

APPLICATION NO	PA/2020/103
APPLICANT	KCS Developments Ltd
DEVELOPMENT	Outline planning permission to erect 55 dwellings, including drainage infrastructure, public open space and associated landscaping, with appearance and scale reserved for subsequent consideration
LOCATION	Land to the east of High Burgage, Winteringham
PARISH	Winteringham
WARD	Burton upon Stather and Winterton
CASE OFFICER	Scott Jackson
SUMMARY RECOMMENDATION	Subject to a section 106 agreement, grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Significant public interest Member 'call in' (Cllrs Ralph Ogg, Helen Rowson and Elaine Marper – significant public interest)
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 14 – Meeting the challenge of climate change, flooding and coastal change

Chapter 15 – Conserving and enhancing the natural environment

Chapter 16 – Conserving and enhancing the historic environment

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 R5 (Recreational Paths Network)

Policy HE2 (Development in Conservation Areas)

Policy LC5 (Species Protection)

Policy LC6 (Habitat Creation)

Policy LC7 (Landscape Protection)

Policy LC12 (Protection of Trees, Woodland and Hedgerows)

Policy T1 (Location of Development)

Policy T2 (Access to Development)

Policy T6 (Pedestrian Routes and Footpaths)

Policy T19 (Car Parking Provision and Standards)

Policy DS1 (General Requirements)

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 CS6 (Historic Environment)

Policy CS7 (Overall Housing Provision)

Policy CS8 (Spatial Distribution of Housing Sites)

Policy CS9 (Affordable Housing)

Policy CS17 (Biodiversity)

Policy CS19 (Flood Risk)

Policy CS22 (Community Facilities and Services)

Policy CS25 (Promoting Sustainable Transport)

Policy CS27 (Planning Obligations)

Other documents:

Winteringham Conservation Area Appraisal

Winteringham Supplementary Planning Guidance

CONSULTATIONS

Shire Group of IDBs: This application lies within the IDB's (extended) district and may relate to work in, on, under or near a watercourse within that district. Consent is therefore required from the IDB in addition to any landowner agreements for works, access, easements and planning permissions.

Spatial Planning: The site is located in the open countryside, outside the development limit of Winteringham, and is therefore contrary to policy CS2 of the Core Strategy which restricts development to that which is essential to the functioning of the countryside. The proposal is also contrary to policies CS7 and CS8 of the Core Strategy as the principal focus for development is Scunthorpe and the market towns of Barton, Brigg, Crowle, Kirton in Lindsey and Winterton. There is a requirement to provide affordable housing, which should be 10% of the overall housing provision. The development is also contrary to policy RD2 of the North Lincolnshire Local Plan.

Winteringham is a larger rural settlement and is classed 28th overall out of all the settlements in North Lincolnshire; it contains 5 of the 7 key facilities and services and has approximately 442 dwellings. Contributions would be sought towards recreation, education and leisure and 10% on-site affordable housing provision.

As the council cannot demonstrate a five-year housing land supply, paragraph 11 of the NPPF 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. It must be demonstrated why the development meets the three dimensions of sustainable development.

Historic Environment Record (HER): The applicant has undertaken archaeological assessment and field evaluation in accordance with paragraph 189 of the National Planning Policy Framework (NPPF). The applicant has submitted reports of desk-based research, geophysical survey and archaeological trial trenching. The results reveal that the site contains buried remains associated with a Saxon enclosure as well as earlier archaeological activity. The proposed development will destroy the remains resulting in substantial harm to the archaeological interest of the site; paragraph 197 of the NPPF should therefore inform the planning decision.

The applicant has submitted an archaeological mitigation strategy comprising excavation and recording of the remains in advance of development commencing. The strategy is set out in a detailed Written Scheme of Investigation (WSI) which accords with professional standards and guidelines. This procedure is in accordance with paragraph 199 of the NPPF, and local planning policies CS6 and HE9; as such the Historic Environment Record has no objection to the development. Where the planning authority is minded to grant permission for this application, conditions to secure the implementation of the archaeological mitigation strategy are recommended.

Humberside Fire and Rescue: It is a requirement for domestic premises that adequate access for fire-fighting is provided to all buildings or extensions to buildings.

Leisure: A 'sports facility calculator' has been developed by Sport England for planning obligation purposes. A contribution of £53,000 is sought towards the improvement of leisure facilities in the catchment of the site. This includes Baysgarth Leisure Centre and Winterton Artificial Pitch.

LLFA Drainage: Following the receipt of additional information, no objection, but advise conditions requiring the submission and implementation of a detailed surface water drainage scheme for the site and a method of preventing surface water run-off from hard paved areas.

Environmental Health: Considering the potential for significant hydrocarbon contamination to be present on site and the sensitive end use of the development, prior to determination, a site-specific investigation and risk assessment shall be undertaken to assess the nature and extent of any contamination on the site, whether or not it originates on the site.

Recommend conditions in respect of contaminated land investigation, the provision of electrical vehicle charging points, construction and site clearance working hours and the submission of a construction environmental management plan.

Section 106 Officer: As the site falls within Winteringham, current policy states that 10% of the development should be provided for affordable housing; on this proposed development it would be 5 dwellings if all 55 dwellings were built.

Education are yet to respond to this application. However, if they request both Primary and Secondary contribution, it will be £7,453 per dwelling, excluding affordable dwellings.

To allow maximum development on site, Leisure have requested an off-site contribution of £47,478 towards the catchment leisure facilities. For this development it would be Baysgarth Leisure Centre and outdoor sport at Winterton Artificial Pitch for anticipated costs of building improvements and sports equipment.

Under council policy for a development of this size, the council would request the provision of an area of open space and a local area of play (LEAP) on site. The area of casual open space required for a development of this size is 10 square metres per dwelling. Therefore, 550 square metres of casual open space is required on this site if the development is for up to 55 dwellings. The size of the local play area to be provided onsite is 400 square metres (1 LEAP). If the maintenance of the area of open space and one LEAP is to be transferred to the council, the council would require a maintenance contribution of £94,537.00 to cover 10 years' maintenance. Otherwise an estate management company could be set up.

Ecology: The submitted Landscape and Visual Appraisal is acceptable. The development appears unlikely to have a significant effect on the Humber Estuary SAC, SPA or Ramsar site. The ecological survey methods used and the survey effort deployed are appropriate for the site in question. If permission is ultimately granted, there will be a need to secure biodiversity enhancements in accordance with the National Planning Policy Framework.

Highways: No objection, but recommend 12 conditions. It will be necessary to amend the existing Traffic Regulation Order (TRO) to facilitate the relocation of the speed limit. A financial contribution of £2,000 is therefore sought to be secured through a Section 106

Agreement. It is also recommended that the provision of bus taster tickets for a minimum period of three months should be included with a Section 106 Agreement – the exact figure for this is subject to agreement with the Public Transport Team.

Capital and Buildings: Financial contributions of £4,480 per dwelling are sought for primary education places. If the Section 106 Agreement is signed after 31 March 2020 then a revised figure will be required.

Environment Agency: No objection, but recommend the following condition:

‘No building works which comprise the erection of a building requiring to be served by water services shall be undertaken until full details of a scheme for the provision of mains foul sewage infrastructure on and off site have been submitted to and approved in writing by the local planning authority. No dwelling shall be occupied until the works have been carried out in accordance with the approved scheme.’

PARISH COUNCIL

Objects on the following grounds:

- the application should be considered concurrently with PA/2019/568 for 29 dwellings on the neighbouring site
- grade 2 agricultural land located within half a mile of the Humber Estuary SAC designation
- the entire site is located outside the development boundary for the village and does not re-use previously developed land
- contrary to policies CS2 and CS3 of the Core Strategy (CS) and RD2 of the North Lincolnshire Local Plan (NLLP)
- the scale of development is excessive when considered in the context of the size of Winteringham
- it represents a potential 12.8% growth in the residential population
- there is no need for further areas of open space
- Winteringham is classed as a ‘minimum growth area’ in the local plan and supplementary planning guidance
- the land is not flat and the proposal will impact on properties on Winterton Road and Silver Street through loss of light
- loss of ecological habitat
- no economic or environmental benefit of allowing development
- additional traffic and car journeys
- noise and pollution from additional traffic

- impact on the character and appearance of the village
- impact on local services
- expensive local public transport
- impact on pedestrian safety
- not a sustainable location
- increased footfall along the public rights of way
- increased damage to road surfaces and verges
- highways are not suitable for additional traffic
- issues with existing drainage
- the drainage system cannot accommodate additional dwellings
- potential for increased localised flooding
- the existing watercourse flooded in November 2019 and February 2020 – increase in flood risk
- disproportionate in relation to the size of the settlement
- open spaces could encourage antisocial behaviour
- it will not provide the affordable housing required for local housing needs
- impact on the conservation area
- object to the leisure contributions for Winterton and Barton
- the primary school is at capacity
- loss of view
- impact on the character and appearance of the countryside.

PUBLICITY

The application has been advertised by site and press notice. A significant number of objections have been received raising similar issues to the parish council, together with the following issues:

- precedent for further development
- outside the settlement boundary
- impact on the character of the village

- the development is for economic gain
- increase in construction traffic
- impact on the doctor's surgery (Winterton)
- drainage issues made worse by differences in ground levels
- impact on foul drainage
- contrary to policies CS3, CS7 and CS8
- it is not for infill development
- loss of wildlife habitat
- overlooking
- loss of view
- not an appropriate location for development
- loss of farmland
- loss of residential amenity
- no provision for maintenance of open space or drainage features
- impact on buried archaeology
- three-storey dwellings could be constructed
- proposed flood mitigation measures are not considered to be adequate.

STATEMENT OF COMMUNITY INVOLVEMENT

No statement of community involvement has been submitted with this application.

ASSESSMENT

The application site comprises an agricultural field and an area of woodland which extends to 3.22 hectares in area; it is located to the south of Silver Street and to the east of High Burgage and Winterton Road. The north-western corner of the site comprises woodland which is located within the Winterringham conservation area; the field to the north of the public footpath is also within the conservation area. The site lies outside of, but adjacent to, the defined settlement boundary for Winterringham and is therefore within the open countryside. It is bordered by residential properties to the north and west and is bisected by a public footpath which runs through the site from east to west.

Outline planning permission is sought to erect 55 dwellings with associated gardens and off-street parking; access, layout and landscaping are being considered as part of this application with appearance and scale reserved for subsequent consideration. This is a resubmission of planning application PA/2019/861 which was refused on the grounds that

the site was located outside the defined settlement boundary for Winteringham and the urbanising impact on the environment. The applicant has submitted additional information in the form of an updated Landscape and Visual Appraisal and has amended the site layout to incorporate additional landscaping proposals.

The main issues in the determination of this application are the principle of residential development (incorporating landscape impact), and impact upon the conservation area and residential amenity.

Principle

The application site is located outside of any defined settlement boundary and the proposal would represent a departure from the North Lincolnshire Local Plan. In determining whether the principle of residential development outside the settlement boundary is acceptable in this instance, it is necessary to consider whether the proposed development is sustainable in planning policy terms.

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 CS sets out a 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.

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 Winteringham. There are no allocated housing sites within Winteringham.

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,

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 focusing housing within settlement limits as defined in the Housing and Employment Land Allocations DPD. The application site is entirely outside the defined development boundary for Winteringham and is therefore considered to be in breach of policies CS2, CS3 and CS8 of the Core Strategy and RD2 of the local plan.

A recent review of the of the Five Year Housing Land Position Statement has identified that the council's housing land supply has reduced from five years and six dwellings, 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 will be published in April 2020, and any decisions 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.

Planning policy guidance paragraph 008 states that, in decision-taking, if an authority cannot demonstrate a five-year housing land supply, including any appropriate buffer, the presumption in favour of sustainable development will apply, as set out in paragraph 11d of the National Planning Policy Framework.

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

A covering letter has been submitted with this planning application; this states, having assessed the council's five-year Housing Land Supply Statement, that it was clear that a number of sites did not meet the definition of deliverable as set out in the NPPF and that the council has now withdrawn that position. The covering letter states the following in respect of the assessment of this planning application:

As the council can no longer demonstrate a five year supply of housing land, our previously submitted Planning Statement remains valid and due regard should be had to the arguments contained within it and reason for refusal 1 (settlement boundaries) is not applicable. To summarise the policy position, the 'tilted balance', and the presumption in favour of sustainable development, is now engaged and the policies most important for determining the application, including RD2 and CS3, are out of date in accordance with the NPPF.

In the absence of relevant up to date development plan policies, the balance is tilted in favour of sustainable development and the granting of planning permission except where the benefits are significantly and demonstrably outweighed by the adverse impacts.

The Planning Statement submitted with the planning application, at paragraph 4.34, states that the council does not currently have a five-year supply of deliverable housing sites. At paragraph 5.3 the applicant accepts that the proposed development does not fall under any of the exceptions identified as being acceptable under policy CS3 of the Core Strategy. In terms of substantiating the sustainability credentials of the application proposals, the

Planning Statement states that Winteringham has 5 of the 7 key facilities, the proposal would help to support services in the settlement and within Winterton, and it has a regular bus service with limited walking and cycling opportunities to nearby settlements. In summary, the Planning Statement states the following in respect of sustainability:

The need for additional housing to support the sustainability of rural service centres such as Winteringham is highlighted within the Survey (Sustainable Settlement Survey 2016) and Paragraph 84 of the Framework (NPPF), which also accepts that in some instances, developments in rural areas may not be well connected to public transport services although the settlement has reasonable connection via a service that runs each 30 minutes from Hull to Scunthorpe. This additional housing will secure the long term viability and prosperity of this bus service, the convenience store, post office and the primary school within the settlement.

Conclusively, Winteringham is a sustainable settlement capable of catering for this scale of proposed development, and this development is important for securing the long term sustainability of this rural settlement and its services.

The proposed development would have the social and economic benefits of addressing the current under-supply of housing land by the provision of market housing as well as affordable housing (as required under policy CS27). Investment in construction and related employment would represent a benefit, as would the support which the additional population would produce for the local economy. The North Lincolnshire Sustainable Survey 2016 ranks the settlement of Winteringham as 24th out of the 79 settlements scored within the survey and is classified as a Larger Rural Settlement having five of the seven key facilities. It is therefore noted that Winteringham is a sustainable settlement in respect of its number of key facilities and the application site is within walking and cycling distance of these facilities/services. In addition, there is a regular bus service to the market town of Winterton and the main employment centre of Scunthorpe where a wider range of services and amenities are available.

It is worth noting that the previous application (PA/2019/861) was refused on the grounds that the residential development would have a significant urbanising effect on the rural landscape. In the covering letter the applicant submits the following commentary in respect on the reason for refusing planning permission previously for an urbanising effect:

We believe that the Committee Report misinterpreted the findings of the LVA. The LVA found that the effect on the landscape character was acceptable and that the visual impact was also low. However, the test set out in the tilted balance is one of significant and demonstrable harm. It is clear from both the LVA and the Committee Report that this threshold has not been met and that any harm is outweighed by the social and economic benefits of the application which are numerous and include the provision of much needed affordable homes, the provision of a range of house types and job creation. These are outlined further in the Planning Statement.

In terms of the environmental dimension, the development will clearly result in the loss of greenfield land in agricultural production, which is an environmental disbenefit. Whilst the site is not subject to any formal landscape designation, the impact of development on non-designated landscapes is still a consideration. The site is bordered by housing to both its northern and western boundaries, by a large area of woodland to its north-western corner and is bisected by a public footpath through the centre. Therefore, the site is comparatively well contained on two of its sides.

A landscape and visual appraisal has been submitted with the planning application.

The conclusions of the landscape and visual appraisal are that the visual effects of the proposed development will be greater from close-range views and predominantly experienced by residential receptors with a medium to high sensitivity to change. It is accepted that the development will be urbanising in character with the landscaping strategy helping to integrate the new dwellings into the existing landscape pattern of dwellings, hedgerows, woodland and undulating landform. It is acknowledged within the landscape and visual appraisal that the visual resource of the site is sensitive to change due to its edge of settlement location and that recreational users of the public rights of way (PROW) will experience a medium magnitude of change when travelling west along the PROW towards Winteringham. The viewpoints assessed showed that from each viewpoint the magnitude for the visual effect would be medium, medium to low adverse. The appraisal considers that, with the introduction of landscaping, the landscape visual impact of the proposal would be reduced after a period of 15 years post development (once the landscaping had become established within the landscape). It is noted that the following landscape proposals are put forward as part of the residential development:

- the retention, strengthening and diversification of the existing native boundary hedgerows along the site boundaries with an appropriate mix of native species
- the retention of the woodland area to the north
- the creation of new buffer planting, comprising ornamental hedgerows and trees, which will help to soften the appearance of the proposed development from Winterton Road at the approach of Winteringham
- the provision of attenuation features, including a drainage pond
- the provision of a central area of public open space/village green
- the provision of new planting adjacent to the PROW
- new tree and scrub planting adjacent to the boundary with existing residential properties.

Once the landscaping becomes established over time, it will create additional areas of open space which would provide a greened corridor across the site and a sense of openness to either side of the public footpath. In addition, the layout plan submitted with the planning application shows the establishment of dense planting along the south-eastern corner of the site, the positioning of the most dense element of built development concentrated in the centre of the site and the inclusion of more substantial planting of hedges and trees along both the southern and eastern boundaries of the site (i.e. those which face towards the wider rural landscape).

The proposed development would alter the character and appearance of the countryside. However, that would apply to any greenfield site, including those allocated for development in the HELAP, and would be an inevitable consequence of the authority striving to meet housing need. Given the fact that the site is comparatively enclosed and lies directly adjacent to the defined development boundary and existing residential development, it is considered that the landscape impact would be limited in this instance. Furthermore, the impact of the proposed housing development on those using the footpath through the site

will change, however the sense of greened openness to this experience will be maintained, particularly given the landscaping proposals to keep the land open to either side of this PROW, to position the public open space in this part of the site and to retain the woodland in its entirety to the north-western corner of the site. It is considered that the information submitted within the updated landscape and visual appraisal and the revisions to the site layout (which includes areas of denser and new landscaping) is sufficient to ensure that the impact of built development can be successfully assimilated into the rural landscape over time and there are no wider landscape impact issues arising from the development (i.e. it will not be highly visible in the wider rural landscape). On this basis, the previous reason for refusal in respect of landscape and character impacts of the proposed development has been addressed by the submission of the additional supporting information and the recommendation to members has changed accordingly.

The council's ecologist has confirmed that the site is currently of limited biodiversity value and that, subject to conditions (which would secure biodiversity enhancement on the site), the development is unlikely to have an adverse impact on protected species. The site is not designated as being of specific ecological importance, nor is it adjacent to such an area of designation. The applicants have demonstrated that there is the potential for biodiversity benefit via additional landscaping and the use of sustainable drainage features, such as an attenuation pond with appropriate wetland planting; this would be achieved through the biodiversity management plan condition recommended by the council's ecologist.

Overall, the site is considered to be of low environmental sensitivity and the magnitude of change to the character of the landscape and public views will be medium to low. Although there would be some degree of harm to the character and appearance of the area and a conflict with the development plan in this respect, the extent of harm does not weigh heavily in the balance and the environmental dimension of sustainable development is therefore considered to be achieved in this case.

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. Overall it is considered that the proposal represents sustainable development in the context of the Framework, which sets a presumption in favour of sustainable development. The limited adverse impact of granting planning permission would not significantly and demonstrably outweigh the benefits of the proposal, when assessed against the policies in the Framework taken as a whole. For these reasons the principle of development is considered to be acceptable.

Conservation area

The site lies adjacent to and partly within the Winteringham conservation area. The site layout plan shows that five dwellings are proposed in the area occupied by the conservation area to the north of the PROW. However, this part of the site is arranged in a spacious cul-de-sac layout with large dwellings set back from the highway and with the principal elevation addressing the highway. It is considered that the layout of housing proposed within the conservation area reflects the sporadic and more spacious pattern of built development in the wider conservation area to the north of the site. In addition, it is considered that the secondary line of housing formed to the rear of existing buildings which occupy the Silver Street frontage to the north ensures there is no intervisibility between the listed buildings and the dwellings proposed in the conservation area. Therefore, the setting

of the four listed buildings (The Hollies, Scarborough House, Silver Cottage/Whitegates and House 30 metres north of Walnut Farmhouse) which occupy the Silver Street frontage is considered to be preserved as a result of the proposed development.

The plans show that the area of woodland which forms the north-western corner of the site will be retained in its entirety and no tree clearance works are proposed. The Winteringham Conservation Area Appraisal and Supplementary Planning Document identifies a key view into the conservation area in the gap between houses on High Burgage (between 1 Winterton Road and 33 High Burgage); this view was considered in the LVIA analysis and follows the route of the PROW in a west to east direction through the development site. The plans show that the woodland will be retained in the foreground of this key view and that the open space will be formed to either side of the PROW; it is accepted that views of dwellings will be available, however these will be glimpsed views with the longer view being of a green corridor through the site. The bulk of the development (50 dwellings) is proposed to the south of the conservation area and the layout of dwellings is broadly consistent with the wider settlement pattern in Winteringham. Appearance of the dwellings is a matter to be considered at reserved matters stage; however, the local planning authority would ensure that the materials schedule would be appropriate to its location both within and adjacent to the Winteringham conservation area.

Given the retention of the area of woodland within the site, that key views into the conservation area are not compromised, and that the wider pattern of the development proposal is spacious and sited to the south of the conservation area, it is considered that the development will preserve the character and appearance of the Winteringham conservation area in this case.

Residential amenity

The proposal seeks outline planning permission with appearance and scale reserved for subsequent consideration through the submission of a reserved matters planning application. Matters relating to the position and heights of windows, orientation of the dwellings, external appearance and scale of the dwellings would be considered at reserved matters stage. The potential loss of residential amenity arising from this subsequent planning application would be assessed at that stage of the planning process.

Notwithstanding this, a site plan has been submitted with this application (given layout is to be considered at this outline application stage) which shows the separation distance from the proposed dwellings to the nearest existing houses along Silver Street to the north is 30.62 metres and from the dwellings to the nearest houses along Winterton Road is 33 metres; these distances are considered sufficient, subject to appropriate design, to mitigate the potential for overlooking. The layout plan shows a mix of houses with sufficient space to the front to provide a minimum of two off-street parking spaces and an area of private amenity space to the side/rear.

Given the separation distances to existing residential development (in excess of 30 metres), it is considered that the proposed dwellings (irrespective of scale) would not result in loss of residential amenity through the effects of overlooking or having an overbearing impact.

Other issues

A number of objectors have raised concerns in relation to the development resulting in an increase in surface water flooding and that the land has been prone to localised flooding with a watercourse existent on the land. The applicant has submitted additional drainage modelling information, together with additional drainage drawings, and the initial objection from LLFA Drainage has been removed following its receipt. Conditions are recommended by LLFA Drainage requiring the submission and implementation of a method of surface water drainage disposal, which considers the incorporation of SuDS measures. A method of surface water attenuation has been put forward which includes the provision of a surface water attenuation pond in the south-eastern corner of the site. These conditions are considered both necessary and reasonable to ensure the development is acceptable in flood risk and drainage terms. In addition, a number of photographs have been forwarded with objection letters which showed surface water drainage overflow from the site and onto the highway to the west. It should be noted that this increase in surface water run-off was generated during periods of prolonged heavy rainfall and the erection of dwellings, with associated drainage scheme, on this land would serve to reduce and attenuate surface water run-off; this has been demonstrated in the supporting documents.

The letters of objection have also raised the issue of the impact of development upon the ecological value of the area. It is worth noting that the existing woodland area in the north-western corner of the site is to be retained and the development does not include any tree removal or remediation works. An Initial Ecological Review Survey has been submitted with the planning application, which concludes the following:

The habitats within the proposals site are generally considered to be of limited/low conservation value, predominantly comprising arable farmland. The woodland and hedgerows are considered to be of some conservation value, as these provide suitable habitat for various wildlife such as bats, birds and small mammals such as hedgehogs.

The proposed layout for the site allows for the protection of habitats of ecological value by retaining the woodland and hedgerows and there is the potential to incorporate a number of biodiversity enhancements.

This report has been considered by the council's ecologist and the findings of the report have been noted. Conditions are recommended by the council's ecologist which will secure biodiversity enhancement across the site and the layout plan shows the retention of the woodland in its entirety and the provision of a green corridor/open space with landscaping across the site.

It is acknowledged that another planning application is under consideration for 29 dwellings on the neighbouring site to the east (PA/2019/568) and the cumulative impact of this application, together with the one under consideration, could have wider rural landscape impacts; however, each application has to be considered on its own merits.

A number of objections have also been received on grounds of highway and pedestrian safety, increases in traffic volume and the suitability of the existing highway network to accommodate the development proposals. A Transport Statement has been submitted with the planning application, which submits that the proposal is predicted to generate 37 and 34 two-way vehicular movements during the morning and evening peak times. The document submits the following observations in its conclusion at paragraph 5.2.5:

As a result, the volume of new trips that the proposed development would generate will not result in a material impact on the operation of the local highway network and certainly cannot be considered as being 'severe' which is the test applied in the NPPF.

Based on the development proposals and the information contained within the submitted Transport Statement, Highways have raised no objection on highway or pedestrian safety grounds.

A number of objections have also been received raising concerns about the potential impact of additional dwellings upon local services in Winteringham and upon wider services such as the doctor's surgery in Winterton. If permitted, it would be incumbent on the developer to enter into a Section 106 legal agreement to agree to pay financial contributions to mitigate the effects of the development proposals upon local services. Such contributions would be sought towards open space provision/maintenance, education and leisure, to secure 10% of affordable housing on-site and to pay for the cost of a Traffic Regulation Order along Winterton Road to relocate the speed limit and highway signage. Such a request would comply with the relevant planning policies and supplementary planning guidance.

Impact on view and devaluation of house prices is not a material planning issue and will not be assessed in this case. There is no designated green belt in North Lincolnshire.

It has also been stated that a development of this size would alter the character and ambience of the settlement from that of a village to a residential estate. Whilst it is acknowledged that Winteringham is a village with a rural aesthetic, it is one of the larger rural settlements within North Lincolnshire and is identified as such within the 2016 Sustainable Settlement Survey which also identifies Winteringham as being one of the more sustainable rural settlements due to its level of services and accessibility. The proposed development of 55 dwellings is not considered to be excessive or out of keeping with the size and nature of the settlement and the layout drawing submitted with the planning application shows that a development of 55 dwellings will not result in an overly dense development. This is demonstrated on the indicative layout plan provided with the application which shows a relatively spacious development of large family homes in keeping with the rural character of the village.

It is noted there are concerns that further proposals for residential development could be forthcoming. However, this application must be judged on its own merits and the potential for future applications is not a material consideration. Should further applications be received in the future, these applications would be subject to detailed assessment and determination by the local planning authority at which point cumulative impacts may be considered.

Conclusion

The previous application (PA/2019/861) was refused on two grounds: an identified conflict with local planning policy in that the site is located outside the defined development boundary for the settlement; and concerns regarding the impact of the development on the character and appearance of the area. These reasons for refusal are considered to have been addressed by the new applications, in particular by the submission of an amended Landscape and Visual Appraisal and amendments to the site layout and landscaping proposals. The conflict with local planning policies has to be considered in the context of the council's inability to demonstrate a deliverable five year supply of housing sites and the

presumption in favour of sustainable development set out in the National Planning Policy Framework.

The proposed development still conflicts with some of the restrictive policies of the development plan due to the site being located outside of defined development limits where residential development is not normally supported. However, the proposal is considered to constitute sustainable development which would make an important contribution towards meeting the proven shortfall in the provision of housing land within North Lincolnshire. Given the lack of a demonstrable five-year supply of deliverable housing sites, it is considered that the benefits of the proposed development with regard to the delivery of housing must be given significant weight in the planning balance. The adverse impacts of the development are considered to be limited and do not significantly and demonstrably outweigh the benefits. As such, in line with the 'tilted balance' set out in paragraph 14 of the NPPF, the development is considered to be acceptable and is recommended for approval.

RECOMMENDATION

Subject to the completion of a formal agreement under Section 106 of the Town and Country Planning Act 1990 to secure:

- **five affordable units on site;**
- **550 square metres of casual open space on site;**
- **a LEAP of 400 square metres on site;**
- **an open space maintenance contribution of £94,537;**
- **a contribution of £47,478 towards leisure improvements at Baysgarth Leisure Centre and Winterton Artificial Playing Pitch;**
- **a contribution of £4,480 per eligible dwelling towards primary school places in Winterringham; and**
- **£2000 for the drafting of a Traffic Regulation Order (TRO) to relocate the speed limit and signage along Winterton Road;**

the committee resolves:

- (i) it is mindful to grant permission for the development;**
- (ii) the decision be delegated to the Group Manager – Development Management and Building Control upon completion of the obligation;**
- (iii) if the obligation is not completed by 8 December 2020 the Group Manager – Development Management and Building Control be authorised to refuse the application on grounds of the development being contrary to:**
 - **policies CS9 and CS22 of the North Lincolnshire Core Strategy;**
 - **policies H10, T1 and T2 of the North Lincolnshire Local Plan; and**
 - **Supplementary Planning Guidance 8 and 10;**

due to the inadequate provision of affordable housing, open space, maintenance of open space, and inadequate contributions towards primary school education, leisure facilities and for necessary infrastructure improvements to the public highway network; and

(iv) the permission so granted be subject to the following conditions:

1.

Approval of the details of the scale and appearance of the building(s), (hereinafter called 'the reserved matters') shall be obtained from the local planning authority in writing before any development is commenced.

Reason

The application has been made under Article 5(1) of the Town & Country Planning (Development Management Procedure) (England) Order 2015.

2.

Plans and particulars of the reserved matters referred to in condition 1 above, relating to the scale and appearance of any buildings to be erected shall be submitted in writing to the local planning authority and shall be carried out as approved.

Reason

The application has been made under Article 5(1) of the Town & Country Planning (Development Management Procedure) (England) Order 2015.

3.

Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

Reason

To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

4.

The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason

To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

5.

No development shall take place until details of the method of providing access to the site including:

- the provision of the access point, including appropriate visibility splays;
- the provision of footways adjacent to the access, including connection to the existing facility to the north;
- the relocation of any street furniture;

- the amended position of the speed limit with entry treatments, including removal of existing markings;
- appropriate resurfacing of the carriageway along Winterton Road/High Burgage fronting the site;

have been 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.

6.

No other works shall be commenced until the access road junction with the adjacent highway, including the relocation of any street furniture and the provision of appropriate 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.

7.

No more than 10 dwellings shall be occupied until the footway connections, amended speed limits and entry treatments have been provided. The final surfacing of footways and carriageway within the adopted highway shall be completed prior to the occupation of the penultimate dwelling on the site.

Reason

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

8.

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.

9.

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.

10.

No development shall begin until details of:

- (i) the layout, drainage, construction, services and lighting of the proposed access road, including the junction with the adjacent highway; and
- (ii) the number and location of vehicle parking space(s) on the site;

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.

11.

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.

12.

No dwelling on the site shall be occupied until the footway has been constructed up to base course level from the junction with the adjacent highway to the access to the dwelling.

Reason

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

13.

The penultimate dwelling on the site shall not be occupied until all works to the internal access roads have been completed.

Reason

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

14.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 (or any order revoking and re-enacting that order with or without modification), no development shall take place within any service strip adjacent to any shared surface road, and any planting or landscaping within this service strip shall be of species which shall be agreed in writing with the local planning authority prior to planting.

Reason

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

15.

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 adjacent to the highway;
- the provision of suitable lighting arrangements; and
- the provision of a street name plate that shall include the words 'Private Drive';

which shall have been submitted to and agreed in writing by the local planning authority beforehand. The development shall be undertaken in accordance with the agreed details and shall thereafter be retained.

Reason

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

16.

No development shall take place until a construction traffic management plan has been submitted to and agreed in writing by the local planning authority. The management plan shall include the following:

- all associated traffic movements, including delivery vehicles and staff/construction movements
- an approved route for construction vehicles serving the site, which shall be subject to a condition survey pre and post construction
- any abnormal load movements
- contractor parking and welfare facilities
- storage of materials
- 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.

Once approved the plan shall be implemented, reviewed and updated as necessary throughout the construction period.

Reason

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

17.

No development shall take place until a detailed surface water drainage scheme for the site has been submitted to and agreed 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 on the Flood Risk Assessment produced by Fortem Civil Engineering Consultants Revision 2, dated February 2019 and drawings 1029-002 D and 1029-003 B. Surface water discharge rate from the development must not exceed 12.5 litres/second.

The drainage scheme shall demonstrate that surface water run-off generated up to and including the 1:100 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 scheme is to be maintained and managed for the lifetime of the development.

Reason

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

18.

The drainage scheme shall be implemented in accordance with the details approved under condition 17 of this planning permission and no dwelling shall be occupied until it is connected to the approved system. The scheme shall be retained and maintained for the lifetime of the development unless otherwise agreed by the local planning authority.

Reason

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

19.

No development shall take place until a detailed investigation into the surface and groundwater flows from the south and west of the site has been carried out. Any mitigation measures identified within the investigation shall be implemented in their entirety prior to any dwelling hereby approved being first occupied.

Reason

To prevent the increased risk of flooding to the development and to others, and to improve and protect water quality, in accordance with policies DS16 of the North Lincolnshire Local Plan, and CS18 and CS19 of the North Lincolnshire Core Strategy.

20.

No building works which comprise the erection of a building requiring to be served by water services shall be undertaken until full details of a scheme for the provision of mains foul sewage infrastructure on and off site have been submitted to and approved in writing by the

local planning authority. No dwelling shall be occupied until the works have been carried out in accordance with the approved scheme.

Reason

To prevent flooding and in the interest of ensuring adequate water infrastructure to serve the development in accordance with policies DS14 and DS16 of the North Lincolnshire Local Plan, and CS19 of the North Lincolnshire Core Strategy.

21.

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 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.

22.

A scheme for the provision of electrical vehicle charging points shall be submitted to and approved in writing by the local planning authority. The scheme shall be designed to take account of good practice guidance as set out in the Institute of Air Quality Management Land Use Planning and Development Control <http://www.iaqm.co.uk/text/guidance/air-qualityplanning-guidance.pdf> and contemporaneous electrical standards, including:

- Electrical Requirements of BS7671:2008;
- IET Code of Practice on Electrical Vehicle Charging Equipment installation 2012 ISBN 978-1-84919-515-7.

The approved scheme shall be installed in full and retained in perpetuity thereafter.

Reason

To facilitate the uptake of low emission vehicles and reduce the emission impact of traffic arising from the development in line with the National Planning Policy Framework.

23.

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 define the terms of the permission and in the interests of safeguarding residential amenity in accordance with policy DS1 of the North Lincolnshire Local Plan.

24.

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 and 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.

The development shall take place in accordance with the approved scheme and shall remain in place throughout the construction period.

Reason

To define the terms of the permission and to safeguard residential amenity in accordance with policy DS1 of the North Lincolnshire Local Plan.

25.

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 at least one bat loft to be installed in new dwellings within foraging distance of existing woodland;
- (b) details of bat boxes and bat bricks to be installed on at least nine houses;
- (c) details of swift boxes and sparrow terraces to be installed on at least 10 houses combined;
- (d) details of nesting sites to be installed to support a variety of other species, including house martin and garden birds;
- (e) restrictions on lighting to avoid impacts on bat roosts, bat foraging areas, bird nesting sites and sensitive habitats;

- (f) provision for hedgehogs to pass through any fencing installed between gardens and between areas of grassland;
- (g) prescriptions for the retention, planting and aftercare of native trees, shrubs, hedgerows and wildflowers of high biodiversity value;
- (h) details of wetland habitat to be created and managed as part of sustainable drainage;
- (i) appropriate phasing mechanisms to ensure that significant areas of habitat are created and are becoming properly established before each phase of construction;
- (j) procedures for monitoring and ongoing management of created habitats;
- (k) measures to avoid light, noise and water pollution, flytipping and other factors that would harm habitats and species;
- (l) prescriptions for the provision of a wildlife gardening leaflet for each new resident;
- (m) proposed timings for the above works in relation to the completion of the dwellings.

Reason

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

26.

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. Prior to the occupation of the 50th dwelling hereby approved, 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.

Reason

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

27.

No development shall take place until proposals for landscaping have been submitted to and approved by the local planning authority. The proposals shall include indications of all existing trees and hedgerows on the site, and details of any to be retained, together with measures for their protection during the course of development.

Reason

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

28.

All the approved landscaping shall be carried out within 12 months of development being commenced (unless a longer period is agreed in writing by the local planning authority). Any trees or plants which die, are removed or become seriously damaged or diseased within five years from the date of planting shall be replaced in the next planting season with

others of similar size and species to those originally required to be planted, unless the local planning authority agrees in writing to any variation.

Reason

To define the terms of the permission and to ensure the timely implementation of the approved landscaping in the interests of visual amenity in accordance with policies DS1 and LC6 of the North Lincolnshire Local Plan.

29.

No above-ground works shall take place until details of the positions, design, materials and type of boundary treatment to be built/planted have been agreed in writing by the local planning authority. The agreed boundary treatment shall be built/planted before the respective individual dwelling is occupied and once built/planted it shall be retained.

Reason

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

30.

Development shall take place in accordance with the archaeological mitigation strategy 'Land off High Burgage, Winteringham, North Lincolnshire, Written Scheme of Investigation – Archaeological Excavation, Prospect Archaeology, v2 June 2019, ref KCS12-03 ', and the approved details and timings.

Reason

To comply with paragraph 199 of the National Planning Policy Framework, policy CS6 of the Core Strategy, and policy HE9 of the North Lincolnshire Local Plan because the site contains archaeologically significant remains that the development would otherwise destroy. The archaeological mitigation strategy is required in order to preserve archaeological evidence by means of a comprehensive record and creation of a permanent archive, to advance public understanding.

31.

The applicant, or their agents or successors in title, shall submit the following details to the planning authority for their written approval at least six weeks prior to the commencement of archaeological work:

- (i) a timetable that provides sufficient notification and allowance of time to ensure the completion of the archaeological site work ahead of construction commencing
- (ii) details of the archaeological organisation proposed to implement the approved mitigation strategy and a list of all staff involved, including sub-contractors and specialists, their responsibilities and qualifications
- (iii) arrangements to notify the North Lincolnshire Historic Environment Officer of the commencement of archaeological works at least 10 working days before commencement and a schedule of visits to monitor such works.

Reason

To comply with paragraph 199 of the National Planning Policy Framework, policy CS6 of the Core Strategy, and policy HE9 of the North Lincolnshire Local Plan because details

pursuant to the approved archaeological mitigation strategy are required prior to implementation to ensure a competent archaeological organisation undertake the works in accordance with the strategy without unnecessary delay to the commencement of development.

32.

The development shall not be occupied until the site investigation and post excavation assessment has been completed in accordance with the programme set out in the approved archaeological mitigation strategy, and provision secured for the subsequent analysis, publication and dissemination of results and archive deposition, to be approved by the local planning authority.

Reason

To comply with paragraph 199 of the National Planning Policy Framework, policy CS6 of the Core Strategy, and policy HE9 of the North Lincolnshire Local Plan because details pursuant to the post excavation assessment are required to ensure satisfactory provision and the timely undertaking of the final stages of the approved archaeological mitigation strategy.

33.

A copy of any analysis, reporting, publication or archiving required as part of the archaeological mitigation strategy shall be deposited at the North Lincolnshire Historic Environment Record within one year of commencement of the archaeological programme of work or such other period as may be agreed in writing by the local planning authority.

Reason

To comply with paragraph 199 of the National Planning Policy Framework, policy CS6 of the Core Strategy, and policy HE9 of the North Lincolnshire Local Plan and place the results of the archaeological mitigation strategy in the public domain in a timely fashion within an agreed timetable.

34.

The development hereby permitted shall be carried out in accordance with the following approved plans: 1020-002 D, 1020-003 B, 313-P-01, BW01, 18024/ATR/02 and 18024/ATR/01 A.

Reason

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

Informative 1

This application must be read in conjunction with the relevant Section 106 Agreement.

Informative 2

In order to satisfy condition 20, an adequate scheme would need to be submitted demonstrating that there is (or will be prior to occupation) sufficient infrastructure capacity for the connection, conveyance, treatment and disposal of the quantity and quality of water arising from the development. This should include written confirmation from the sewerage undertaker that there is sufficient additional headroom capacity at Winteringham Sewage Treatment Works to accommodate all additional flows resulting from the development.

Informative 3

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 4

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.