

APPLICATION NO	PA/2018/1718
APPLICANT	Mr Jonathan Dibdin
DEVELOPMENT	Planning permission to erect eight dwellings, including garages and access
LOCATION	Land adjacent to Ridgeway House, Mill Lane, Wrawby, DN20 8SR
PARISH	Wrawby
WARD	Brigg and Wolds
CASE OFFICER	Mark Niland
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Wrawby Parish Council Departure from the development plan

POLICIES

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

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

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

For plan-making this means that:

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

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

For decision-taking this means:

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

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

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

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

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

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);

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

North Lincolnshire Local Plan:

Policy RD2 (Development in the Open Countryside)

Policy H5 (New Housing Development)

Policy H8 (Housing Design and Housing Mix)

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

Policy T2 (Access to Development)

Policy T19 (Car Parking Provision and Standards)

Policy DS1 (General Requirements)

North Lincolnshire Core Strategy:

Policy CS1 (Spatial Strategy for North Lincolnshire)

Policy CS2 (Delivering More Sustainable Development)

Policy CS3 (Development Limits)

Policy CS5 (Design)

Policy CS7 (Overall Housing Provision)

Policy CS8 (Spatial Distribution of Housing Sites)

Policy CS9 (Affordable Housing)

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

Policy CS17 (Biodiversity)

CONSULTATIONS

Highways: No objections to the proposal subject to a list of conditions relating to the access, the laying out of hard surfaces and methods of construction.

Spatial Planning: This proposal for residential development is in the open countryside and contrary to the council's adopted development plans. As the council cannot demonstrate a five-year housing land supply, paragraph 11 of the National Planning Policy Framework applies and the application should consider any adverse impacts of granting permission when assessed against the policies within this framework taken as a whole or specific policies indicate development should be restricted. The applicant will need to demonstrate why the development meets the three dimensions of sustainable development.

Trees and Landscaping: The application suggests large trees on and/or adjacent to the site; however, no arboricultural report has been submitted to show that they have been adequately considered with regard to protection areas around them. The tree alongside the lane does not appear to be very close to the proposed development and, due to its size, (looking at the photographs within the application), it is possible that the dwelling will be within the protection areas and it will shade out a lot of the garden, leading to pressure to prune or fell the tree.

Environmental Health: Environmental Health has requested further information prior to determination. This relates to a historic gravel pit that was filled prior to 1970. Further conversations have suggested that potential impacts could be overcome through the imposition of a planning condition.

Ecology: The ecologist has no objections subject to a condition requiring a biodiversity management plan.

PARISH COUNCIL

The parish council objects to the proposal on the following grounds:

- (1) The proposed development is outside the village building line.
- (2) The council has concerns over visibility for cars pulling out onto what is a busy main road.
- (3) The village facilities (schools etc.) are fully utilised and the proposed development would increase this pressure, causing potential difficulties.

PUBLICITY

The application has been advertised by means of site and press notices. A number of objections have been received that can be summarised as follows:

- not in accordance with the development plan
- impact upon the open countryside
- impact upon services

- unsustainable location
- impact upon highway safety
- publicity for the application
- character and appearance
- impact upon existing infrastructure
- impact upon residential amenity during construction
- impact upon residential amenity of the proposed development
- pollution (emissions, light, noise).

ASSESSMENT

Site characteristics

The site is located outside the settlement boundary for Wrawby within the open countryside in accordance with the Housing and Employment Land Allocations DPD 2016. The site is abutted to the north, west and south by residential development, and to the east is open countryside. There is an existing hedgerow to the north along Melton Road and a track along the east of the site.

Proposal

Planning permission is sought to erect eight dwellings, including garages and access from Melton Road. **The main issues for consideration are:**

- **the principle of development and whether or not the proposal represents sustainable development;**
- **highway safety;**
- **flooding and drainage;**
- **amenity;**
- **character impacts;**
- **land quality;**
- **environmental issues;**
- **ecology;**
- **trees.**

Principle of development

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

Policy CS1 of the Core Strategy sets out the overarching spatial strategy for North Lincolnshire, which, amongst other matters, provides that rural settlements will be supported as thriving sustainable communities, with a strong focus on retaining and enhancing local services to meet local needs and that any development that takes place should be in keeping with the character and nature of the settlement. It also states that, in the countryside, support will be given to development that promotes rural economic diversification and small-scale employment opportunities, particularly on previously used land or in existing rural buildings. Tourism development will also be supported, in particular the development of green tourism making the most of the area's important natural and built environments.

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

Policy CS3 provides that development limits will be defined in future development plan documents. Outside these boundaries, development will be restricted to that which is essential to the functioning of the countryside. The development limits were subsequently defined in the HELAP, and the application site is located outside the designated development limit for Wrawby. There are no allocated housing sites within Wrawby.

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

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

Notwithstanding the development plan policies set out above, the NPPF is a material consideration when determining planning applications. Paragraph 11(d) of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. Where the local planning authority cannot demonstrate a five-

year supply of deliverable housing sites, relevant policies which guide the supply of housing should not be considered up-to-date.

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

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

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

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

The North Lincolnshire Sustainable Settlement Survey positions Wrawby as an overall hierarchy position of 32 with 3 out of 7 key facilities. These include a public house, village hall/church hall, community centre and primary school. In terms of economic sustainability the increased growth of the village by a further eight dwellings would support the existing services and amenities of the area as well as supporting the market town of Brigg. The assessment below will examine the policy requirements and issues born from the site constraints. An assessment on the overall sustainability of the proposal cannot be concluded without first exploring the technical elements of the scheme.

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. The proposal is considered sustainable unless 'adverse impacts significantly and demonstrably outweigh the benefits.'

Highways

Policy T1 of the North Lincolnshire Local Plan is concerned with location of development and policy T2 requires all proposals to be served by a satisfactory access. Policy T19 of the local plan is concerned with parking provision and directs developers to Appendix 2 of the local plan where standards are set out.

The site abuts the settlement boundary of Wrawby and is located close to existing services and amenities. The applicant has submitted a design and access statement that demonstrates the proximity of the site to bus stops and the services that frequent them. Furthermore, Barnetby, which is the nearest settlement to the east, offers access to national rail routes with direct access to Cleethorpes, Grimsby, Scunthorpe, Doncaster, Sheffield, Manchester and Lincoln, amongst other towns/cities. Wrawby is also connected to the market town of Brigg by a sustainable cycle route. It is considered that the proposed dwellings would offer future tenants other transport opportunities than the car.

The council's Highways team has assessed the planning application and has withdrawn earlier concerns following the submission of an amended site plan. The highways officer has advised a series of conditions to mitigate potential issues in relation to highway safety. The conditions relate to the laying out of drives and hard areas, further details on the proposed private driveway (the access road is to be retained as private) and the prevention of loose material entering the highway.

Given the aforementioned mitigation through conditions, it is considered that the proposal would align with policies T1, T2 and T19 of the North Lincolnshire Local Plan and is considered acceptable.

Flooding and drainage

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

The applicant has submitted a drainage plan and the LLFA has reviewed the information. The LLFA has no objection subject to the imposition of a condition requiring the submission of a flood risk assessment as well as a drainage strategy. Any forthcoming drainage strategy should consider the use of SuDS.

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

Amenity

Part of policy DS1 of the North Lincolnshire Local Plan is concerned with amenity and seeks to protect the existing environment as well as the relationship between buildings of proposed development from unacceptable impingement upon residential amenity. It states that no unacceptable loss of amenity to neighbouring land uses should result in terms of noise, smell, fumes, dust or other nuisance, or through the effects of overlooking or overshadowing.

The proposal, which seeks to erect eight dwellings, is accompanied by a detailed design and access statement as well as analysis and concept plan. From the submission it is evident that due diligence has been taken and an understating of the constraints of other neighbouring uses and form have been understood. The result is that the scheme on offer would not overly impinge upon the amenity rights of any existing dwelling to an unacceptable level by virtue of overshadowing/overbearing impact. Furthermore, all openings are located in a position that would not give rise to an unacceptable level of visual

intrusion. The separation distance from dwellings fronting Mill Lane is sufficient to prevent undue impact and the applicant has given consideration to the closest dwellings, which are to the south, by not introducing built form into the corner of the site. Lastly, all amenity areas on offer are proportionate to the scale of dwellings and would provide a quality amenity space. The plans do not show an acceptable level of detail as regards boundary treatments and this will therefore form a condition.

It is therefore considered, subject to the aforementioned mitigation, that the proposal would accord with policy DS1 of the local plan.

Character impacts

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

The application is contrary to the principle of policy RD2 of the local plan, which also sets out provisions within part 'C' stating a development should not be detrimental to the character or appearance of the open countryside or a nearby settlement in terms of siting, scale, massing, design and use of materials.

The proposal has to be judged upon the character impacts that built form in this location would have upon the open countryside. The proposal would not carry any wider impacts given that the site abuts the development boundary. The proposal would not be out of keeping with the existing settlement which has many cul-de-sacs emanating from the A18. It is also abutted by residential built form on three sides. The proposal would also echo the rhythm created by the dwellings along Mill Lane.

The applicant proposes five different house types which adds interest to the scheme, and many of the design features contextually relate to the existing dwellings in the area. The applicant has not put forward materials and therefore a condition for these to be agreed will be attached to any permission.

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

Land quality

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

The proposed development is on the site of a former gravel pit. The council's Environmental Health department had requested additional information. Subsequently, a phase 2 site investigation report has been submitted. The council's Environmental Health team has been consulted and considers the imposition of conditions suitable mitigation. The officer has requested both a remediation report and a verification report. Given the history of the site it is considered that the additional information is reasonable and a condition will be attached if permission is granted.

Given the mitigation, the proposal is considered to align with policy DS7 of the North Lincolnshire Local Plan.

Environmental issues

Policies DS1 and DS11 of the North Lincolnshire Local Plan are concerned with mitigating environmental impacts upon existing residents. The latter is directly related to polluting activities.

The council's Environmental Health department has been consulted and has stated that there is a requirement to mitigate noise emanating from the construction phase of the development. Given that the proposal relates to eight large dwellings, it is considered that a method for the control of dust would also be appropriate. A full construction environmental protection plan is considered necessary, which can be required by the imposition of a condition on any permission, along with the restriction of construction hours.

Given the aforementioned mitigation, it is considered that the proposal is in accordance with policies DS1 and DS11 of the North Lincolnshire Local Plan.

Ecology

Policy CS17 of the Core Strategy is concerned with biodiversity and is reinforced by paragraph 170 of the NPPF. The council's ecologist has been consulted, given the countryside location of the site as well the existing vegetation on site.

The ecologist has stated that, whilst the ecological value is low, there is potential to capture a net gain for biodiversity in line with the aforementioned policy requirements. The ecologist has therefore recommended a condition requiring the submission of a biodiversity management plan. It is considered that this is necessary and such a condition will therefore be attached to any permission.

The proposal is therefore considered to align with policy CS17 of the North Lincolnshire Core Strategy.

Trees and landscaping

Policy LC12 of the North Lincolnshire Local Plan is concerned with the protection of trees. There are no trees of amenity value on the site; however, the applicant has shown a scheme of planting on the block plan as well as protection measures to be taken to prevent damage to the roots of existing trees during construction.

The tree officer has made comments about the potential impact upon existing trees. It is considered that the information on the block plan (which will be secured through the approved plans condition) describing the safeguarding of root protection areas during construction is sufficient.

It is therefore considered that the proposal is in accordance with policy LC12 of the North Lincolnshire Local Plan.

Conclusion

Overall it is considered that the proposal represents sustainable development in the context of the Framework and HELAP policy PS1, which sets a presumption in favour of

sustainable development. The limited adverse impact of granting planning permission would not significantly or demonstrably outweigh the benefits of the proposal, when assessed against the policies in the Framework taken as a whole. For these reasons the proposal is considered to represent a sustainable development.

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: 17/075/0003 Rev B; 17/075/0004; 17/075/0005; 17/075/0006; 17/075/0007; 17/075/0008; 17/075/0009.

Reason

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

3.

The proposed private driveways access points and parking arrangements serving the site shall be set out and established in accordance with amended drawing number 17/075/0003 Rev B.

Reason

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

4.

Plots 1, 2 and 3 shall not be occupied until the footway has been provided across the whole of the site frontage with direct pedestrian connections in accordance with the submitted details. Once provided all of these pedestrian facilities shall be retained.

Reason

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

5.

No dwelling on the site shall be occupied until the bin collection facilities have been provided adjacent to the highway in accordance with the submitted details. Once provided these facilities shall be retained.

Reason

In the interests of highway safety and in accordance with policies T2 and 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.

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

Reason

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

8.

No dwelling served by the private driveway shall be occupied until it has been constructed in accordance with details including:

- the proposed method of forming access from the highway, including required visibility splays;
- the method of constructing/paving the drive;
- the provision of adequate drainage features;
- the provision of suitable lighting arrangements; and
- the provision of street name plates that shall include the words "Private Drive";

which have been submitted to and agreed in writing by the local planning authority beforehand. Once constructed the private driveway shall be retained.

Reason

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

9.

No development shall take place until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall be based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development. The drainage scheme shall demonstrate that surface water run-off generated up to and including the 1 in 100 year critical storm (including an allowance for climate change) will not exceed the run-off from the existing site. It shall also include details of how the resulting completed scheme is to be maintained and managed for the lifetime of the development so that flood risk, both on and off the site, is not increased. SuDS must be considered. Reference should be made to North Lincolnshire Council's SuDS and Flood Risk Guidance Document. Should infiltration not be feasible at the site, alternative sustainable drainage should be used, focusing on above-ground solutions.

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 features in accordance with policy DS16 of the North Lincolnshire Local Plan, and policies CS18 and CS19 of the North Lincolnshire Core Strategy.

10.

The drainage scheme shall be implemented in accordance with the approved submitted details required by condition 9 above, shall be completed prior to the occupation of any dwelling or building within each phase or sub-phase of the development on site, and thereafter retained and maintained in accordance with the scheme for the life of the development unless otherwise agreed in writing with the local planning authority.

Reason

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

11.

Prior to the occupation of any dwelling, a scheme showing the position and elevations of all boundary treatments shall be submitted to and agreed in writing with the local planning authority.

Reason

In the interests of amenity and to accord with policy DS1 of the North Lincolnshire Local Plan.

12.

Prior to any above ground-works, details of all external materials, including glazing and rainwater goods, shall be submitted to and agreed in writing with the local planning authority.

Reason

In the interests of amenity and to accord with policy CS5 of the North Lincolnshire Core Strategy.

13.

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 2 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

A Phase 1 desk study shall be carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk study shall establish a 'conceptual model' of the site and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation

works/Quantitative Risk Assessment (or state if none required). Two full copies of the desk study and a non-technical summary shall be submitted to the local planning authority for approval prior to proceeding to further site investigation.

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, 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

In the interests of improving land quality and in accordance with policy DS7 of the North Lincolnshire Local Plan.

14.

No stage of the development hereby permitted shall commence until a construction environmental management plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include the following:

Noise and vibration: The CEMP shall set out the particulars of:

- (a) the works, and the method by which they are to be carried out;
- (b) the noise and vibration attenuation measures to be taken to minimise noise and vibration resulting from the works, including any noise limits; and
- (c) a scheme for monitoring the noise and vibration during the works to ensure compliance with the noise limits and the effectiveness of the attenuation measures;

Light: The CEMP shall set out the particulars of:

- (a) specified locations for contractors' compounds and materials storage areas;
- (b) areas where lighting will be required for health and safety purposes;
- (c) location of potential temporary floodlights;
- (d) identification of sensitive receptors likely to be impacted upon by light nuisance;
- (e) proposed methods of mitigation against potential light nuisance, including potential glare and light spill, on sensitive receptors.

Dust: The CEMP shall set out the particulars of:

- (a) site dust monitoring, recording and complaint investigation procedures;
- (b) identification of receptors and the related risk of dust impact at all phases of the development, including when buildings and properties start to be occupied;
- (c) provision of water to the site;
- (d) dust mitigation techniques at all stages of development;
- (e) prevention of dust trackout;
- (f) communication with residents and other receptors;
- (g) a commitment to cease the relevant operation if dust emissions are identified either by regular site monitoring or by the local authority;
- (h) a 'no burning of waste' policy.

Reason

In the interests of amenity and in accordance with policies DS1 and DS11 of the North Lincolnshire Local Plan.

15.

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

- 7am to 7pm Monday to Friday

- 7am to 1pm on Saturdays.

No construction 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 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

In the interests of amenity and in accordance with policies DS1 and DS11 of the North Lincolnshire Local Plan.

16.

Within six months of the commencement of development, the applicant or their successor in title shall submit a biodiversity management plan to the local planning authority for approval in writing. The plan shall include:

- (a) details of measures to avoid harm to bats, hedgehogs and nesting birds during vegetation clearance and construction works;

- (b) details of at least three bat roosting features to be installed in new dwellings;
- (c) details of at least five nesting sites to be installed to support a variety of bird species;
- (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 retention, planting and aftercare of native trees, shrubs and hedgerows of high biodiversity value;
- (g) proposed timings for the above works in relation to the completion of the buildings.

Reason

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

17.

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.

Informative 1

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

Please refer to the Environment Agency's 'Living on the edge - Riverside ownership rights and responsibilities' document which can be found online for further information. Compliance with this guidance is to ensure the free flow of surface water is maintained throughout the development.

Informative 2

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 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 for further details. Compliance with this guidance is to ensure the free flow of surface water is maintained throughout the development.

Informative 3

Geological records indicate the site to be underlain by sand and gravels. Investigation is required to determine groundwater levels within these deposits to confirm soakaway feasibility.

Informative 4

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

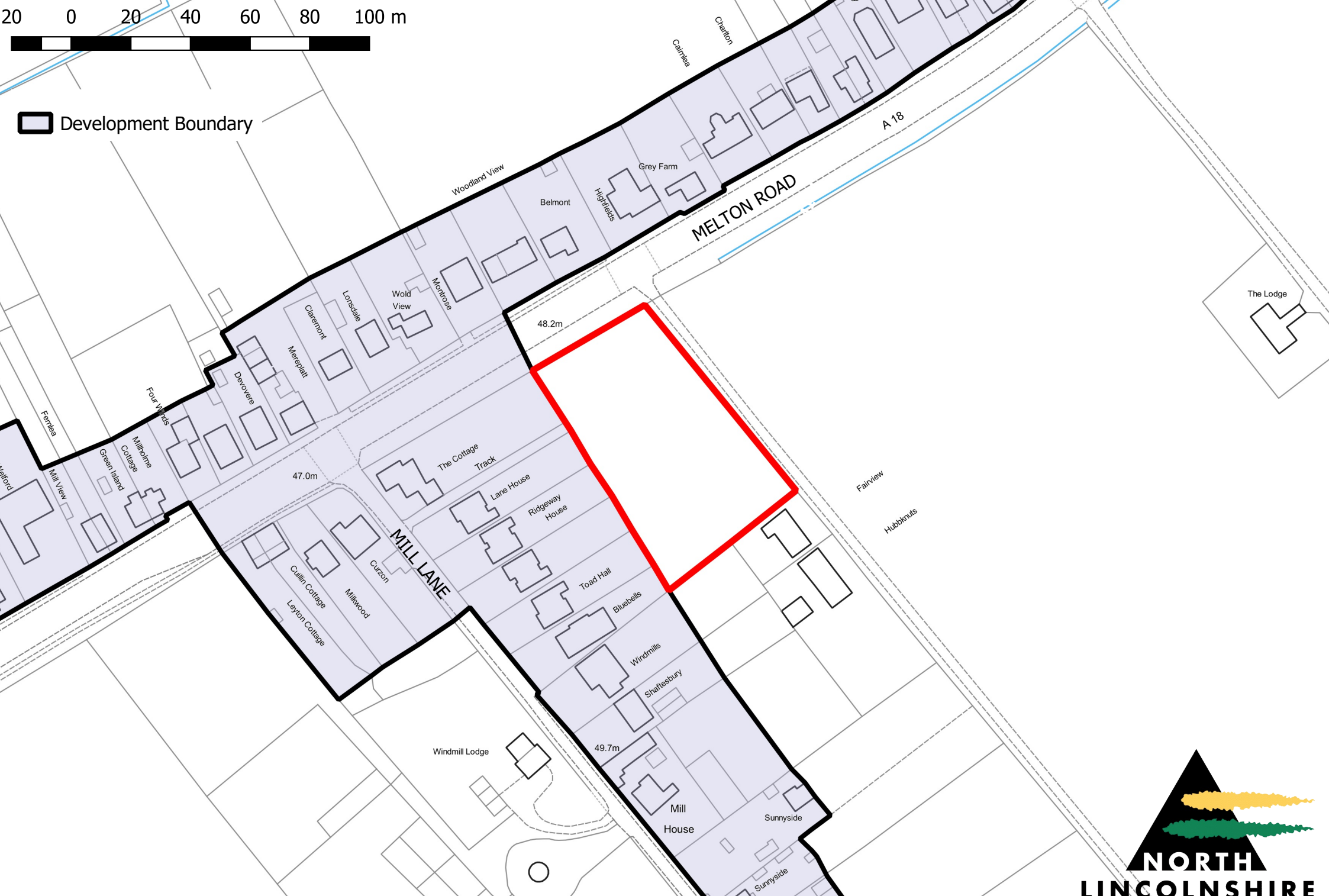
- before ANY construction works take place within the limits of the highway you **MUST** contact the highway authority on telephone number 01724 297000 to arrange for the relevant permissions/licenses to be issued;
- before ANY service (utility) connections take place within the limits of the highway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

Informative 5

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/2018/1718

Rev:	Drawn By:	Description:	Date:
-	-	-	---



Site Boundary:

Project Stage:	Drawn By:	Checked By:	Date:
Planning	DH	/	09.08.2017

weitz hydearchitecture.com
tel: 07580585585
email: daniel@hydearchitecture.com

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