

APPLICATION NO	PA/2020/803
APPLICANT	Mr Mark Snowden, Keigar Homes Ltd
DEVELOPMENT	Planning permission to erect 9 dwellings, including associated access and garages
LOCATION	Land north of Ferry Road East, Barrow upon Humber
PARISH	Barrow upon Humber
WARD	Ferry
CASE OFFICER	Nick Salt
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Departure from development plan Objection by Barrow upon Humber Parish Council

POLICIES

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

Paragraph 8 states, ‘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 wellbeing; 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 9 states, ‘Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local

circumstances into account, to reflect the character, needs and opportunities of each area.’ It also explains that the three overarching objectives are not criteria against which every decision can or should be judged.

Paragraph 10 states that at the heart of the Framework is a presumption in favour of sustainable development.

Paragraph 11 sets out the presumption in favour of sustainable development and confirms that, 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 planning 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 the Framework as a whole.’

Paragraph 38 states, ‘Local planning authorities should approach decisions on proposed development in a positive and creative way...Decision-makers at every level should seek to approve applications for sustainable development where possible.’

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 where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.’

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

Paragraph 78 states that to promote sustainable development in rural areas, ‘housing should be located where it will enhance or maintain the vitality of rural communities.’ It goes on to explain that, where there are groups of smaller settlements, development in one village may support services in a nearby village.

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 LC5 (Species Protection)

Policy LC6 (Habitat Creation)

Policy LC7 (Landscape Protection)

Policy T1 (Location of Development)

Policy T2 (Access to Development)

Policy T19 (Car Parking Provision and Standards)

Policy T6 (Pedestrian Routes and Footpaths)

Policy DS1 (General Requirements)

Policy DS7 (Contaminated Land)

Policy DS14 (Foul Sewage and Surface Water Drainage)

Policy DS16 (Flood Risk)

North Lincolnshire Core Strategy:

Policy CS1 (Spatial Strategy for North Lincolnshire)

Policy CS2 (Delivering More Sustainable Development)

Policy CS3 (Development Limits)

Policy CS5 (Delivering Quality Design in North Lincolnshire)

Policy CS7 (Overall Housing Provision)

Policy CS8 (Spatial Distribution of Housing Sites)

Policy CS17 (Biodiversity)

Policy CS19 (Flood Risk)

Policy CS25 (Promoting Sustainable Transport)

Housing and Employment Land Allocations DPD:

Policy PS1 (Presumption in Favour of Sustainable Development)

CONSULTATIONS

Highways: No objections, but recommend conditions and an informative.

LLFA Drainage: Initially objected. After amendments, objection withdrawn but conditions recommended relating to drainage and surface water run-off.

HER: No objection. The applicant has completed an archaeological assessment and field evaluation in accordance with paragraph 189 of the NPPF and local planning policies, and has submitted the relevant reports.

The site lies 200 metres west of a substantial Saxon boundary ditch aligned east-west towards the application site.

The archaeological field evaluation comprised a geophysical survey of the site; the results did not identify any archaeological features associated with the early monastic site of Barrow.

As such, no further archaeological work is recommended in connection with the development of this site.

Ridge and furrow earthworks on the site are not well-preserved and do not contribute to the setting of the conservation area in this location.

Arboriculture: No response received to consultations.

Ecology: No objection. Landscape proposals should make provision for the retention and enhancement of hedgerows along with planting of trees in copses or woodland blocks.

The site has limited biodiversity value at present and negligible potential for protected species.

Planning conditions are proposed to minimise harm to protected and priority species and habitats and to seek biodiversity enhancement in accordance with the with policy CS17, the National Planning Policy Framework and Biodiversity Metric 2.0.

Environmental Health: The following report has been received and reviewed:

- Humberside Materials Laboratory Ltd, Phase 1 (desk study) report Ferry Road East, Barrow Upon Humber Report number: 0126/5140/P/P1 Dated: May 2020.

The report identifies the site as a rectangular shaped piece of land approximately 0.57 hectares in size. The site walkover identifies the site as open grassland with no structures or buildings. The report noted an old water trough to the west of the site; a former animal shelter or stable was also noted. However, there was no evidence of any permanent structures on site historically, with it remaining an undeveloped field until present day.

No obvious evidence of any significant contamination was found during the site walkover. There was no evidence of tanks or other liquid storage at or adjacent to the site.

The preliminary conceptual site model and risk assessment identifies the risk to human health from contamination as 'low'. The only sources of potential ground contamination of concern are identified as the temporary structure to the west of the site and potentially infilled land.

The report recommends that no further investigation is necessary; however there has been no intrusive investigation of the site to support this decision. It was noted that geotechnical investigation may be necessary to determine the properties of the underlying soils.

Given the site's potential historic agricultural use, this department does not agree with the findings of the report. There has been no suggested investigation to assess the site for potential contaminants associated with the site's potential historic agricultural use such as PAHs, metals, petroleum hydrocarbons and asbestos.

This department would recommend fully justified and robust proposals for investigation be submitted and approved by this department prior to any intrusive investigation taking place that takes into account all potential contaminants from the site's potential historic agricultural use.

A contaminated land condition is advised, together with a condition relating to noise and dust during 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 NPPF applies and consideration should be given to 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.

PARISH COUNCIL

Objects on the following grounds:

- outside the development limit and not included in the five-year housing supply
- existing drainage issues would be worsened
- concerns over access and proximity to the school, speed limits and visibility
- the local school does not have capacity for the increase in the number of pupils
- timing of the application during pandemic/lockdown.

PUBLICITY

The application has been advertised by site and press notice. Twenty-eight comments of objection have been received raising similar concerns to the parish council and the following concerns:

- hedging and planting removed on site
- local services oversubscribed
- loss of open space
- environmental impact – loss of hedging, impact on nesting birds
- houses proposed are 'unaffordable for people in the area'
- flood risk

- housing supply report noted
- impact on property values
- harm to village character
- risk of subsequent development
- no need for housing in Barrow
- poor public transport links
- not sustainable
- no positive gains for village
- loss of agricultural land
- unsympathetic design
- 'ribbon development'
- timing of the application
- drainage and sewerage network unable to cope.

ASSESSMENT

Site

The application site is a 1.3 acre parcel of open agricultural land which forms the southern part of a field to the north of Ferry Road East, on the urban fringe of the village of Barrow-upon-Humber.

The site is bounded by a cluster of dwellings both to the east and west, with agricultural fields to the north and south. The boundary of the site alongside the road comprises a fence and native hedgerow. The site is relatively flat and featureless with distant views to the north across slightly falling land towards the River Humber and Hull.

The site lies outside the development boundary of Barrow and is considered 'open countryside' for planning purposes. It is not within any conservation area or special landscape designation.

The site lies within an area designated in the council's Strategic Flood Risk Assessment (SFRA) as flood zone 1 – indicating lower risk of flooding. The site is classified as grade 2 agricultural land.

Proposal

This application seeks approval for the erection of nine detached dwellings on the site, all fronting onto Ferry Road East. The proposed dwellings are all bungalows, with the exception of a two-storey dwelling at the western end of the site. Each property will be served by a separate driveway and three of the houses will have detached garages within

the curtilage. A central road would run through the site from Ferry Road East, providing access to plots 5 and 6, terminating at the northern boundary of the site.

Each dwelling would be set back from the road with lawned gardens and planting and would feature private outdoor amenity space to the rear. House design is largely traditional with simple bungalow and house design and layout.

Material considerations

The main issues in the determination of this application are:

- **the principle of development;**
- **design and appearance;**
- **flooding and drainage;**
- **ecological and arboricultural matters;**
- **impact upon residential amenity; and**
- **highway safety.**

Principle

The application site is located outside of a defined development boundary and is therefore classed as open countryside for the purposes of planning. The main issue is whether the principle of developing this site for residential purposes is acceptable in policy terms.

Policy RD2 of the North Lincolnshire Local Plan sets out the type of development that is appropriate in the open countryside and the criteria against which all applications in the countryside will be assessed. Policy RD2 only supports residential development in the countryside where it is to meet some essential countryside need, such as farm workers' dwellings. Policy CS3 of the Core Strategy also restricts development in the countryside to that which is essential to the functioning of the countryside. The proposed development is contrary to these policies as it is for market housing not essential to the functioning of the countryside, or any rural business, nor does it meet any special need such as providing affordable housing.

Given the siting, the proposed development would be outside the defined development boundary for Barrow-upon-Humber and is therefore considered to be in breach of policies CS2, CS3 and CS8 of the Core Strategy and RD2 of the local plan.

Notwithstanding the development plan policies set out above, the NPPF is a material consideration when determining planning applications. Paragraph 11 and Footnote 7 (page 6) of the NPPF state the presumption in favour of sustainable development applies for applications involving the provision of housing where the local planning authority cannot demonstrate a five year supply of housing sites and that housing applications should be considered in the context of the presumption in favour of sustainable development.

Early this year the council started to review the Five Year Housing Land Position Statement. As part of this review, the council has identified that the deliverability of a number of the sites has changed due to planning permissions having lapsed or a delay in

delivery due to changes to site funding. The initial review has identified that the council housing land supply has reduced from five years to four years. The council has prepared a Housing Delivery Action Plan in accordance with the NPPF and PPG. The Action Plan will assist in securing a five year land supply; some of the actions include reviewing the windfall allowance calculation, and working with developers to bring forward outline planning applications.

The revised Five Year Housing Land Supply Position Statement is due at any time. Any decisions therefore made by the planning authority will take account of the presumption in favour of sustainable development as set out in Paragraph 11 of the NPPF. The current local policies relating to housing will carry reduced weight during this period.

In such circumstances paragraph 11 d) in relation to decision-taking is engaged; this states, '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 to paragraph 11 explains that:

'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.'

In relation to the dimensions of sustainable development under paragraph 8 of the Framework, there are three dimensions to sustainable development. These relate to economic, social and environmental considerations. The proposal would accord with the economic role, through its support for jobs through the construction phase and the support for local business through the expenditure of future occupiers. With regard to the social role, this too would make a positive contribution to addressing the deficit in the housing land supply. From an environmental perspective, the site lies adjacent to the settlement boundary and is therefore in an accessible location for local services. For the majority of the dwellings proposed, a bus stop along Ferry Road East is within the 200 metre threshold set out in the accessibility criteria of the Housing and Employment Land Allocations DPD ensuring no requirement for reliance on the car as the primary means of transport and therefore complying with the environmental role. The proposal would see the planting of hedging and trees to offset the loss of existing hedgerow; the site is of limited biodiversity value otherwise.

The loss of 1.3 acres of agricultural land is considered to be outweighed by the benefits of housing in this area, and the land lost would not have a substantial impact on the overall viability of farming or availability of quality agricultural land in the area.

Paragraph 59 of the NPPF encourages the provision of homes for groups with specific requirements. In this case, eight of the nine homes proposed are bungalows and have level access throughout. North Lincolnshire Integrated Strategic Assessment 2019 provides guidance on the need for different types of housing. It shows a need to plan for the needs

of an increasing number of older people in the population as well as for those who are approaching retirement age. Table 8.2 shows a projected increase of 42.5% in the population over retirement age [65] by 2037, by when 28.6% will be 65 and over. The study also notes the need to provide for people with health or disability needs, which generally means a requirement for single-storey accommodation. It is considered that the proposal could help to meet this recognised requirement and that the homes would be suitable for such, and within a relatively sustainable location within walking distance of local services and facilities.

Restricting development to land within development limits, if strictly applied, would severely affect the ability of the authority to address the need for housing. It is acknowledged that the proposed site falls adjacent to the settlement boundary, between the village and a cluster of existing dwellings. No significant adverse impacts have been identified that would outweigh the benefits of the proposed development, nor will the development affect any assets designated as being of particular importance. On balance, it is considered that the proposal does represent sustainable development in the context of the NPPF and Housing and Employment Land Allocations DPD policy PS1, and would benefit from the presumption in favour of sustainable development. The principle of the development of nine dwellings on this site is therefore considered acceptable, subject to detailed considerations below.

Design and appearance

Paragraphs 124 and 130 of the NPPF express the importance of good design, high quality buildings and improving the character and quality of an area.

Core Strategy policy CS5, Delivering Quality Design in North Lincolnshire, states, ‘...all new development in North Lincolnshire should be well designed and appropriate for their context. It should contribute to creating a sense of place. The council will encourage contemporary design, provided that it is appropriate for its location and is informed by its surrounding context. Design which is inappropriate to the local area or fails to maximise opportunities for improving the character and quality of the area will not be acceptable.’

Policy LC7 of the local plan states, ‘where development is permitted within rural settlements or within the open countryside, special attention will be given to the protection of the scenic quality and distinctive local character of the landscape. Development which does not respect the character of the local landscape will not be permitted.’

Policy H5 of the local plan relates to new housing development and seeks to ensure that it is within the Scunthorpe and Bottesford Urban Area and that, inter alia, the size and scale is commensurate with the settlement.

The site at present is open greenspace and the provision of a row of nine dwellings therein will have some visual impact on the immediate street scene and the wider landscape. The site is not within any protected landscape area or special landscape character designation; however, the proposal would see the loss of an area of mature hedging outside the existing village boundary and would extend the built form to the west. The key consideration here is whether the visual impact is acceptable.

It is proposed to build nine detached dwellings, of which eight will be bungalows. These will relate well to neighbouring dwellings to the west which are mainly bungalows or dormer bungalows. The single house will be situated at the east end immediately next to an

existing house. The height of the development would therefore be kept down, and coupled with existing hedging on site boundaries and the topography of the area, would limit views from distance from most perspectives. The dwellings would be visible in part looking east on Ferry Road East and from the junction of Barton Street and North Street facing west. From the southwest on Ferry Road, there would be limited views of the roofs of the dwellings at a distance. The proposal seeks the planting of trees and hedging to the frontage of the proposed properties to replicate the semi-rural appearance of surrounding houses and to ensure that the site fits with its rural surroundings to some degree.

It is considered that the proposed dwellings, by virtue of their siting between existing dwellings, the low level bungalow construction on eight of the plots, and the existing landscape layout, would not have an unacceptable impact on the surrounding areas of open countryside and would not appear as an overdevelopment, having limited views from surrounding vantage points.

With regard to the design of the dwellings themselves, the two-storey house to the east of the site would be large and highly visible from the road. It would, however, fit with the adjacent two-storey dwellings to the east and would be set back from the road, reducing impact. The house and the eight bungalows are proposed with vernacular designs and materials which would fit with the character and appearance of Barrow generally and within the context of the site itself.

Overall, the proposals would not have an unacceptable impact on the setting of the surrounding landscape – which is considered to be of somewhat limited value. The dwellings would sit between an existing cluster of rural dwellings and the village itself and would not appear isolated or incongruous with the semi-rural nature of the area. The dwellings proposed are considered to be designed in a manner which would respect local design and existing adjacent dwellings and would comply with the above policies in this regard. Conditions on landscaping and planting will ensure that the site is well screened and fits with its context as effectively as possible, limiting visual impact.

Flooding/drainage

The site is within an SFRA Flood Zone 1 area, meaning lower risk of flooding. Whilst concerns around flooding have been noted, it is not considered that the proposal would lead to an unacceptable increase in flood risk to the area due to this and the retention of surrounding grassed areas. The Environment Agency have not submitted any objections.

With regard to onsite drainage, some concerns were initially raised by the council's Drainage team. Following the submission of a revised Drainage Strategy, these concerns have been addressed subject to conditions controlling surface run-off etc. These conditions should ensure that any surface water run-off is adequately managed and that no unacceptable impacts to dwellings or the highway result.

Overall, it is considered, subject to the necessary conditions, that the proposal accords with policies DS14 and DS16 of the local plan and CS19 of the Core Strategy regarding both drainage management and flood risk.

Ecology/trees

Policies LC5–LC7 of the local plan deal with species, habitat and landscape matters. Given the existing open field nature of the site and surrounding hedgerows, the preservation and enhancement of important ecological features is necessary.

With that in mind, Ecology have been consulted on this proposal and have no objections. They note that proposals should make provision for the retention and enhancement of hedgerows along with planting of trees in copses or woodland blocks and that the site has limited biodiversity value at present and negligible potential for protected species.

Planning conditions have been proposed to minimise harm to protected and priority species and habitats and to seek biodiversity enhancement in accordance with the with policy CS17, the National Planning Policy Framework and Biodiversity Metric 2.0. These conditions are considered reasonable and necessary for the achievement of the outcomes outlined in the relevant policies above, and to ensure a net benefit in terms of ecology.

No consultation response has been received from the council's Arboricultural Officer. A tree protection plan has been submitted, however, which details the removal of the hedgerow bounding the highway and one of the two trees within it – stated to be category C, of lower quality. The hedge to the western boundary would be retained according to the plan, along with the other existing tree on site.

It is not considered that the loss of the tree and the hedging, whilst regrettable, would have an unacceptable impact on the local visual amenity and biodiversity sufficient to outweigh the benefits of the additional housing. As noted above, measures will be secured by condition to offset such impacts.

Residential amenity

Policy DS1 (iii) 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 impact on the adjacent dwellings at 'Camelot' to the west and 'Clifton House' to the east is considered as these are the only residential dwellings directly adjoining the site. Impact between the proposed dwellings is also considered.

In terms of overlooking and loss of privacy, no first floor windows on either the dormer bungalows or the two-storey house are proposed to serve habitable rooms, with windows at this level serving bathrooms/en suites as per the submitted floorplans (as amended). It is not considered, due to the above and the layout of the buildings proposed and existing, that overlooking would occur onto any neighbouring property from any of the dwellings proposed. Effective boundary screening between plots will limit any overlooking between ground floor side windows.

The properties would be sited with side elevations relatively close together. Due to their bungalow design, however, it is not considered that there would be unacceptable levels of shadowing or overbearing, and each dwelling would have access to sufficient natural light. Plot 9 would not dominate or restrict light into or onto Camelot to the west and the dwelling proposed for Plot 1 (the house) would be of a sufficient separation distance from Clifton House to the east and impacts thereon would be minimal.

The potential for adverse impacts on the living conditions of neighbouring dwellings and between the nine dwellings proposed has been considered and it is concluded that there

would be no such impact so significant as to warrant a reason for refusal on this basis. The proposals accord with DS1 (iii) in this regard.

Highways and transport

Many of the comments objecting to this application refer to potential highway safety impacts and pressure on the nearby roads resulting from the provision of the new dwellings and accesses to serve them. This aspect has been carefully considered in light of the issues raised.

It should be noted that the council's Highways team have no objections to the development, and this carries significant weight in favour of the acceptability of the parking and access arrangements proposed.

The provision of six new access points onto Ferry Road East will evidently increase risk on existing and future highway users to some degree, as with any new development. This section of road is, however, straight and visibility splays in either direction would be good. The risk to highway safety would not exceed that typical of a development of this type, and the six new access points would not unacceptably impact the overall highway safety of the area to a significant degree.

Sufficient off-street parking is proposed for each dwelling, each having a minimum of two spaces. There would also be footpath access into the centre of the village, and there is a bus stop nearby, thus reducing reliance on private vehicles.

Overall, it is considered that the proposal accords with policies T2 and T19 of the local plan in respect of the provision of safe access and parking, and CS25 of the Core Strategy in respect of sustainable transport.

Other matters

The council's Environmental Protection team have been consulted and have examined the submitted contamination Phase 1 report for the site. They do not fully agree with the findings of the report and have requested a condition on any approval requiring a full investigation and risk assessment to be carried out. It is considered, given the advice received from that department and the sensitive end use (residential), that such a condition would be necessary and reasonable to ensure accordance with policy DS7 of the local plan.

The council's Historic Environment Record team have also been consulted with regard to potential risks to archaeological features and the submitted information in support of the proposal. They do not consider there to be any such risk and no further action is required with regard to this.

Some concern has been raised with regard to a cut-through unofficial pathway on the site which is used by some local residents. The rights of way associated with this are not a planning matter, however the loss of any such path is likely to have some impact on those who use it. It is considered, however, that there is sufficient footpath coverage throughout the village and the loss of a potentially unmaintained and unofficial path would not be an unacceptable level of detriment to the amenity of the wider community.

Conclusion

In summary, it has been established that the proposal fails the criteria of several local planning policies with regard to residential development outside the development boundary. These policies are, however, considered out of date and carry less weight than national planning policy which gives greater weight in favour of residential development where a five year housing supply cannot be demonstrated, as is the case.

The development proposed is close to the existing boundary and village services and is well served by vehicle and pedestrian routes. It is considered to be sustainable development which would meet the test of acceptability in principle when the NPPF weight is applied.

This acceptability in principle has been balanced against other impacts including drainage, flooding, ecology and visual amenity. It is considered that the proposed development is generally acceptable in terms of these other aspects, and the weight in favour of residential development and the provision of nine units of housing results in a proposal which is considered acceptable subject to the necessary conditions outlined in the report.

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:

FE/145/02 - Site Location Plan

FE/145/03 A - Site Layout

FE/145/05 A - Landscaping

FE/145/04 A - Materials

FE/145/06 A - Car Parking

TPP - 200610 FerryRoadEastBarrow.mpd - Tree Protection Plan

Te.sr/AS/19/103 - Floor plans and elevations - The Teal Plot 7 (received 26 June 2020)

Te.sr/OP/19/103 - Floor plans and elevations - The Teal Plot 8 (received 26 June 2020)

MH/OP/19/101 - Floor plans and elevations - The Manor House Plot 1 (received 26 June 2020)

M.dg/AS/19/102 - Floor plans and elevations - The Maxstroke Plot 2 (received 26 June 2020)

M.dg/OP/19/102 - Floor plans and elevations - The Maxstroke Plot 3 (received 26 June 2020)

M.sg/OP/19/102 - Floor plans and elevations - The Maxstroke Plot 4 (received 26 June 2020)

M/AS/19/101 - Floor plans and elevations - The Maxstroke Plot 5 (received 26 June 2020)

M/OP/19/101 - Floor plans and elevations - The Maxstroke Plot 6 (received 26 June 2020)

Mx.sg/OP/19/102 - Floor plans and elevations - The Maxstroke Plot 9 (received 26 June 2020)

GA/FE/P5 - Proposed Garage Elevations & Floor Plan (Plot 5)

GA/FE/P4 - Proposed Garage Elevations & Floor Plan (Plot 4)

GA/FE/P1 - Proposed Garage Elevations & Floor Plan (Plot 1)

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 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.

No dwelling on the site shall be occupied until the private driveway has been completed, to a standard to be agreed beforehand in writing with the local planning authority, up to its junction with the vehicular access to that dwelling.

Reason

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

7.

No development 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 development shall commence until details showing the method of facilitating the adjacent street furniture have been submitted to and approved in writing by the local planning authority. The development shall be constructed in accordance with drawing number FE/145/03 A.

Reason

In the interests of highway safety and safe pedestrian access.

11.

All works and biodiversity enhancements shall be carried out strictly in accordance with section 5 of the submitted document 'Ferry Road East, Barrow Upon Humber: Extended Phase 1 Habitat Survey and Biodiversity Management Plan' dated July 2020 and the submitted drawing number FE/145/05 Revision A. The management prescriptions set out in the management plan shall be carried out in their entirety in accordance with the timescales set out. Prior to the occupation of the ninth 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 Core Strategy.

12.

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

- (a) an assessment of biodiversity loss based on the habitat and hedgerow baseline from the 'Ferry Road East, Barrow Upon Humber: Extended Phase 1 Habitat Survey and Biodiversity Management Plan' dated July 2020;
- (b) details of measures required to provide at least 10% biodiversity net gain in accordance with the Defra biodiversity metric 2.0; Biodiversity units should be delivered on site, within the red line and blue line boundaries shown on submitted drawing FE/145/02. Those that cannot viably be delivered on site should be delivered locally, according to a local plan or strategy.

Reason

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

13.

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

Reason

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

14.

The landscaping scheme shown on drawing FE/145/05 A 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

In the interests of enhancing the visual and ecological value of the site.

15.

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, 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 the site is safe for future users and construction workers.

16.

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

- 8am to 6pm Monday to Friday

- 8am 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

To reduce the potential impact on residential amenity from noise, dust and light generated during the development phase.

17.

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, which is available to view on the website. Should infiltration not be feasible at the site, alternative sustainable drainage should be used, focusing on above ground solutions.

Reason

To prevent an increased risk of flooding on the site and surrounding area, 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, policies CS18 and CS19 of the North Lincolnshire Core Strategy and paragraphs 155, 157, 163 and 165 of the National Planning Policy Framework.

18.

The approved drainage scheme shall be implemented in accordance with the approved submitted details required by condition 17 above, 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 an increased risk of flooding on the site and surrounding area, 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, policies CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraphs 155, 157, 163 and 165 of the National Planning Policy Framework.

19.

No development shall take place until details showing an effective method of preventing surface water run-off from hard paved areas within the site onto the highway have been approved in writing by the local planning authority. These facilities shall be implemented prior to the access and parking facilities being brought into use and thereafter so retained.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the North Lincolnshire Core Strategy and paragraph 163 of the National Planning Policy Framework.

20.

No development shall take place until details showing an effective method of preventing surface water run-off from the highway onto the developed site have been submitted to and approved in writing by the local planning authority. These facilities shall be implemented prior to the access and parking facilities being brought into use and thereafter so retained.

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, policies CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraphs 155, 157, 163 and 165 of the National Planning Policy Framework.

Informative 1

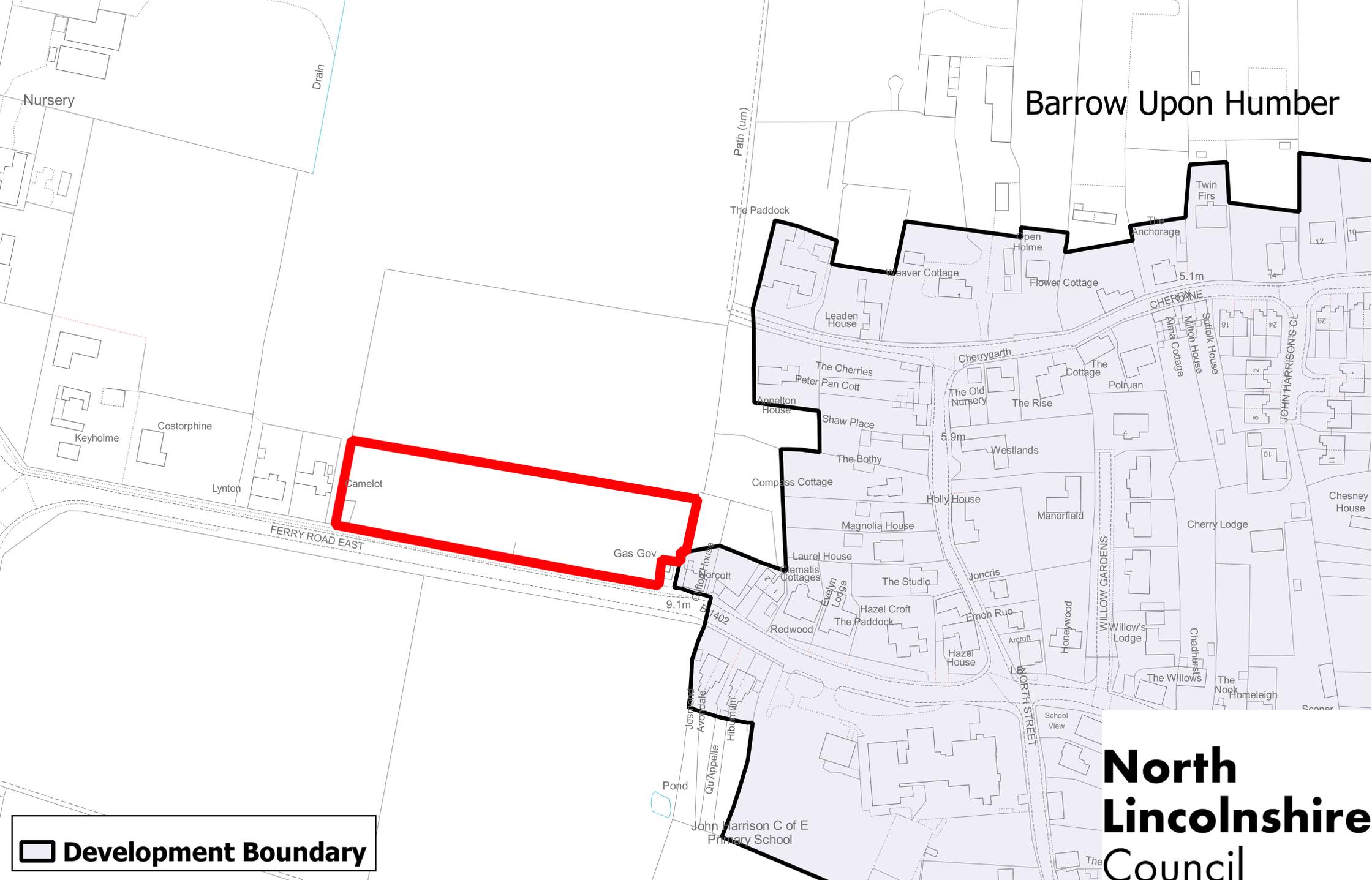
The development hereby granted planning permission requires works to be carried out within the limits of the adopted (public) highway. Therefore:

- 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.



Barrow Upon Humber

 Development Boundary

PA/2020/803

North Lincolnshire Council

AMENDED



A	UPDATED SCHEME.	MdS	17.04.20
Rev:	Details:	Drawn by:	Date Approved:

KEIGAR HOMES LTD
 KEIGAR LODGE
 CANBERRA VIEW
 BARTON-UPON-HUMBER
 NORTH LINCOLNSHIRE
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 Tel: 01652 631939 Fax: 01652 631938



Project Title:
 Residential development
 land off FERRY ROAD EAST
 BARROW UPON HUMBER

Drawing Title:
 SITE LAYOUT

Drawn by:	MdS	Date:	28.04.20	Scale:	1/500 @ A3
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Drawing No: FE / 145 / 03
 Revision: A