limit into agricultural land contrary to policy CS3 of the Core Strategy; the property when contained within the development limit shows little amenity space and this constitutes over-development
- loss of privacy and amenity
- the farmhouse has not been removed from the site and has been allowed to enter into a dilapidated state despite its historic importance
- the adjacent barns will be dominated by the scale, height and mass of the proposed dwelling contrary to policy LC14 of the North Lincolnshire Local Plan.

## **ASSESSMENT**

This proposal is for the erection of a detached dwelling. It is a resubmission of PA/2017/1330 which was refused on design grounds, impact on the neighbour and impact on the trees. The applicant has now revised the scheme in an attempt to overcome the initial reasons for refusal. During the course of the application, the scheme has been amended to re-site the dwelling further back into the site to safeguard the trees located on the site frontage and consultations have taken place on the amended plans.

The proposal is for a large L-shaped detached dwelling with an integral garage that has been designed to resemble a barn. The windows, doors and fenestration on the front elevation are characteristic of a traditional barn. An integral garage with a bedroom above will be located in the projecting gable end. The site is partially located within the development boundary of Westwoodside with the rear of the application site located outside the development boundary. The proposed dwelling will be located just within the development boundary with some of the rear garden area located outside the development boundary within the open countryside. The site is not considered to be a brownfield site. It is located in a residential area with dwellings located to the north, east and west. Immediately to the west are redundant agricultural buildings. The site is heavily screened on the site frontage by various trees, hedging and bushes; a tree survey has therefore been submitted with the application. The site lies in flood zone 2/3a and is therefore at high risk of flooding.

**The main issues associated with the application are: whether the principle of the development is acceptable and, if so, whether the design and impact on the area are too; and whether the development is acceptable in terms of flood risk, drainage and impact on the trees, the LC14 and neighbours.**

### **The principle of the development**

In terms of the planning principle of the site, the dwelling and some of the rear garden area will be located within the development boundary of Westwoodside, where, in principle, residential development is considered to be acceptable. Westwoodside has a number of key services such as a shop, public house, dentist, takeaway and garage, and is located on a bus route to Scunthorpe and Doncaster. Westwoodside is placed 19<sup>th</sup> in the Sustainable Settlement Survey in 2016 and is therefore regarded as a sustainable settlement. The

proposal is regarded as a sustainable form of development. The council does not have a five-year housing land supply. This currently is 3.9 years, therefore there is a need for housing in North Lincolnshire. It is accepted that some of the rear garden is located within the open countryside as it is outside the development boundary. This is not an uncommon situation within some of the rural settlements. The proposal therefore accords with guidance in the NPPF and policies CS1, CS2, CS3, CS7 and CS8 of the Core Strategy.

### **Design and impact on the amenity of the locality**

In terms of design, Akeferry Road comprises a mix of housing types and designs. There are some very substantial dwellings located on Akeferry Road and some more modest dwellings. The applicant has designed the dwelling to resemble a traditional barn which is characteristic of the rural area and would be in character with the former farmstead to the west. The applicant has also submitted streetscape elevations illustrating the proposed dwelling in relation to the bungalow and the former barn building it is sited between, and the new, modern property located to the west of the application site. The applicant has amended the design from the original submission under PA/2017/1330 to reduce the height and depth of the projecting gable end and re-site the dwelling further away from the boundary with 51 Akeferry Road. The dwelling has also been re-sited further back into the site to safeguard the trees on the site frontage. It is considered that the proposed dwelling, although it is a large property, has been designed to reflect the character and appearance of the area. The proposal therefore accords with the NPPF, policies CS5, CS7 and CS8 of the Core Strategy, and policies H5, H8 and DS1 of the North Lincolnshire Local Plan.

### **Flood risk**

The site lies within flood zone 2/3a of the council's SFRA. The applicant has submitted a Flood Risk Assessment with the proposal. The site is at high risk of flooding and the sequential and exceptions test must be passed as the development is regarded as 'more vulnerable' in terms of flood risk. In terms of the sequential test there are no available sites of this nature within the development boundary of Westwoodside that are at a lower risk of flooding. There are no allocated housing sites in Westwoodside. The sequential test is therefore passed. In terms of the exceptions test the Environment Agency has raised no objection to the proposal in terms of flood risk. The site is considered to be a sustainable location for residential development and the proposal will support the services of Westwoodside. In the absence of the council having a five-year land supply the proposal will contribute to the council's housing land supply. The exceptions test is therefore passed. The proposal therefore accords with guidance in the NPPF, policy CS19 of the Core Strategy and policy DS16 of the North Lincolnshire Local Plan.

**Highways:** In terms of highways, no objections have been received subject to conditions which. It is therefore considered that the proposed access and car parking arrangements are acceptable. The proposal therefore accords with policies T2 and T19 of the North Lincolnshire Local Plan.

**Drainage:** In terms of drainage, no objections have been received subject to conditions. The proposal therefore accords with policy CS19 of the Core Strategy, and policies DS14 and DS16 of the North Lincolnshire Local Plan.

**Trees:** In terms of trees, a tree survey has been submitted by the applicant and the council's tree officer has commented on the proposal. The dwelling was shown to be within the root protection zones of some of the trees on the site frontage. As a result, the



applicant has re-sited the dwelling slightly back into the site to try and safeguard the trees on the site frontage. The council's tree officer has raised no objections to the proposal subject to conditions. The proposal therefore accords with policies CS5 and CS16 of the Core Strategy, and policy LC12 of the North Lincolnshire Local Plan.

**Ecology:** In terms of ecology, no objections have been received subject to conditions in relation to biodiversity. The proposal therefore accords with policy CS17 of the Core Strategy.

**Environmental Health:** In terms of contamination, the site may be contaminated due to the previous and adjacent uses on the site. As a result, a contamination condition is advised in accordance with the NPPF and policy DS7 of the North Lincolnshire Local Plan.

### **Impact on the LC14**

The site does lie within an Area of Special Historic Landscape Interest (LC14). This is a designated heritage asset and therefore the impact the dwelling has on the LC14 has to be carefully assessed. The comments made by HER to the original and amended plans are noted and respected. HER expresses concern that the proximity of the proposed dwelling, and its scale, height and mass, would overwhelm the older farmhouse and its relationship with the historic landscape, and will therefore alter and damage the character and setting of the historic landscape in this location, contrary to LC14.

However, the site is essentially an infill plot which will continue the existing ribbon development style pattern along Akeferry Road and the site is essentially within the development boundary of Westwoodside in a sustainable location. Any dwelling constructed on this site will affect the character and appearance of the LC14.

In relation to the adjacent farmstead, it has come to light by HER that these buildings are the sole surviving example of the vernacular form in this area and they make a valuable contribution to the setting and significance of the historic landscape character. However, PA/2015/0514 granted approval for a replacement dwelling on 47 Akeferry Road. A large, modern dwelling has been built on this site. As part of this application the dilapidated farmhouse on the frontage of Akeferry Road was shown on the plans to be demolished and the two adjoining barns were to be retained. The applicant claims that the demolition of the farmhouse is being carried out on the site and will be completed shortly. However, this former farmhouse is still on the site and has not been demolished. Also, the applicant does not own this adjacent site so the intention in relation to this former farmhouse is unclear. However, this former farmhouse is not protected by virtue of being listed or located in a conservation area and the assumption was, in the planning application documentation and plans for the approved replacement dwelling at 47 Akeferry Road (PA/2015/0514), that this particular building was to be demolished.

The applicant has submitted a streetscape elevation illustrating the appearance in the street scene of the proposed dwelling in relation to the adjoining dwellings. Trees and hedging will be retained on the front elevation. The amended plan showing the dwelling located further back into the site will also further reduce the impact the dwelling has on the street scene. The streetscape elevations demonstrate that the building designed as a barn type building will not be out of character with the area and will not significantly overwhelm the adjacent farmstead to such a degree that a refusal is justified. The height of the proposed dwelling is lower than the modern replacement dwelling constructed at 47 Akeferry Road. Akeferry Road comprises a mix of housing types and designs and so very

substantial dwellings have been permitted on this road. Therefore, on balance, it is concluded that the impact on the LC14 is acceptable in this case and the proposal accords with the NPPF, policy CS6 of the Core Strategy, and policy LC14 of the North Lincolnshire Local Plan.

### **Impact on neighbours**

In terms of neighbours, the applicant has revised the scheme to reduce the impact the proposal would have on 51 Akeferry Road. This is a bungalow with rooms in the roofspace. Following the previously refused application, the applicant has re-sited the dwelling away from the boundary so there is a distance of 6.5 metres between the properties. The proposed study window at ground floor and the rooflights in this elevation are located on the projecting gable and will not affect the neighbour's privacy due to tree screening, the distance the windows are from the boundary and the proposed boundary treatment. The Juliette balconies located on the rear elevation may introduce a small overlooking element into this neighbour's garden, but the technical householder development guidance states that Juliette balconies do not require planning permission, and as such, these style balconies could be installed on any dwelling under 'permitted development rights'. The repositioning of the dwelling slightly further back into the site does not result in any significant loss of privacy to this neighbour. The boundary treatment will also secure privacy between the dwellings. The impact the development has on 51 Akeferry Road is therefore acceptable. To the western side are old agricultural barns that are not inhabited. The proposed dwelling will be visible from 47 Akeferry Road, but no demonstrable loss of amenity will be caused to this property due to the distance between the properties. The proposed dwelling will be visible from the dwellings opposite the site, across the road. However, there will be a window to window distance of 28 metres approximately which is sufficient to secure privacy between the properties. As a result, on balance, the impact on the neighbours is considered to be acceptable and accords with policy CS5 of the Core Strategy, and policies H5, H8 and DS1 of the North Lincolnshire Local Plan.

### **Conclusion**

The site is essentially located within the development boundary of Westwoodside, where the principle of residential development is considered to be acceptable. The site is an infill plot and will continue the existing ribbon development pattern on Akeferry Road. In addition, the proposal will contribute towards the council's five-year housing supply which currently stands at 3.9 years.

In terms of flood risk, the sequential and exceptions tests are passed and the proposal is considered to be acceptable.

In terms of design, it is accepted that a large dwelling is proposed for the site, but the proposed dwelling will not be out of character with the rural area and a good standard of design has been achieved.

In terms of impact on the trees and on neighbours, these have been assessed and are considered to be acceptable.

In terms of the LC14, it is accepted that some harm will be caused to the character, appearance and setting of the LC14, although any type of dwelling located on the site will have some impact on the LC14. However, when the planning balance is applied, the

benefits of the proposal significantly outweigh the harm that will be caused to the LC14. The proposal is therefore recommended for approval.

**RECOMMENDATION      Grant permission subject to the following conditions:**

1.

The development must be begun before the expiration of three years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.

The development hereby permitted shall be carried out in accordance with the following approved plans: PC180/01 Rev A, PC180/05, PC180/03, PC180/04 and tree survey dated 5 November 2018 (P1740/1118/01).

Reason

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

3.

The development shall be carried out in accordance with the amended details received by the local planning authority on 14 November 2018 (amended site location plan) and on 16 November 2018 (tree survey).

Reason

To safeguard the trees on the site in accordance with policy CS5 of the North Lincolnshire Core Strategy and policy LC12 of the North Lincolnshire Local Plan.

4.

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.

5.

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.

6.

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.

7.

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.

8.

The dwelling shall not be occupied until the vehicular access to it and the vehicle parking and turning space(s) serving it have been completed and, once provided, the vehicle parking and turning space(s) shall be retained.

Reason

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

9.

No development shall take place until details have been submitted to and approved in writing by the local planning authority of the make, type and colour of all external facing materials for the development and only the approved materials shall be used.

#### Reason

To ensure that the building is in keeping with its surroundings in the interests of visual amenity, in accordance with policy DS1 of the North Lincolnshire Local Plan.

10.

Within three months of the commencement of development, a biodiversity management plan shall be submitted to the local planning authority for written approval. The plan shall include:

- (a) details of bat roosting and bird nesting features to be installed on the new dwelling;
- (b) restrictions on lighting to avoid impacts on bat roosts, bat foraging areas, bird nesting sites and sensitive habitats;
- (c) provision for hedgehogs to pass through any fencing installed between gardens and between areas of grassland;
- (d) prescriptions for the retention, planting and aftercare of trees and shrubs of high biodiversity value;
- (e) 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.

11.

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. The applicant or their successor in title shall submit photographs of the installed bat roosting and bird nesting features, within two weeks of installation, as evidence of compliance with this condition.

#### Reason

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

12.

No development shall take place until proposals for landscaping have been submitted to and approved by the local planning authority.

#### Reason

To enhance the appearance of the development in the interests of amenity.

13.

All the approved landscaping shall be carried out within twelve months of development being commenced (unless a longer period is agreed in writing by the local planning authority). Any trees or plants which die, are removed or become seriously damaged or diseased within five years from the date of planting shall be replaced in the next planting season with others of similar size and species to those originally required to be planted, unless the local planning authority agrees in writing to any variation.

Reason

In the interests of the amenity of the locality.

14.

No development shall take place until consent has been granted for the alteration to the adjacent highway drain for the new entrance. This must be consented by North Lincolnshire Council's LLFA Drainage Team in their capacity as Lead Local Flood Authority through an ordinary Watercourse Consent. Compliance with this guidance is to ensure the free flow of surface water is maintained throughout the development.

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.

15.

The drainage scheme shall be implemented in accordance with the approved submitted details required by condition 14 above, shall be completed prior to the occupation of the dwelling, and thereafter retained and maintained in accordance with the scheme for the life of the development unless otherwise agreed 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.

16.

During the construction and implementation of the approved development, the method of protecting the existing trees on the site throughout the construction period shall be carried out in complete accordance with the approved tree survey report, specifications and recommendations dated 5 November 2018 and maintained until completion of the development. None of the trees to be retained shall be wilfully damaged or destroyed, uprooted, felled, lopped or topped, nor any other works carried out which would cause damage to the root systems or otherwise threaten the lives of the trees during the period of construction without the previous written consent of the local planning authority. Any trees removed without such consent or dying or being severely damaged or becoming seriously diseased during that period shall be replaced with trees of such size and species as may be agreed with the local planning authority.

Reason

To safeguard the existing trees on the site in accordance with policy CS5 of the North Lincolnshire Core Strategy and policy LC12 of the North Lincolnshire Local Plan.

**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.

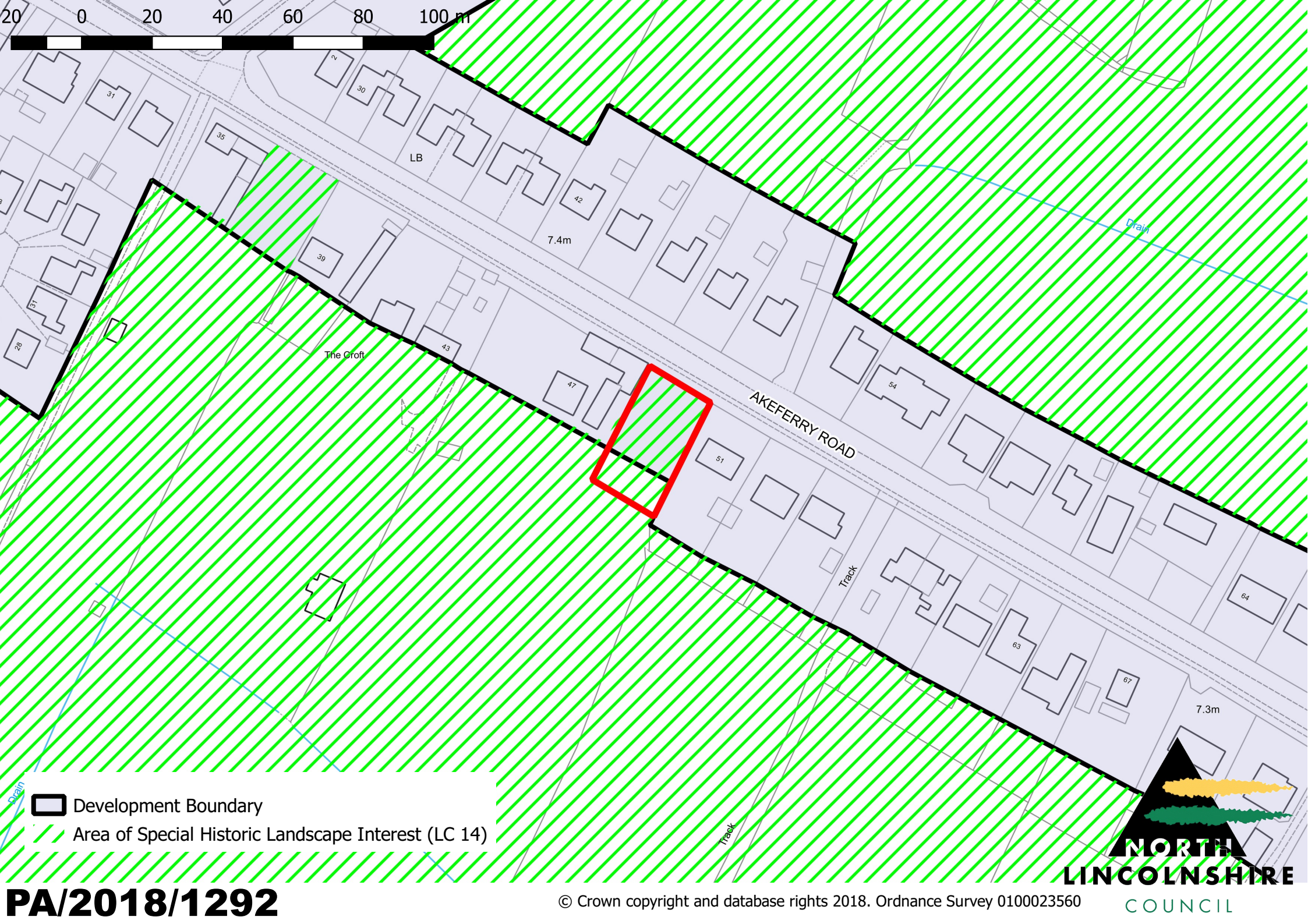
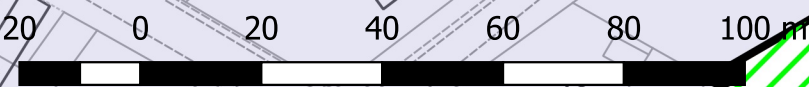
### **Informative 3**



Our records indicate that the proposed development site is bounded on the northern side by a watercourse (surface water pipe and manhole). 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 excavation must be immediately reported to the LLFA Drainage team on 01724 297522, prior to any further construction works being carried out. Please refer to the Environment Agency's 'Living on the edge – Riverside ownership rights and responsibilities' document which can be found online. Compliance with this guidance is to ensure the free flow of surface water is maintained throughout the development.

### **Informative 4**

Our records indicate that the proposed development site is bounded by an ordinary/riparian watercourse/highway drain along the northern boundary. The proposals show a new access to be provided over and/or connection into the watercourse. This must be consented by North Lincolnshire Council's LLFA Drainage Team, in their lead capacity as Lead Local Flood Authority, and/or the local Internal Drainage Board through an Ordinary Watercourse Consent, and appropriate discharge rates must be agreed. Please contact the LLFA Drainage Team on 01724 297522 or via email to [llfadrainageteam@northlincs.gov.uk](mailto:llfadrainageteam@northlincs.gov.uk). Compliance with this guidance is to ensure the free flow of surface water is maintained throughout the development.





-  Development Boundary
-  Area of Special Historic Landscape Interest (LC 14)

**PA/2018/1292**

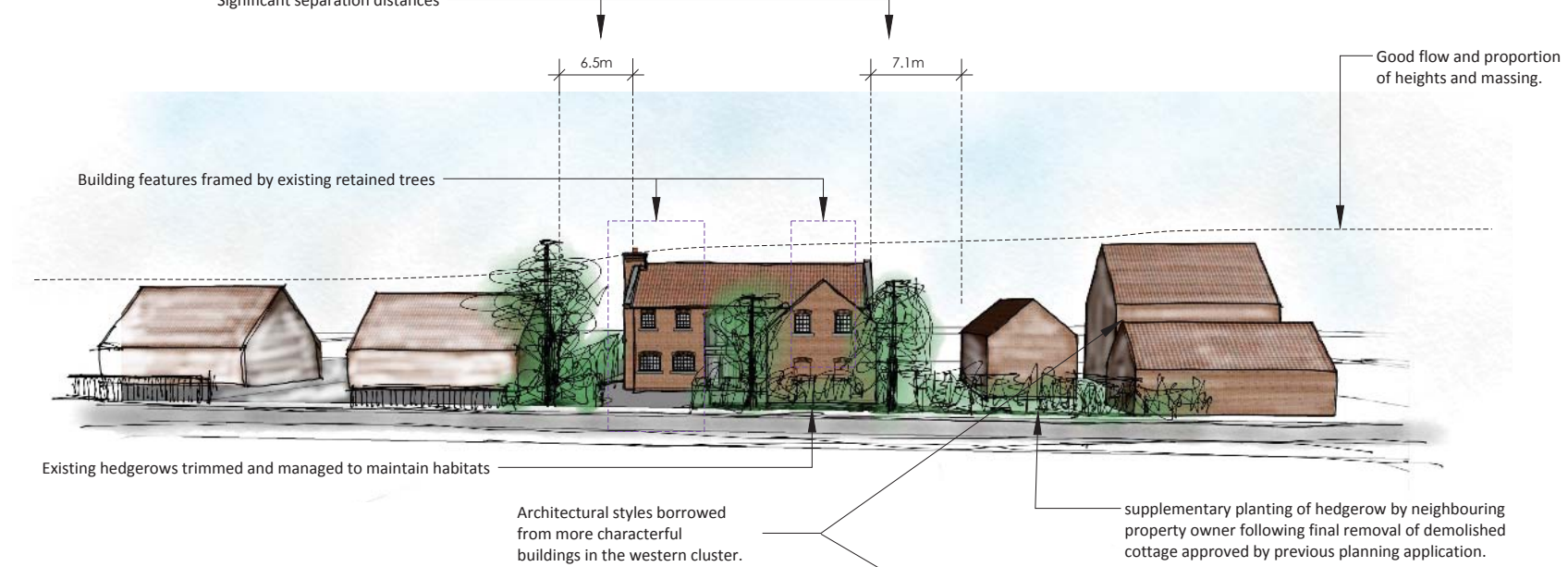
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# PA/2018/1292 Perspective street scene sketches (not to scale)

Significant separation distances



Proposed dwelling provides under 215m<sup>2</sup> of accommodation  
 Within the context of Akeferry Road, this would represent a reasonable four bedroom property.



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Proposed New Dwelling  
 49 Akeferry Road,  
 Westwoodside,  
 Doncaster, DN9 2DU

Project  
 Perspective Street Scene  
 Sketches

PC180/05  
 Drawing

Date  
 25.05.2017  
 Drawn By  
 AK  
 Scale VAR Sheet Size A3  
 Revision -

Note  
 All dimensions given are to assist in the pricing of works. It is the responsibility of the person carrying out the works to verify all dimensions on site prior to placing orders or carrying out works.

Proportion - | - Form - | - Scale - | - Massing



# PA/2018/1292 Block plan (not to scale)



Proposed Site Plan - 1:200

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Location Plan - 1:1250

AMENDED



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Proposed New Dwelling

49 Akeferry Road,  
Westwoodside,  
Doncaster, DN9 2DU

Project

Site and Location Plans

**PC180/01**  
Drawing

Date  
25.05.2017

Drawn By  
AK

Scale                      Sheet Size  
VAR                              A3

Revision  
A



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Note

