

APPLICATION NO	PA/2019/2110
APPLICANT	Mr Steve Sowerby, T G Sowerby Developments Ltd
DEVELOPMENT	Planning permission to erect seven dwellings including associated works
LOCATION	Former Coal Yard, Grange Lane South, Scunthorpe, DN16 2NW
PARISH	Scunthorpe
WARD	Ashby
CASE OFFICER	Tanya Coggon

SUMMARY RECOMMENDATION **Grant permission subject to conditions**

REASONS FOR REFERENCE TO COMMITTEE Member 'call in' (Cllr Mick Grant – highway safety)

POLICIES

National Planning Policy Framework:

- Chapter 2 – Achieving sustainable development
- Chapter 4 – Decision-making
- Chapter 5 – Delivering a sufficient supply of homes
- Chapter 9 – Promoting sustainable transport
- Chapter 11 – Making effective use of land
- Chapter 12 – Achieving well-designed places
- Chapter 15 – Conserving and enhancing the natural environment

North Lincolnshire Local Plan: Policies H5, H8, T2, T19, DS1, DS7, DS14 and DS16 apply.

North Lincolnshire Core Strategy: CS1, CS2, CS3, CS5, CS7, CS8, CS17, CS18 and CS19 apply.

CONSULTATIONS

Highways: The site will attract a number of movements and the access is between two sets of signals on what is a heavily used section of road. This site and access is far from ideal in this respect. However, it is an existing access that served a commercial use and as such the level of traffic movements created by this proposal would in reality be less than

the previous use or indeed any other commercial operation that may ultimately take its place. The site is also, in many ways, very sustainable, given that there are bus stops outside of it and local amenities within easy walking distance. To this end it would be very difficult to justify a refusal on highway grounds. Concerns have been raised over the right turn. Whilst the right turn out will likely be self-governing, right turn in could be an issue, particularly if traffic is queued past the access to the site. Therefore, potentially, a couple of options could be used to address this matter. One is a right turn ban into the site and the other is the use of 'keep clear' markings across the access point. The use of a right turn ban would be difficult to enforce (assuming it could be used), the preference being to use 'keep clear' markings; a condition is proposed accordingly.

With regard to concerns raised by the waste management team relating to the collection of refuse from this development, it is suggested that discussions are held with the developer and a condition can be imposed to accommodate this.

No objection subject to highway conditions.

Drainage (Lead Local Flood Authority): No objection subject to conditions relating to surface water.

Severn Trent Water: No objection. Foul drainage is proposed to connect into the sewer which would be subject to a formal S106 sewer connection approval. Surface water is proposed to connect into the public sewer which would be subject to a formal S106 sewer connection approval. The disposal of surface water via soakaways should be considered as the primary method. If this is not practical, and there is no watercourse available as an alternative, sustainable methods should also be explored. If these are found to be unsuitable, satisfactory evidence will need to be submitted before a discharge into the public sewage system would be considered.

Environmental Protection: No objection subject to a contamination condition and a restriction on working hours.

Archaeology: No objection.

Ecology: No objection subject to a biodiversity condition.

Waste Services: Refuse vehicles would not be able to enter the site. Generally the vehicles do not enter unadopted roads or 'no through' roads with insufficient-sized turning areas. Stopping safely on Grange Lane South/Queensway would also be impossible.

The only possible option is to build a pull in area so that the vehicles could safely stop just off the busy road. Space would also need to be included for the containers to be presented at the kerbside.

PUBLICITY

Advertised by site notice. Two responses have been received from neighbours raising the following issues:

- overlooking
- noise

- loss of privacy
- loss of light
- overshadowing.

ASSESSMENT

The proposal

This is a full application for seven market dwellings. The dwellings would be arranged in a block of four and a block of three terraces. The properties would be two-bedroomed with canopies across the front elevation. Fourteen car parking spaces are proposed. The site is currently accessed off Grange Lane South and this access would be utilised to serve the proposed development. Some trees would be removed to facilitate the development with a tree survey submitted along with an extensive landscaping/planting scheme. To the north are green areas of open space, to the east and south are the long narrow gardens of residential properties on Ville Road, and to the west are the gardens and outbuildings of properties along North Parade. The site is located in flood zone 1 and is therefore at low risk of flooding.

The main issues associated with the proposal are whether it is acceptable in principle, and if so, whether its impact on the highway, on the character of the area and on the amenity of neighbours is also acceptable.

The principle of the development

The application site is within the development boundary for the Scunthorpe and Bottesford Urban Area where residential development is considered to be acceptable in principle. The site is a brownfield site as it was previously used as a coalyard. The site is also located within Flood Zone 1 and is therefore at low risk of flooding. There is a need for housing in North Lincolnshire as the council currently does not have a five-year land supply and the proposal would make a modest contribution to the council's housing land supply. The principle of residential development in this location is acceptable and accords with the overarching strategic policies CS1, CS2, CS3 and CS8 of the Core Strategy and principles set out in the National Planning Policy Framework (NPPF) in this regard.

Highways

Concerns relating to the site being close to the traffic lights and the access being onto Grange Lane South are noted. However, the proposed residential use has to be balanced against the existing commercial use which uses the same access. The commercial use will attract a significant number of traffic movements, including more HGV movements, than the proposed residential use. Whilst the location of the site and access cannot be changed, planning conditions can be used to ensure highway safety is maintained. On a wider issue, the proposal would contribute to the council's housing supply, would redevelop a brownfield site located in a sustainable location and improve the visual appearance of the site, and would have a lesser impact on neighbours than the existing. Therefore, on balance, although it is acknowledged there are highway issues associated with the proposal, these can be overcome with planning conditions and the benefits of the scheme outweigh the dis-

benefits of the scheme. The proposal, subject to conditions, therefore accords with policies T2 and T19 of the North Lincolnshire Local Plan.

In terms of comments made by waste services in relation to refuse vehicles accessing the site, these are noted. The existing commercial use will encounter the same issue regarding waste collection. Furthermore, this issue can be dealt with by a planning condition as advised by Highways.

Amenity of the locality

The proposed dwellings have been designed to a high standard and would be an improvement in visual terms than the existing coalyard. The site is a betterment in terms of use on the locality than the existing coalyard. The proposal therefore accords with policies CS2, CS5 and CS7 of the Core Strategy and policies H5, H8 and DS1 of the North Lincolnshire Local Plan.

Flood risk and drainage

In terms of flood risk, the site is located in Flood Zone 1 and is therefore at low risk of flooding. Residential development is acceptable in flood zone 1. The proposal therefore accords with the NPPF, policy CS19 of the Core Strategy and policy DS16 of the North Lincolnshire Local Plan. The comments made by Severn Trent Water are noted and planning conditions can be used to ensure adequate disposal of surface water from the site. The LLFA is not objecting to the proposal subject to the imposition of pre-commencement conditions on any permission granted. As a result, subject to those conditions, the proposal is considered to be acceptable in drainage terms and accords with the NPPF, policy CS18 and CS19 of the Core Strategy and policy DS16 of the North Lincolnshire Local Plan.

Ecology

The council's ecologist raises no objection to the proposal subject to conditions which will be imposed if permission is granted to secure biodiversity enhancements. This is another benefit of the scheme. The proposal therefore accords with policy CS17 of the Core Strategy.

Landscaping

In terms of landscaping, a substantial landscaping plan comprising hard and soft landscaping, trees, hedges, shrubs and turf is proposed. Some existing trees are to be removed to facilitate the development. However, these trees are not protected. The comprehensive landscaping proposed would mitigate the loss of these trees. The proposal therefore accords with policy CS5 of the Core Strategy and policy LC12 of the North Lincolnshire Local Plan.

Impact on neighbours

The comments made by the two neighbours objecting to the proposal are noted. There is a distance of over 47 metres from the nearest neighbour to the nearest dwelling on the application site. Due to this distance, any overlooking or loss of light would be marginal. The proposed dwellings are bounded by the long narrow gardens of properties along Ville

Road to the south and east. The proposed dwellings from the rear would look out onto some of these rear gardens. However, these gardens are in excess of 100 metres in length. The proposed dwellings would not overlook the private garden area of properties along Ville Road. The distance between neighbours and the application site is so great that no overshadowing would be caused. It is accepted that the dwellings would be visible from adjoining properties but no demonstrable harm would be caused to residential amenity. The site could be used as a coalyard attracting noise, disturbance and deliveries from HGVs causing more harm than the proposed residential use of the site. The scheme is a betterment in terms of impact on neighbours than the existing situation. The proposal would accord with policies CS5 and CS7 of the Core Strategy and policies H5, H8 and DS1 of the North Lincolnshire Local Plan.

Conclusion

Subject to planning conditions, the proposal accords with planning policy and the proposed residential scheme is a betterment in terms of use of the site than the existing use as a coalyard. There are a number of benefits to the scheme, including the development contributing to the council's five-year land supply, the re-use of a brownfield site in a sustainable location, the proposed landscaping and biodiversity enhancements, and visually the site will be improved.

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: arboricultural report dated December 2019, 18829/09, 18829/14, 18829/06, 18829/07, 18829/12 Rev D, 44681/010 Rev A, 18829/11 Rev B and R/2317/1.

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 and 20 January 2020 for drawing number 18829/12 Rev D, 44681/010 Rev A, Flood Risk Assessment dated 13 January 2020, amended design and access statement and drawing no R/2317/1

Reason

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

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.

Construction operations shall be limited to the following hours:

- 8am to 6pm Monday to Friday

- 8am to 1pm on Saturdays.

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

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

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

Reason

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

6.

The scheme of landscaping and tree planting shown on drawing no. R/2317/1 shall be carried out in its entirety within a period of 12 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 satisfactory landscaping is provided on the site in accordance with policy CS5 of the Core Strategy.

7.

The method of protecting the existing trees on the site throughout the construction period shall be as specified in the approved arboricultural report dated December 2019 and maintained until completion of the development. None of the trees so protected 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 LC12 of the North Lincolnshire Local Plan.

8.

Before any dwelling is first occupied, the bathroom window in its eastern wall shall be obscure glazed to a minimum of Privacy Level 3 in accordance with the Pilkington Scale of Obscuration and shall be retained in that condition thereafter.

Reason

To protect the living conditions presently enjoyed by the occupants of adjoining properties in accordance with policy DS5 of the North Lincolnshire Local Plan.

9.

No dwelling/building shall be occupied until a detailed surface water strategy 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 hydrogeological context of the development. This must be based upon the submitted flood risk assessment prepared by Eastwood & partners, dated: 13 January 2020, ref: 44681-002. 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.

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 maintenance of the sustainable drainage structures in accordance with policy DS16 of the North Lincolnshire Local Plan, and policies CS18 and CS19 of the Core Strategy.

10.

The drainage scheme shall be implemented in accordance with the approved submitted details required by condition 9 above, completed prior to the occupation of any dwelling or building within each phase or sub-phase of the development on the site, 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 maintenance of the sustainable drainage structures in accordance with policy DS16 of the North Lincolnshire Local Plan, and policies CS18 and CS19 of the Core Strategy.

11.

No development shall take place until a scheme for the disposal of foul and surface water has been agreed in writing by the local planning authority and none of the dwellings shall be occupied until it is connected to the approved drainage system.

Reason

To ensure satisfactory drainage is provided in accordance with policy DS14 of the North Lincolnshire Local Plan.

12.

Within three months of the completion of the new access, any redundant access to the site shall be removed and the area reinstated to footway/verge (including the provision of full height kerbs) in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason

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

13.

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.

14.

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.

15.

No dwelling shall be occupied on site until the within-highway works (including the provision of 'Keep Clear' markings) to improve the existing vehicular access to the site have been completed.

Reason

In the interests of highway safety.

16.

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 the required visibility splays;
- the method of constructing/paving the drive;
- the provision of adequate drainage features;
- the provision of suitable bin collection facilities;
- the provision of suitable lighting arrangements;
- the provision of street name plates that include the words 'Private Drive';

which have all been agreed in writing with the local planning authority. Once constructed, the private driveway shall be retained.

Reason

In the interests of highway safety.

17.

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, including the means of controlling the deposition of mud onto the adjacent highway, along with appropriate methods of cleaning the highway as may be required;

has been submitted 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.

18.

Within three 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 at least two bat roosting features to be installed on new dwellings;
- (b) details of nesting sites to be installed to support house sparrows and other bird species;
- (c) restrictions on lighting to avoid impacts on bat foraging areas, bird nesting sites and sensitive habitats;
- (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 buildings.

Reason

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

19.

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 Core Strategy.

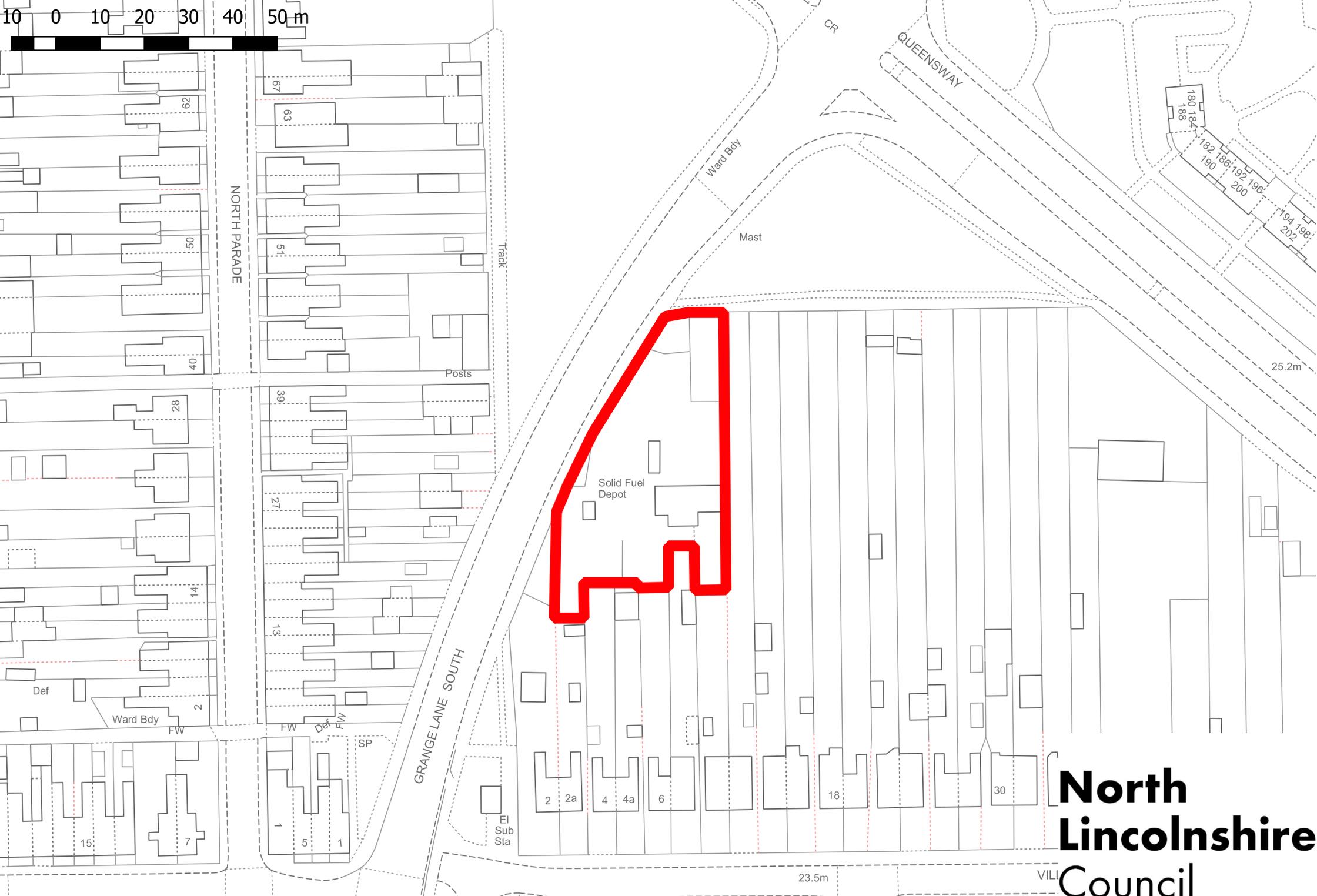
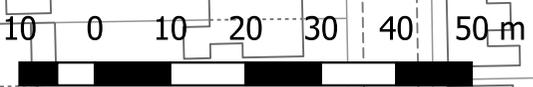
Informative 1

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

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

Informative 2

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



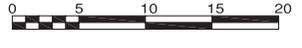
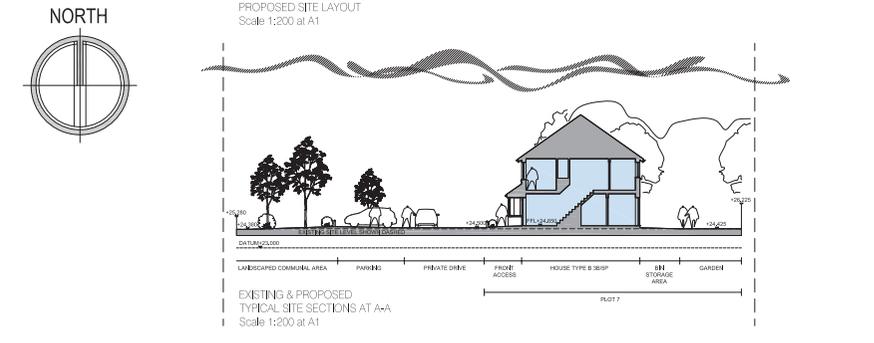
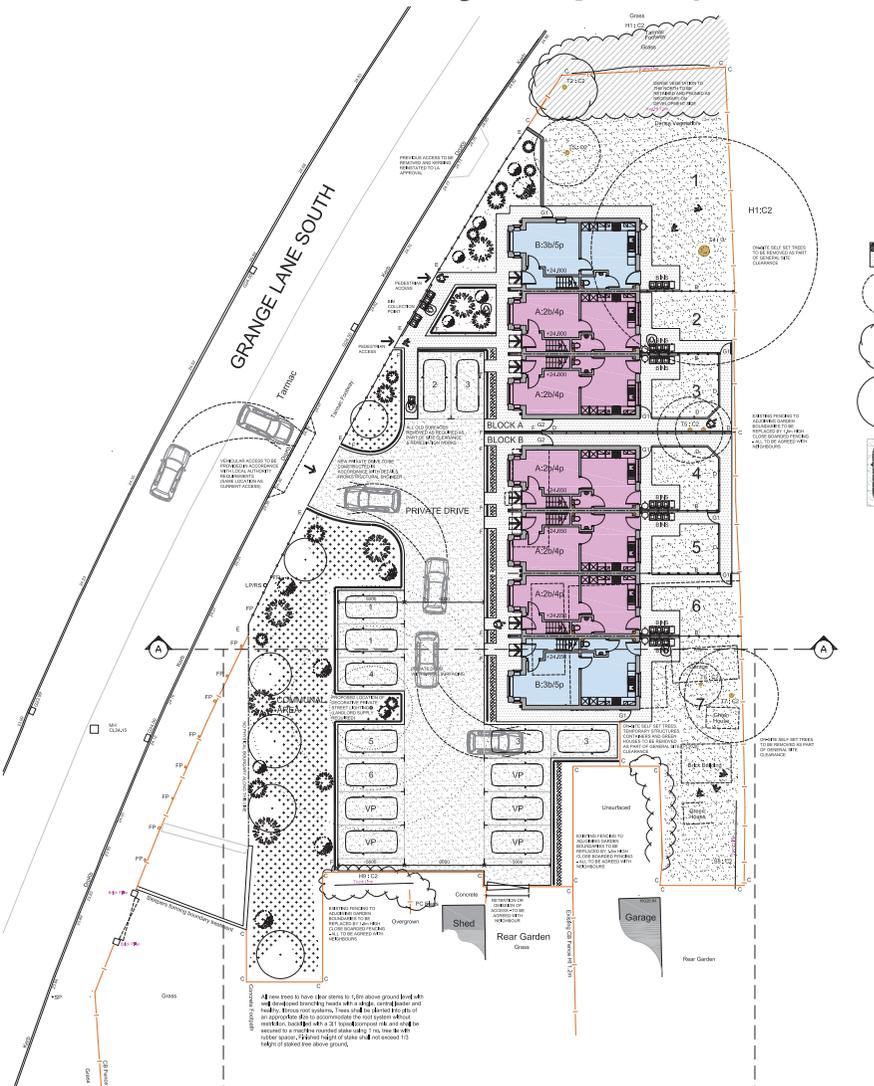
**North
Lincolnshire
Council**

PA/2019/2110

NOTES
 Do not scale from this drawing. Only figured dimensions are to be taken from this drawing.
 Contractor must verify all dimensions on site before commencing any work or stop drawings.
 Report any discrepancies to the architect before commencing work. If this drawing exceeds the quantity taken in any way the architect and the contractor are to be informed before the work begins.
 Work with the Contractor (Design & Management) Regulations 2015 is not to start until the Contractor Health and Safety Information has been produced by the Principal Designer and a Principal Contractor has produced a Construction Phase Health and Safety Plan.
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 This drawing originates from the CAD file:
 S201818829_Grange Lane South_Scunthorpe0110_BSB Drawings+2020_Current Issue+025_Appraisal18829_1200_Proposed Site Layout_Section A-A_House Types A&B.dwg

REVISIONS

Rev	Description	Drawn	Date	CHK	Date
A	Site section at A-A added; general development in accordance with discussions with client.	jgm	10.12.19	jeh	10.12.19
B	Drawing development; boundary types clarified for entire site; notes added and updated.	jgm	16.12.19	jeh	16.12.19
C	Tree retention added from Tree Report.	jgm	18.12.19	jeh	18.12.19
D	FLL's of plots 1-3 raised by 150mm.	jgm	13.01.20	jeh	13.01.20



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RIBA #
 CLIENT
T G Sowerby Developments Ltd

PROJECT
**Proposed Development at
 The Coal Yard, Grange Lane
 South, Scunthorpe, N Lincs**

DRAWING TITLE
**Proposed Site Layout, Section A-A
 & House Types A and B -
 Ground & First Floor Plans**

Drawing Status	Scale	Sheet Size
Planning	1:200 / 1:50	A1
Drawn	jgm	Date
Checked	jeh	29/11/19
Date		29/11/19

DrawIng No. **18829/12** Revision **D**