

<b>APPLICATION NO</b>	<b>PA/2018/1583</b>
<b>APPLICANT</b>	Mr Mark Snowden, Keigar Homes Ltd
<b>DEVELOPMENT</b>	Planning permission to erect 14 dwellings with associated driveways and garages and create new access road (including demolition of existing buildings)
<b>LOCATION</b>	25-35 Cherry Lane, Wootton, DN39 6RL
<b>PARISH</b>	Wootton
<b>WARD</b>	Ferry
<b>CASE OFFICER</b>	Andrew Willerton
<b>SUMMARY RECOMMENDATION</b>	<b>Subject to a Section 106 Agreement, grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Departure from adopted local development plan

## **POLICIES**

Paragraph 2 states that Planning Law requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Framework must be taken into account and is a material consideration in planning decisions.

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 11 sets out the presumption in favour of sustainable development. For decision taking this means approving development proposals which accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or where relevant policies are out of date, granting planning permission unless policies of the Framework protect an area or assets of particular importance that provide a clear reason for refusing the development or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

Paragraph 54 states that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of condition or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

Paragraph 55 states that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

Paragraph 59 states that to support the Government's objective of significantly boosting the supply of homes it is important that a sufficient amount and variety of land can come forward.

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.

Paragraph 108 states that safe and suitable access to the site should be achieved for all users with any significant impacts from the development being cost effectively mitigated to an acceptable degree.

Paragraph 109 states that development should only be prevented or refused on highway grounds where there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.

Paragraph 117 states that planning decision should promote an effective use of land in meeting the need for homes in a way that makes as much use as possible of previously developed or 'brownfield land'.

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

Paragraph 127 states that decisions should ensure developments: function well and add to the overall quality of the area; are visually attractive as a result of good architecture; are sympathetic to local character and history whilst not preventing or discouraging appropriate innovation or change; establish or maintain a strong sense of place; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development; and create places that are safe, inclusive and accessible which promote health and wellbeing with a high standard of amenity for existing and future users.

Paragraph 128 states that design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.

Paragraph 163 states that when determining planning applications, local planning authorities should ensure that flood risk is not increased elsewhere and should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.

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

Paragraph 175 states that when determining planning applications, local planning authorities should only refuse development where significant harm to biodiversity cannot be avoided through alternative sites, mitigation, or as a last resort, compensation.

Paragraph 178 states that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from contamination.

This includes proposals for mitigation including land remediation as well as any impacts on the natural environment arising from that remediation.

Paragraph 179 states that where a site is affected by contamination, responsibility for securing safe development rests with the developer and/or landowner.

Paragraph 180 states that planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment.

### **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)

CS7 (Spatial Distribution of Housing Sites)

CS8 (Overall Housing Provision)

CS9 (Affordable Housing)

CS17 (Biodiversity)

CS18 (Sustainable Resource Use and Climate Change)

CS27 (Planning Obligations)

### **Housing and Employment Land Allocations DPD**

Inset Map for Wootton

PS1 (Presumption in Favour of Sustainable Development)

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

H5(a-m only) (New Housing Development)

H8 (Housing Design and Housing Mix)

RD2 (Development in the Open Countryside)

RD5 (Alternative Uses of Industrial and Commercial Sites in the Open Countryside)

T2 (Access to Development)

T19 (Car Parking Provision and Standards)

DS1 (General Requirements)

DS14 (Foul Sewerage and Surface Water Drainage)

## **CONSULTATIONS**

**Highways:** No objection subject to conditions and an informative.

**Drainage:** No objection to the proposal in principle but suggest that ground water investigation be carried out over a 12 month period. Conditions have been recommended to secure the provision of a surface water drainage scheme.

**Environmental Health:** Advises conditions in respect of land contamination, remediation, electric vehicle charging points and a construction environment management plan.

**Archaeology:** No objection.

**Ecology:** Notes that the submitted species report has found the site to be used by nesting birds and has the potential to support hedgehogs. Conditions are recommended to secure the implementation of the submitted biodiversity management plan.

**Trees:** Advises that a tree protection plan should be implemented, together with landscaping to mitigate tree loss.

**Spatial Planning:** No comments received.

**S106 Officer:** Confirms planning obligations are to be sought.

**Streetlighting:** No comments received.

**Waste Services:** No comments received.

**Education Capital:** Confirms contributions to educational facilities are not sought.

**Leisure Services:** Requests contributions towards equipment at Baysgarth Leisure Centre.

**Strategic Housing:** Advises that an off-site contribution to affordable housing provision is sought.

**Anglian Water:** Confirms there is capacity to deal with foul water and that surface water should be disposed of by sustainable methods where practicable.

**Environment Agency:** Advises conditions with regard to land contamination, remediation and groundwater protection.

**Humberside Fire:** Advises of Building Regulations.

**Humberside Police:** No comments received.

**Public Health:** No objection.

**NHS:** No comments received.

**NHS Clinical Commissioning Group:** No comments received.

## **PARISH COUNCIL**

Wootton Parish Council supports the proposal and looks forward to seeing the brownfield site developed which would improve the appearance of this area and the village.

## **PUBLICITY**

The application has been advertised by site notice and within the local press for a period of not less than 21 days prior to writing this report.

Two letters have been received making general comments. The first notes that the Construction Environmental Management Plan does not determine the access route to be used by construction vehicles. Concerns are raised in relation to the potential for construction traffic to utilise Swallow Lane which itself is single track, has a 7.5 tonne limit and is heavily used by non-motorised users for recreation purposes. The second raises concerns with regard to an increase in traffic in the village and comments that Cherry Lane is single track with no footpath at the High Street end. Concerns are also raised in relation to construction hours and noise pollution with work proposed to start from 7am which would be disruptive to shift workers.

Two further letters have been received objecting to the proposal, raising the following issues:

- the development of this site would set a precedent for further development on adjacent fields towards Swallow Lane
- the site is beyond the development limit
- Cherry Lane is a single track road
- existing utilities, water and drainage cannot deal with extra flow/demand
- the school is over-subscribed and cannot meet additional demand as a result of development
- the proposal has no benefit to the village
- increase in traffic
- current on-road parking issues will be worsened by the development due to additional dwellings and accesses from proposed dwellings direct onto Cherry Lane
- the village has little to no public transport
- the village has no amenities or recreation field for children
- noise and disturbance from construction
- congestion from construction traffic.

## **STATEMENT OF COMMUNITY INVOLVEMENT**

None provided.

## ASSESSMENT

The application site comprises 0.7 hectares of redundant land formerly used as an HGV repair and maintenance yard. The site currently has large areas of hardstanding in addition to several buildings, including a large two-storey office building and workshop. The site is predominantly bound by vegetation which reduces its current impact to the surrounding landscape. Planning permission is sought to erect fourteen dwellings with associated driveways and garages, and create a new access road (including demolition of existing buildings).

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 North Lincolnshire Local Plan (NLLP) which was adopted in May 2003, the North Lincolnshire Core Strategy (NLCS) which was adopted in June 2011 and the Housing and Employment Land Allocations (HELA) DPD which was adopted in March 2016. Material considerations exist in the form of national planning policy and guidance contained within the National Planning Policy Framework (NPPF) and the suite of documents comprising of the Planning Practice Guidance (PPG).

**The main issues to be considered in the determination of this application are: whether the proposed residential re-development of the site is acceptable in principle; whether the proposed dwellings are acceptable in terms of their design and siting with regard to the character of the area and residential amenity; and whether the proposed development would adversely affect the safe operation of the highway.**

### Principle

The application site is outside the HELA DPD defined development limit for the settlement and is, for the purposes of planning, considered to be within the open countryside. It is noted that objection has been received in this regard as the site is beyond the development limit. NLLP policy RD2 and NLCS policies CS1, CS2 and CS3 together seek to regulate development within such a location to that which is essential to agriculture or forestry, or justified to meet an essential need in that location that cannot be met elsewhere.

However, the site forms brownfield land formerly used as an HGV repair and maintenance facility. NLLP policy RD5 governs the issue of alternative uses of industrial/commercial sites within the open countryside. This policy states that non-employment-related re-use will only be permitted provided that: evidence is provided of attempts made to sell the site on the property market for twelve months prior to the application being made; retention of the site for employment use has been fully explored without success; or it can be demonstrated that its continued employment use would harm the character or appearance of the open countryside or nearby settlement, cause highway or other traffic problems, be detrimental to residential amenity, or create other significant adverse environmental effects.

Notwithstanding the above policy, the fact that North Lincolnshire does not have a five-year land supply must also be considered. The latest available position statement from spring 2016 found that the Authority only has a 3.9-year supply of housing land. Under the provisions of the NPPF, local policies that directly relate to the delivery of housing are therefore considered to be out of date. This application is therefore considered within the

context of the presumption in favour of sustainable development as set out in paragraph 11 of the NPPF.

Within the 2016 Sustainable Settlement survey Wootton is ranked 40th out of 79 ranked settlements within North Lincolnshire and has a population of 518, with 3 out of 7 key facilities and services comprising a public house, community hall and primary school. The application site itself abuts the development limit of the settlement and permission is sought to erect 14 dwellings which represents settlement growth of approximately 6% (based on the number of dwellings identified within the 2016 Settlement Survey). NLCS policy CS7 sets a housing density requirement of 30–35 dwellings per hectare (dph) for development within rural settlements such as Wootton. The site area is 0.7 hectares which equates to a housing density of 20dph. Although the development density is under NLCS policy CS7 requirements, it is important to consider the context of the site which is to the edge of a rural settlement. In this case the proposed density is acceptable.

Paragraph 117 of the NPPF states that planning decisions should promote an effective use of land in meeting the need for homes whilst safeguarding and improving the environment, and ensuring safe and healthy living conditions. Based upon the above assessment, it is considered that the principle of residential re-development of the site is acceptable and complies with the presumption in favour of sustainable development as defined in paragraph 11 of the NPPF, and represents an effective use of brownfield land in accordance with paragraph 117.

### **Design and amenity**

Planning permission is sought to erect fourteen detached properties, six of which have detached double garages. The dwellings range in size from three-bedroom, two-storey properties to six-bedroom, two-and-a-half-storey properties with 'rooms in the roof'. Five of the proposed dwellings face onto Cherry Lane; the others are accessed off a 'cul de sac' to be created off Cherry Lane. The dwellings are to be constructed of a variety of brick and tile types which will add to visual interest yet also be appropriate to site context. The dwellings are set in spacious plots which provide an appropriate amount of amenity space with regard to the scale of the dwelling. The layout provides sufficient separation so as not to affect amenity afforded to each other and upper floor side-facing windows are to be obscure glazed.

The site is bounded by mature vegetation, including some mature trees which are to be retained. The applicant has submitted an arboricultural assessment which has been reviewed by the tree officer. The tree officer notes that a number of trees are to be lost but considers that replacement trees and landscaping can mitigate their loss. A number of trees are to be planted to offset tree loss which can be secured by condition. The tree officer also advises that the tree protection measures provided be secured by planning condition.

### **Highways**

Access to the site is to be derived off Cherry Lane with nine of the fourteen properties proposed being served by a new internal road. Objection has been received in relation to properties with driveways accessed directly off Cherry Lane. It is suggested that all properties be accessed off the new internal road due to current parking issues on Cherry Lane. Each of the proposed dwellings is to be served by a private driveway with space for several vehicles exclusive of any detached/integral garaging. The number of off-road

parking spaces proposed per dwelling is considered to be appropriate with regard to the scale of dwelling such an area serves. It is not considered that the proposed development would result in a significant increase in off-road parking to warrant its refusal. It is also noted that Highways have no objection to the proposal subject to conditions.

Concern and objection has also been raised in relation to an increase in traffic that would occur as a result of development with highway safety concerns relating to the narrowness of Cherry Lane, particularly at its northern end towards its junction with High Street. It is accepted that the road is of single carriageway width at this point without the provision of a footway. However, it is evident that more modern residential development has taken place off Cherry Lane and that the application site has a lawful use as a commercial garage. Accordingly, the fall-back position of use as a garage would generate traffic which would utilise the existing access arrangements including frequent use by heavy goods vehicles. Highways have raised no objection to the proposal subject to conditions and on this basis it is not considered that the proposal would adversely affect the safe operation of the highway.

Concerns have been raised with regard to construction traffic utilising Swallow Lane which is a single track road. Highways have recommended a condition to secure the provision and subsequent implementation of a construction traffic management plan which is considered to address such concerns.

### **Flood risk and drainage**

The site is within flood zone 1 of the Northern Lincolnshire Strategic Flood Risk Assessment (SFRA) which is land classified as being at least risk of flooding. The Environment Agency has been consulted on the application and has raised no objection to the proposal with regard to flood risk. The council's Drainage Team, in its capacity as Lead Local Flood Authority (LLFA), has reviewed the submitted drainage information and has no objection to the proposal but has advised further groundwater monitoring be carried out in the winter period to determine the suitability of ground infiltration. Ground infiltration forms a sustainable drainage system which is the preferred method of surface water disposal. The site at present is served by soakaway and is, in its majority, developed land by either buildings or hardstanding. The proposed development would decrease the impermeable area of the site significantly which should result in a decrease in surface water run-off. It is considered that ground infiltration is likely to form a suitable method of surface water disposal given the above. However, this should be confirmed by further groundwater investigation which can be secured by condition.

The Environment Agency notes that the previous use of the site was a commercial garage with underground fuel tank which, during construction, has the potential to pollute controlled waters which are particularly sensitive in this location as the site is within Source Protection Zone 2 and is underlain by bedrock designated as a principal aquifer. The Agency has no objection to the proposal following consideration of the submitted Site Investigation reports. The Agency has advised conditions to secure further information in respect of contamination risks and subsequent remediation of the site which are considered to be reasonable and necessary. The council's Environmental Health team has advised similar conditions to cover land contamination and remediation, and it is considered that the conditions proposed by the Environment Agency sufficiently deal with this issue. It is also recognised that surface water is to be disposed of by ground infiltration, and measures will be required to prevent groundwater pollution which can be secured by condition. For this reason the Environment Agency has advised a condition to prevent ground infiltration



unless it has the express consent of the local planning authority which is considered to be reasonable and necessary.

### **Natural environment**

A Phase 1 Habitat Survey and Biodiversity Management Plan were submitted with the application which has been reviewed by the ecologist. The ecologist notes that the site is used by nesting birds and has the potential for hedgehogs. Local knowledge suggests that the redundant buildings on the site may be used by other species such as barn owls. The ecologist has confirmed that the surveys undertaken at the site are appropriate and has no objection to the proposal. The ecologist has advised conditions to secure development in accordance with the submitted Biodiversity Management Plan that will ensure ecologically sensitive construction practices and biodiversity enhancement at the site in accordance with planning policy.

### **Other matters**

Objection and concerns have been raised in relation to noise and disturbance caused by the construction of the dwellings. It is accepted that any construction causes some noise and disturbance but this is temporary. The applicant has submitted a Construction Environment Management Plan which proposes measures to mitigate noise and other disturbances caused by construction which the Environmental Health team is satisfied with and can be secured by condition. They also advise a condition restricting periods of construction to ensure that such activities do not take place at unsocial hours.

Objection has been received in relation to impacts the proposal will have on utilities such as foul water disposal. Anglian Water has been consulted on the proposal and has confirmed that the site is within the Ulceby catchment and that there is capacity for anticipated demand with regard to the number of dwellings proposed.

Concerns have been raised that the proposed development may set a precedent and lead to further development in the area. Each application must be determined on its own merits at the time of its submission with regard to planning policy. In this case the site forms previously developed land and does not result in development extending further into the open countryside than at present despite part of the site being outside the development limit for the settlement.

In accordance with locally adopted planning policy and the NPPF, planning obligations are to be sought by the Authority towards the provision of affordable housing and infrastructure within the district impacted by the development. Objection has been raised in relation to infrastructure pressures as a result of development, with particular regard to the primary school. Education Capital has been consulted on the proposal and has confirmed that it does not seek obligations towards provision of education infrastructure. Contributions towards affordable housing, open space and leisure have been requested by consultees in accordance with locally adopted policy. The table below illustrates the agreed Heads of Terms for the Section 106 Agreement between the council and applicant should members be minded to approve the application.

<b>Draft Heads of Terms:</b>	
<b>Affordable housing contribution:</b>	
On-site/off-site contribution?	Off-site
If on-site, number of units to be provided (with a plan if applicable)	N/a
Commutated sum amount	<b>£76,406.40</b>
Trigger point for financial contribution to be made	50% on occupation of the 5th dwelling 50% on occupation of the 10th dwelling
How many years does the council require to spend the contribution?	10 years
Which parish will the contribution be spent in?	To be spent on the provision of affordable housing within North Lincolnshire with 10 years of the date of this agreement.
<b>Education contribution:</b>	£0
<b>Open space and play area provision/ contribution:</b>	Due to the small scale of the development, there is no requirement for an on-site provision of public open space or play area.  Instead, the council will require an off-site financial contribution towards local existing facilities including the village pond.
Off-site commuted sum amount	<b>£8,155.20</b>
Trigger point for financial contribution to be made	Upon occupation of the 10 <sup>th</sup> dwelling
How many years does the council require to spend the contribution?	10 years
Area of off-site public open space/recreation facility that contribution is to be spent at	Contribution to be used by Wootton Parish Council to fund improvements to recreation provision or the pond in the village.
<b>Leisure contribution:</b>	
Off-site financial contribution	<b>£5,000</b>
Leisure centre allocation	To be spent at Baysgarth Leisure Centre on the provision of new sports hall equipment
Trigger point for payment of contribution	Upon occupation of the 1 <sup>th</sup> dwelling
How many years does the council require to spend the contribution?	10 years

## RECOMMENDATION

Subject to the completion of a formal agreement under Section 106 of the Town and Country Planning Act 1990 providing for £76,406.40 for the provision of affordable housing within the district, £8,155.20 for improvements to recreation provision within Wootton and £5000 for the provision of equipment at Baysgarth Leisure Centre, 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 12 June 2019 the Group Manager – Development Management and Building Control be authorised to refuse the application on grounds of non-compliance with policies CS9 and CS27 of the North Lincolnshire Core Strategy; and
- (iv) the permission so granted be 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: CL/132/02, CL/132/03, CL/132/08, CL/132/06, CL/132/09, CL/132/04, CL/132/11, Bu/OP/16/103, CL/132/10, W/AS/16/102, W/OP/16/102, Du/OP/16/103, GA/CL/P4, Ki/OP/16/103, GA/CL/P10, GA/CL/P8, Ki/AS/16/103, GA/CL/P9, GA/CL/P12, Ki/AS/16/103, Du/AS/16/102, Bu/AS/16/106, Ea/AS/16/106, Bu/AS/16/106, Bu/AS/16/103, CL/132/12, Ki/OP/16/103, Ea/AS/16/106, GA/CL/P7, Du/OP/16/103.

Reason

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

3.

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.

4.

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 Cherry Lane 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.

5.

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.

6.

The proposed dwellings fronting Cherry Lane shall not be occupied until the footway has been provided across the whole site frontage in accordance with the approved details.

Reason

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

7.

No development, other than demolition, shall take place until details of the drainage, construction, services and lighting of the proposed access road, including the junction with the adjacent highway, 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.

8.

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.

9.

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.

10.

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.

11.

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.

12.

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.

13.

No development shall take place until a construction phase traffic management plan showing details of all associated traffic movements, including delivery vehicles and staff/construction movements, any abnormal load movements, contractor parking and welfare facilities, storage of materials and traffic management requirements on the adjacent highway, has been submitted to and approved in writing by the local planning authority. Once approved the plan shall be implemented, reviewed and updated as necessary throughout the construction period.

Reason

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

14.

Works and biodiversity enhancement shall be carried out strictly in accordance with the submitted biodiversity management plan dated October 2018 and the submitted drawing number CL/132/10. The management prescriptions set out in sections 5.5–5.21 of the management plan shall be carried out in their entirety. Prior to occupation of the 12th dwelling, 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. All biodiversity features shall be retained thereafter.

Reason

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

15.

No dwelling shall be occupied until the boundary features serving that dwelling have been provided in accordance with the approved details.

Reason

To provide an appropriate level of screening in accordance with policies H8 and DS1 of the North Lincolnshire Local Plan.

16.

The scheme of landscaping and tree planting shown on drawing no. CL/132/09 shall be carried out in its entirety within a period of twelve months beginning with the date on which development is commenced or within such extended time period as may be agreed in writing with the local planning authority. Any trees, shrubs or bushes removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees, shrubs or bushes of similar size and species to those originally required to be planted unless the local planning authority have given written consent to any variation.

Reason

To ensure the successful establishment of the approved landscaping and to secure the approved scheme of compensatory tree planting.

17.

No works shall commence on any dwelling until the tree protection measures set out on drawing no. CL/132/09 have been provided and they shall remain in situ until such as the construction of the dwellings is complete.

Reason

To ensure retained trees are protected during construction in accordance with policy LC12 of the North Lincolnshire Local Plan.

18.

All construction, demolition and site clearance activities shall be undertaken in accordance with the submitted construction environmental management plan.

Reason

For the protection of residential amenity in accordance with policy DS1 of the North Lincolnshire Local Plan.

19.

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

- 7.30am to 5.30pm Monday to Friday

- 7am to 1pm on Saturdays.

No construction, demolition or site clearance operations shall take place on Sundays or public/bank holidays.

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

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

#### Reason

To protect residential amenity in accordance with policy DS1 of the North Lincolnshire Local Plan.

20.

No development approved by this permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site has been submitted to, and approved in writing by, the local planning authority. This strategy shall include the following components:

- (1) A preliminary risk assessment which has identified:
  - all previous uses;
  - potential contaminants associated with those uses;
  - a conceptual model of the site indicating sources, pathways and receptors;
  - potentially unacceptable risks arising from contamination at the site.
- (2) A site investigation scheme, based on (1), to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- (3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- (4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

#### Reason

To ensure the development does not contribute to, and is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework.

21.

Prior to any part of the permitted development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing by, the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason

To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete.

22.

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason

To ensure that the development does not contribute to and is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with paragraph 170 of the National Planning Policy Framework.

23.

No infiltration of surface water drainage into the ground is permitted other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

Reason

To ensure that the development does not contribute to and is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 170 of the National Planning Policy Framework.

24.

The access road and dwellings hereby permitted shall not be brought into use/first occupied until they have been connected to a surface water drainage system that shall have been previously submitted to and approved in writing by the local planning authority. The scheme shall be based on sustainable drainage principles as shown on drawing CL/132/05 where proven to be practicable by further ground water testing over the winter period (October to March).

Reason

To ensure that the development does not contribute to and is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 170 of the National Planning Policy Framework.



**Informative 1**

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

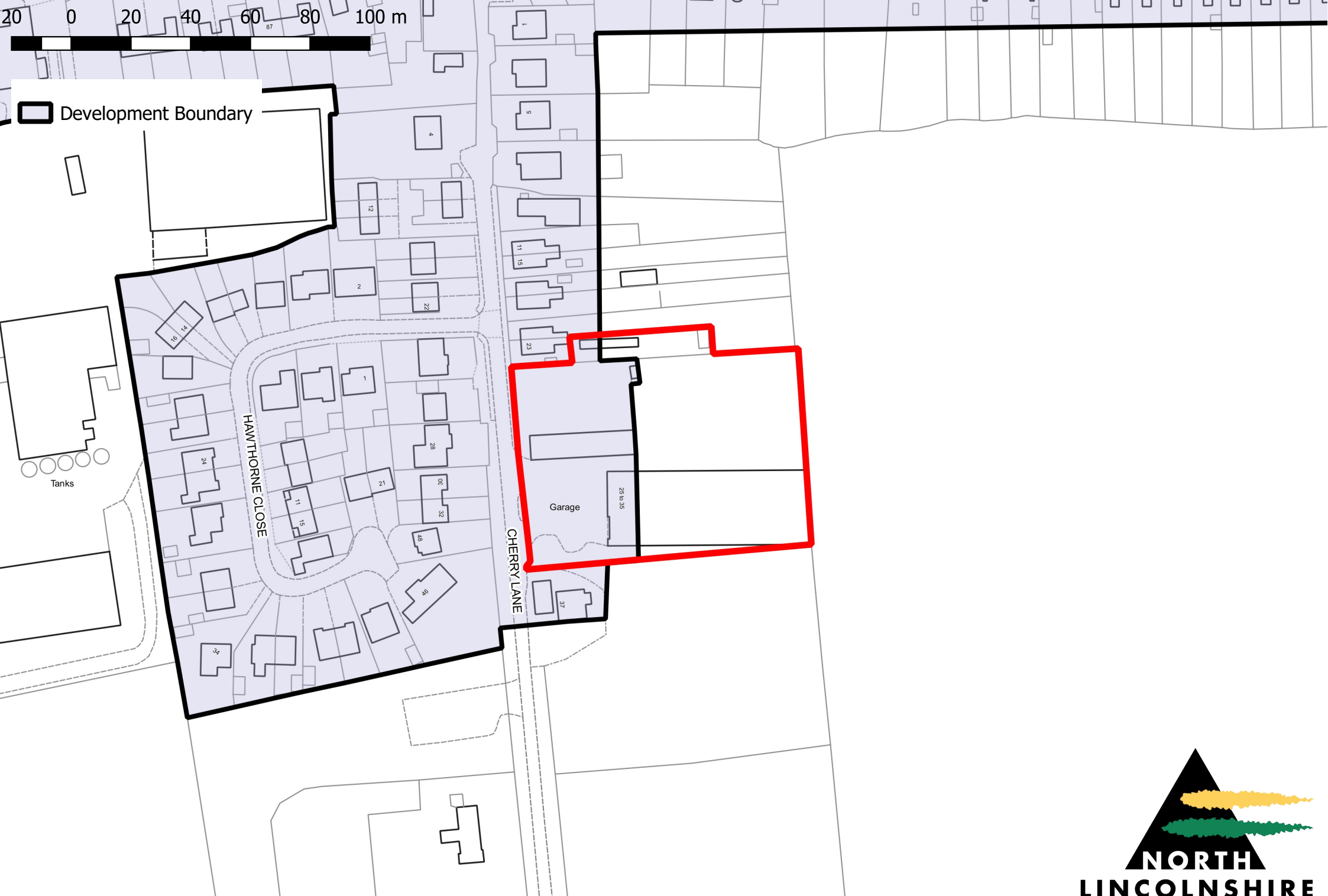
- before ANY construction works take place within the limits of the highway you MUST contact the highway authority on telephone number 01724 297000 to arrange for the relevant permissions/licenses to be issued;
- before ANY service (utility) connections take place within the limits of the highway you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



Development Boundary




**PA/2018/1583**

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# PA/2018/1583 Site layout (not to scale)



Rev:	Details:	Drawn by:	Date:	Approved:
<b>KEIGAR HOMES LTD</b> KEIGAR LODGE CANBERRA VIEW BARTON-UPON-HUMBER NORTH LINCOLNSHIRE DN15 5GR				
				
Project Title: Residential Development land off CHERRY LANE WOOTTON				
Drawing Title: SITE LAYOUT				
Drawn by:	MdS	Date:	27.06.18	Scale:
Drawing No:	CL / 132 / 03		1/500 @ A3	Revision: