

Public Document Pack

NORTH LINCOLNSHIRE COUNCIL

PLANNING COMMITTEE

9 February 2022

Chairman: Councillor N Sherwood **Venue:** Church Square House,
High Street,
Scunthorpe

Time: 2.00 pm **E-Mail Address:**
tanya.davies@northlincs.gov.uk

AGENDA

1. Substitutions
2. Declarations of Disclosable Pecuniary Interests and Personal or Personal and Prejudicial Interests, significant contact with applicants, objectors or third parties (Lobbying) and Whipping Arrangements (if any). (Pages 1 - 2)
3. To take the minutes of the meetings held on 12 January 2022 as a correct record and authorise the chairman to sign. (Pages 3 - 8)
4. Applications deferred from previous meetings for a site visit. (Pages 9 - 10)
 - (a) PA/2021/970 Planning Permission to erect 18 dwellings with associated access road and garaging, and create a public footpath and open space at land off Ferry Road East, Barrow upon Humber (Pages 11 - 64)
 - (b) PA/2021/1612 Outline Planning Permission to erect four dwellings, garages and associated works with scale, appearance and landscaping reserved for subsequent consideration at Grey Green Farm, Woodhouse Road, Woodhouse, Belton, DN9 1QQ (Pages 65 - 84)
 - (c) PA/2021/1683 Planning Permission to erect a statue with associated works at Winterton Junior School, West Street, Winterton, DN15 9QG (Pages 85 - 96)
5. Major Planning Applications. (Pages 97 - 98)
 - (a) PA/2020/1628 Planning Permission to erect 317 dwellings, including associated garages, access road, playground, ponds and public open space at Phases 5 and 6 Falkland Way, land off Canberra View, Barton upon Humber, DN18 5GR (Pages 99 - 144)
6. Planning and other applications for determination by the committee. (Pages 145 - 146)

- (a) PA/2021/999 Planning Permission to erect six holiday lodges (re-submission of PA/2020/1251) at former site of Priesthows, Butterwick Road, Messingham, DN17 3PA (Pages 147 - 156)
 - (b) PA/2021/1742 Planning Permission to install an external extraction chimney flue and staircase at Co-op Store, Spruce Lane, Ulceby, DN39 6UL (Pages 157 - 166)
 - (c) PA/2021/1850 Outline Planning Permission to erect four detached dwellings with appearance, landscaping and access reserved for subsequent consideration (part of access roadway completed) at Elsham House, Brigg Road, Wrawby, DN20 8RH (Pages 167 - 184)
 - (d) PA/2021/1873 Planning Permission to vary condition 2 of previously approved PA/2020/2012 dated 17/06/2021 to amend house type on plot 2 at 52 Hunters Lodge, High Street, Haxey, DN9 2HH (Pages 185 - 192)
 - (e) PA/2021/1889 Planning Application to remove condition 4 of 7/1977/824 to allow for occupation of the dwelling other than by a person solely or mainly employed, or last employed, in agriculture at Amer Rose, Messingham Ings Road, Messingham, DN17 3AW (Pages 193 - 200)
 - (f) PA/2021/2150 Planning application to remove condition 1 of 7/1978/611 to allow for occupation of the dwelling other than by a person solely or mainly employed, or last employed, in agriculture at Amer Rose, Messingham Ings Road, Messingham, DN17 3AW (Pages 201 - 208)
 - (g) PA/2021/2055 Planning permission to erect a two-storey entrance/stair core to front of property, window additions and internal reconfiguration of dwelling (including demolition of existing conservatory) at The Game Farm, West End Road, Epworth, DN9 1LB (Pages 209 - 214)
 - (h) PA/2021/2237 Planning Permission to erect a replacement dwelling (including demolition of existing dwelling) at Pale Close, Sand Pit Lane, Alkborough, DN15 9JG (Pages 215 - 230)
 - (i) PA/2021/2255 Planning Permission to erect 5 detached dwellings at former Sir Solomon Inn, King Edward Street, Belton, DN9 1QN (Pages 231 - 242)
7. Applications for Approval of Reserved Matters following the Grant of Outline Permission for Determination by the Committee (Pages 243 - 244)
- (a) PA/2021/1240 Application for approval of reserved matters (access, appearance, landscaping, layout and scale) pursuant to outline planning permission PA/2018/792 dated 06/08/2018 for six dwellings at Carr Lane, Redbourne, DN21 4QZ (Pages 245 - 254)
8. Any other items, which the chairman decides are urgent, by reasons of special circumstances, which must be specified.

Note: All reports are by the Group Manager - Development Management and Building Control unless otherwise stated.

This page is intentionally left blank

NORTH LINCOLNSHIRE COUNCIL

**DECLARATIONS OF PERSONAL OR PERSONAL AND PREJUDICIAL INTERESTS
AT MEETINGS**

(to be completed by relevant members present at the meeting below)

MEETING: Planning Committee **DATE:** 9 February 2022 **Member Name:** _____

Page Number	Agenda Item Number or Application Number	Nature of Interest (Disclosable Pecuniary, Personal or Personal and Prejudicial)	Reason/Nature of Declaration
Page 1			

DECLARATIONS OF LOBBYING

Agenda Item Number or Application Number	Lobbied By
<p>Page 2</p>	

DECLARATIONS OF WHIPPING ARRANGEMENTS (SCRUTINY PANELS and relevant QUASI-JUDICIAL MEETINGS ONLY)

Name/Group	Agenda Item Number or Application Number	Nature of Whipping Arrangements

Public Document Pack Agenda Item 3

NORTH LINCOLNSHIRE COUNCIL

PLANNING COMMITTEE

12 January 2022

PRESENT: - Councillor N Sherwood (Chairman)

Councillors C Ross (Vice Chairman), S Bainbridge, J Davison, M Grant, R Hannigan, D Southern and D Wells

Councillors T Gosling, R Ogg, D Robinson, J Walshe and R Waltham MBE attended the meeting in accordance with Procedure Rule 1.37(b).

The meeting was held at Church Square House, High Street, Scunthorpe.

2164 **SUBSTITUTIONS** - There was no substitutions.

2165 **DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND PERSONAL OR PERSONAL AND PREJUDICIAL INTERESTS, SIGNIFICANT CONTACT WITH APPLICANTS, OBJECTORS OR THIRD PARTIES (LOBBYING) AND WHIPPING ARRANGEMENTS (IF ANY)** - The following members declared a personal interest –

Councillor Sherwood
Councillor J Davison
Councillor Wells
Councillor Ross
Councillor Hannigan

Application: PA/20211875

Nature of Interest: Application by a Councillor.

The following members declared that they had been lobbied –

Cllr Hannigan – PA/2021/970

Cllr Robinson – PA/2021/1417 & PA/2020/1990

Cllr Wells – PA/2021/803

2166 **TO TAKE THE MINUTES OF THE MEETINGS HELD ON 15 DECEMBER 2021 AS A CORRECT RECORD AND AUTHORISE THE CHAIRMAN TO SIGN - Resolved** – That the minutes of the meeting held on 15 December 2021, having been printed and circulated amongst the members, be taken as read and correctly recorded and be signed by the Chairman.

2167 **APPLICATIONS DEFERRED FROM PREVIOUS MEETINGS FOR A SITE VISIT** - In accordance with the decisions at the previous meeting, members

PLANNING COMMITTEE
12 January 2022

had undertaken site visits on the morning of the meeting. The Group Manager – Development Management submitted reports and updated them orally.

- 2168 **PA/2020/1417 PLANNING PERMISSION TO ERECT NINE DWELLINGS WITH ASSOCIATED WORKS AT LAND REAR OF THE WHEATSHEAF HOTEL, 152 WESTGATE ROAD, WESTGATE, BELTON, DN9 1QB** - The agent addressed the committee thanking the committee for the site visit in the hope it reiterated how the application related well to the village setting. He stated it was in a sustainable location, fit well within the area, and would be developed quickly in 12 months for the needs of the local people. It was the best use for the land and would improve housing within the area.

Cllr Robinson spoke as the local Ward Member in support of the application indicating it was an in-fill opportunity, and a good use for the land and the area. He felt there was no challenge to the street scene and would be good housing need for local people.

Cllr J Davison felt that following the site visit the development would not be in keeping with the street scene, and was outside the development boundary, it was a long way from local facilities and occupant's would need to use a car.

Resolved – That planning permission be refused in accordance with the reasons recommended in the officer's report.

- 2169 **MAJOR PLANNING APPLICATIONS** - The Group Manager – Development Management submitted a report containing details of major applications for determination by the committee, including summaries of policy context, representations arising from consultation and publicity and assessment of the applications.

- 2169a **PA/2020/1990 PLANNING PERMISSION FOR CHANGE OF USE OF LAND FROM AGRICULTURAL/PASTURE TO INDUSTRIAL/COMMERCIAL AT LAND EAST OF SANDTOFT INDUSTRIAL ESTATE ROAD 1, SANDTOFT INDUSTRIAL ESTATE, BELTON, DN9 1PN** - Speaking at the meeting the Agent urged the committee to approve the application as it was vital to employment in the area, and the expansion would safeguard and create many more jobs. He indicated that a good infrastructure was in place along with the funds required. A drainage strategy had been submitted.

Another speaker spoke in support of the application indicating that the expansion would improve security on the site, as they had previously had problems with theft. The yard needed to be bigger with the lorries being made more secure. There was enough land and it would improve the area.

Another speaker supported the application updating the committee on the ecological issues, and following extensive assessments felt it would secure the continuation of the habitat on the site.

PLANNING COMMITTEE
12 January 2022

Cllr Robinson spoke as the local Ward member in support of the application. He stated it would benefit the area, retain and create much needed jobs, there was a need for expansion and felt the applicant had a credible case for expansion.

Cllr J Davison supported the jobs and the need to create more jobs, however, he did have a problem with lorries overtaking the countryside. He said he agreed with the officer's report for refusal as there was significant encroachment on the countryside.

Cllr Grant having visited the site felt it was an unsafe site for the amount of big vehicles that would be using the roads.

Resolved – That planning permission be refused in accordance with the reasons contained within the officer's report.

- 2169b **PA/2021/803 PLANNING PERMISSION TO CONVERT EXISTING PROVIDENCE HOUSE INTO 16 APARTMENTS AND ERECT NEW OFFICE BUILDING WITH ASSOCIATED PARKING FOR BOTH DEVELOPMENTS AT PROVIDENCE HOUSE, HOLYDYKE, BARTON UPON HUMBER, DN18 5PR** - The agent spoke in support of the application highlighting the significance of the building within the area, and they would like to bring it back to its former glory, and create a new head office with further employment in the area.

Cllr Hannigan felt there was many merits to the application and would be a good re-use for the lovely old building, but would like a condition to change the office windows and doors to aluminium.

Resolved – That planning permission be granted in accordance with the recommendations contained within the officer's report, with the replacement of condition 19 with the following condition –

The development hereby approved shall be finished in the natural slate for the roof and aluminium windows and doors for the new office block.

- 2170 **PA/2021/970 PLANNING PERMISSION TO ERECT 18 DWELLINGS WITH ASSOCIATED ACCESS ROAD AND GARAGING, AND CREATE A PUBLIC FOOTPATH AND OPEN SPACE AT LAND OFF FERRY ROAD EAST, BARROW UPON HUMBER** - The agent outline the application and stated it was good natural growth for the area. He stated it was well placed within the area, good amenities, in a sustainable location. There would be bungalows as part of the provision and a good deal of contributions to affordable housing.

Cllr Hannigan had concerns with regard to the road safety and the access and felt a site visit would be beneficial before the committee made a decision.

Resolved - That the application be deferred to the next meeting to allow the

PLANNING COMMITTEE
12 January 2022

committee to visit the site.

2171 **PLANNING AND OTHER APPLICATIONS FOR DETERMINATION BY THE COMMITTEE** - The Group Manager – Development Management submitted a report incorporating a schedule containing details of applications for determination by the committee including summaries of policy context, representations arising from consultation and publicity and assessment of applications. The Head of Development Management updated the reports orally where appropriate. Other officers attending gave advice and answered members' questions as requested.

2172 **PA/2020/2088 OUTLINE PLANNING PERMISSION TO ERECT UP TO NINE DWELLINGS, WITH ALL MATTERS RESERVED FOR SUBSEQUENT CONSIDERATION AT LAND AT WESTRUM LANE, BRIGG, DN20 9EY** - An objector addressed the committee and urged them to refuse the application. He stated the development was outside the boundary and there was enough land available inside the boundary. He said the proposal would spoil the view of number 30, there was lack of footpath and traffic safety issues.

The agent spoke on behalf of the applicant who stated it was agricultural land surrounded by other residential properties and commercial buildings. There would be no adverse impact on the area, it was sustainable and it had been appropriately consulted on with highways and drainage.

Cllr Waltham the local Ward member spoke in objection to the application. In doing so he felt the proposal did not fit into the site located, it was not within the allocation document and there was better areas of land available in the Town.

Cllr J Davison having listen to the objectors said he agreed with their arguments. He said it was out of the area development limit, in the open countryside, did not meet local needs and stated a number of policies it was contrary to.

It was moved by Cllr Davison and seconded by Cllr Ross –

That planning permission be refused for the following reason –

1.

The application site is located beyond the development boundary of Brigg, within the countryside. The proposal amounts to unjustified windfall residential development in the countryside that is not essential to the functioning of the countryside, does not meet identified local needs, does not result in additional community benefits and, due to necessary highway improvements, would result in the loss of the site frontage hedgerow that makes an important contribution to the character and amenity of the site and the surrounding area contrary to policies CS2, CS3 and CS8 of the Core Strategy, and RD2 and DS1 of the North Lincolnshire Local Plan.

PLANNING COMMITTEE
12 January 2022

Motion Carried.

2173 **PA/2021/1290 OUTLINE PLANNING PERMISSION TO ERECT 2 DWELLINGS (INCLUDING DEMOLITION OF EXISTING BUILDINGS) WITH ALL MATTERS RESERVED FOR SUBSEQUENT CONSIDERATION AT AXHOLME POULTRY FARM, STATION ROAD, OWSTON FERRY, DN9 1AW - Resolved** – That planning permission be granted in accordance with the recommendations contained within the officer’s report.

2174 **PA/2021/1495 PLANNING PERMISSION FOR CHANGE OF USE FROM A RESIDENTIAL CARE HOME (C2) TO A HOTEL/GUESTHOUSE (C1) AT GRAFTON HOUSE CARE HOME, 157 ASHBY ROAD, SCUNTHORPE, DN16 2AQ** - Speaking against the application an objector stated that the proposal would not bring any employment to the area, I would only bring disruption for residents, including noise and a lot of problems with parking. The fear was the property would be used for a house of multiple occupancy, it was a very busy junction and would cause problems.

A letter from the local MP was read out also in objection to the proposal.

Cllr Gosling spoke as the local Ward Member also against the application. He stated he had been working with residents who had great concerns with the proposal and urged the committee to refuse the application. He said there would be parking problems, traffic problems and safety issues.

Cllr Hannigan had concerns with the application, and what it might be in the future. He said the parking issues were worrying and was against a number of planning policies.

It was moved by Cllr Hannigan and seconded by Cllr Davison –

That planning permission be refused for the following reasons –

1.

The proposed hotel/guesthouse is located within a primarily residential area and whilst the proposal includes adequate parking provision, insufficient information has been submitted to demonstrate that adequate space can be provided within the site for service vehicles and deliveries to the site. The proposal therefore fails to comply with policy T19 of the North Lincolnshire Local Plan.

2.

The proposal would result in the loss of a community facility within the settlement of Scunthorpe. The council does not consider that it has been adequately evidenced that there is no longer a need for the building as a community facility or there is an acceptable alternative means of meeting

PLANNING COMMITTEE
12 January 2022

such need. Accordingly, the proposal is contrary to paragraph 92 of the National Planning Policy Framework and policy CS22 of the Core Strategy.

Motion Carried.

- 2175 **PA/2021/1612 OUTLINE PLANNING PERMISSION TO ERECT FOUR DWELLINGS, GARAGES AND ASSOCIATED WORKS WITH SCALE, APPEARANCE AND LANDSCAPING RESERVED FOR SUBSEQUENT CONSIDERATION AT GREY GREEN FARM, WOODHOUSE ROAD, WOODHOUSE, BELTON, DN9 1QQ** - Cllr Grant requested that a site visit be held to look at the location close before a decision was taken.

Resolved – That the item be deferred to allow a site visit to be held and brought back to a future meeting.

- 2176 **PA/2021/1683 PLANNING PERMISSION TO ERECT A STATUE WITH ASSOCIATED WORKS AT WINTERTON JUNIOR SCHOOL, WEST STREET, WINTERTON, DN15 9QG** - Cllr Ogg spoke as the local Ward member indicating that the proposal was in a conservation area, and also had worries that the structure would survive all weathers with the possibility it could go rusty. He did not feel it was in keeping with the local area, and the site was very close to a number of listed buildings. He requested the committee held a site visit before making a decision.

Resolved – That the item be deferred for a site visit to take place and be brought back to a future meeting.

- 2177 **PA/2021/1831 OUTLINE PLANNING PERMISSION TO ERECT TWO DETACHED DWELLINGS WITH DETACHED GARAGES (APPEARANCE, LANDSCAPING, LAYOUT AND SCALE RESERVED FOR SUBSEQUENT CONSIDERATION AT LAND AT THE CORNER OF HIGH STREET AND STONE LANE, BURRINGHAM** - **Resolved** – That planning permission be granted in accordance with the recommendations contained within the officer's report.

- 2178 **PA/2021/1875 PLANNING PERMISSION TO ERECT AN EXTENSION TO PROVIDE TWO FIRST-FLOOR FLATS AT 12 OSWALD ROAD, SCUNTHORPE, DN15 7PT** - **Resolved** – That planning permission be granted in accordance with the recommendations contained within the officer's report.

- 2179 **ANY OTHER ITEMS, WHICH THE CHAIRMAN DECIDES ARE URGENT, BY REASONS OF SPECIAL CIRCUMSTANCES, WHICH MUST BE SPECIFIED** - There was no other items to discuss.

NORTH LINCOLNSHIRE COUNCIL

PLANNING COMMITTEE

APPLICATIONS DEFERRED FROM PREVIOUS MEETING FOR SITE VISITS

1. OBJECT

- 1.1 To consider items which have been deferred to allow members to visit the sites.

2. BACKGROUND

- 2.1 The applications listed on the attached schedule were deferred at a previous meeting of the committee to allow members to visit the sites before making a decision.
- 2.2 Members will undertake the site visits in the morning on the day of the meeting.

3. INFORMATION

- 3.1 The reports relating to the deferred items are attached. The reports have been updated since the last meeting where appropriate.

4. RESOURCE IMPLICATIONS

- 4.1 There are no staffing or financial implications arising from this report.
- 4.2 Environmental considerations are of major importance when considering planning applications and are set out in the individual reports.

5. RECOMMENDATION

- 5.1 That the applications be determined in accordance with the recommendations contained in the schedule.

DEVELOPMENT MANAGEMENT LEAD

Church Square House
30–40 High Street
SCUNTHORPE
DN15 6NL

Ref: CB/JMC/Planning committee 09 February 2022.docx
Date: 31 January 2022

Background papers used in the preparation of this report:

1. The applications, including accompanying plans and ancillary correspondence.
2. Statutory and non-statutory consultation letters and responses.
3. Responses from parish and town councils.
4. Representations from other bodies or individuals.
5. Relevant planning policy documents.
6. Previous relevant planning decisions.

(Pursuant to section 100D of the Local Government Act 1972 any document containing 'exempt information' is excluded from this list.)

Statement of publication's purpose

The Ordnance Survey map data included within this publication is provided by North Lincolnshire Council under licence from the Ordnance Survey in order to fulfil its public function to act as a planning authority. Persons viewing this mapping should contact Ordnance Survey copyright for advice where they wish to licence Ordnance Survey map data for their own use.

APPLICATION NO	PA/2021/970
APPLICANT	Mr Mark Snowden, Keigar Homes Ltd
DEVELOPMENT	Planning permission to erect 18 dwellings with associated access road and garaging, and create a public footpath and open space
LOCATION	Land off Ferry Road East, Barrow upon Humber
PARISH	Barrow upon Humber
WARD	Ferry
CASE OFFICER	Tanya Coggon
SUMMARY RECOMMENDATION	Subject to the completion of a section 106 agreement, grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Departure from the development plan Objection by Barrow upon Humber Parish Council

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 LC5 (Species Protection)

Policy LC6 (Habitat Creation)

Policy LC7 (Landscape Protection)

Policy T1 (Location of Development)

Policy T2 (Access to Development)

Policy T6 (Pedestrian Routes and Footpaths)

Policy T19 (Car Parking Provision and Standards)

Policy T6 (Pedestrian Routes and Footpaths)

Policy DS1 (General Requirements)

Policy DS7 (Contaminated Land)

Policy DS11 (Polluting Activities)

Policy DS13 (Groundwater Protection and Land Drainage)

Policy DS14 (Foul Sewage and Surface Water Drainage)

Policy DS15 (Water Resources)

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 CS9 (Affordable Housing)

Policy CS17 (Biodiversity)

Policy CS18 (Sustainable Resource and Climate Change)

Policy CS19 (Flood Risk)

Policy CS22 (Community Facilities and Services)

Policy CS25 (Promoting Sustainable Transport)

Policy CS27 (Planning Obligations)

Housing and Employment Land Allocations DPD:

Policy PS1 (Presumption in Favour of Sustainable Development)

CONSULTATIONS

Highways: Following the application being deferred at January's planning committee, the following updated response has been received from Highways: To reduce the speed limit to 30mph on this section of road on highway safety grounds, an S106 contribution of £3,000 will be required towards the legal costs and implementation of these works, which will include the provision of signs and lines. Support subject to conditions.

Environment Agency: [Original response – summarised] It is proposed to connect the development to the main foul sewerage network, which we support in principle in accordance with the foul drainage hierarchy. However, we have some concerns regarding the adequacy of the foul drainage infrastructure in this area and wish to ensure that no new dwellings are occupied until it has been confirmed that there will be no resulting detriment to the environment or public amenity. A condition was proposed by the EA: 'The dwellings hereby approved shall not be occupied until evidence has been submitted, to the satisfaction of the local planning authority, to confirm that there is sufficient infrastructure capacity for the conveyance, treatment and disposal of the foul sewage arising from the development.'

Following Anglian Water's response, the EA have now updated their response in respect of foul water: 'We had concerns regarding both the wastewater network and water recycling centre at North Ferry. Anglian Water, in their "Suggested Informative Statements and Conditions Report", have stated that the network at present has available capacity for the flows from the development. Given this, and as the existing problems are the result of groundwater infiltration, we accept that the addition of foul flows from 18 dwellings is unlikely to increase the risk of flooding.'

Regarding wastewater treatment, Anglian Water have stated, "The foul drainage from this development is in the catchment of North Ferry Water Recycling Centre which currently does not have capacity to treat the flows the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission." The applicant should be aware that the necessary steps may include an application for the Centre's environmental permit to be varied, that this can take time and we cannot at this point guarantee that we would grant the variation. In summary, given the relatively small size of the proposed development, we are willing to withdraw our request for the condition. We understand that if permission is granted you will impose conditions requiring details of both foul and surface water drainage arrangements to be confirmed. Please ensure that protection of groundwater resources is included in the reason for the surface water condition.

The proposed development site is in a sensitive location with regard to ground water risk. The site is underlain by bedrock of the Burnham Chalk Formation which, from the information in the Phase 1 report and available BGS boreholes, is understood to be at present a depth of 6–8m below the superficial clay drift deposits. The Burnham Chalk is a principal aquifer and is a source for local public water supplies and other licensed users as

well as river baseflow. The site lies within source protection zone 3 indicating it is within the catchment for public water safety.

The surface water drainage layout indicates the boreholes may be utilised in the proposed surface water drainage scheme for the development. The level of information provided is insufficient to determine if the risks to the aquifer are acceptable from the proposed drainage scheme, or whether adequate mitigation options have been considered. The EA do not regard the use of boreholes or other deep structures as routinely appropriate for the disposal options as they concentrate the discharge in one location and bypass soil layers. This limits the ability to attenuate pollutants and presents a greater risk of groundwater pollution. We require further evidence to demonstrate that discharge to boreholes is a viable option for this site and the most appropriate solution. The proposed development is only acceptable if a planning condition is included requiring the submission and subsequent agreement of further details of a surface water drainage scheme to the local planning authority.'

Drainage (Lead Local Flood Authority): There are still fundamental design issues that need to be resolved prior to works commencing which the developer is fully aware of. No objection subject to conditions requiring a detailed surface water drainage scheme for the site to be 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.

Anglian Water: The foul drainage from this development is in the catchment of North Ferry Water Recycling Centre which currently does not have capacity to treat the flows from the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the planning authority grant planning permission. Based on the submitted FRA, the sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991.

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer. From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management.

Conservation: No objection subject to conditions. This application has the potential to impact on the setting of two significant heritage assets: the Barrow conservation area and Holy Trinity Church (listed grade I). The application site is approximately 300 metres to the west of the conservation area. The application site is part of the open agricultural land that encompassed the surrounding area of the conservation area and the church. However, through time, a significant amount of modern housing has been built on the land between the application site and the conservation area and church, including a band of houses just being built on the edge of Ferry Road East. This land is now not seen as a part of the conservation area.

The new housing and the conservation area and church are not inter-visible and the housing will not negatively impact on how the heritage assets are experienced. Whilst it is a modern housing development it has a disparate design format and still has cues to the traditional built form with bay windows and protruding gables which provide interest. Should the planning department be mindful to approve the application I would recommend a palette of traditional construction materials (bricks, slates and pantiles) to fit in with housing in the surrounding area and the conservation area. I recommend that details of the facing and roofing materials are submitted for consideration before installation.

Archaeology: 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 report. The site lies 200m 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. No further recommendations.

Ecology: Landscape proposals should make provision for the retention and enhancement of hedgerows, along with planting of trees in copses or woodland blocks. 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. A section 106 contribution is required for off-site habitat creation.

Environmental Health: No objections subject to conditions relating to contamination, the submission of a CEMP and a scheme for the provision of electrical vehicle charging points.

Public Health: To support the comments made by the LLFA; that notice is taken of the 10 principles of active design developed by Sport England and considered in the layout of the development; that houses are built to be energy efficient and affordable to run; for electrical vehicle charging points to be included.

Waste: General comments on bin types, recycling, storage and access for refuse vehicles.

PARISH COUNCIL

Strong objection. The main objection is that this land is outside the building line for the village, as specified by North Lincs Council. This site is NOT designated for development. In addition, in the report on the Five Year Housing Land Supply, section 3.14, no sites in Barrow upon Humber are included so it is obviously not deemed necessary to develop this site for at least the next five years. There are already major problems with drainage and flooding in Barrow upon Humber. This development would impact further on these problems by adding extra houses to the drainage system and taking away another area of land that allows water to drain away. Planning permission has already been granted for well over 50 houses behind the Millfields estate, as well as a similar number on Mill Lane, with no improvements to the drainage system in sight. The council would also draw the planning committee's attention to the Environment Agency's comments on this application. Concerns have already been expressed regarding access for the nine dwellings on this site which are currently under construction. The planned access is between two bends, one of them close to the school. Visibility is poor for traffic travelling round the bend towards the school and

cars are often parked on the road outside the school, adding to the problem. Traffic turning right out of the development (as most of it is likely to do to go towards Barton and the Humber Bridge) will be cutting directly across traffic coming off this bend away from the school. A total of 27 dwellings on what is a relatively small site with limited access is definitely excessive. It would appear that no ecological report has been submitted, despite the land in question backing on to extensive farmland where there is undoubtedly an abundance of wildlife.

PUBLICITY

The application has been advertised by site and press notice. The amendments have also been publicised. Fourteen responses have been received from residents objecting to the proposals on the following grounds:

- no need for the development
- flood risk
- loss of visual amenity for footpath users
- infrastructure cannot support additional dwellings
- access unsafe
- increased traffic
- increased pollution
- primary school at full capacity
- drainage system under pressure
- insufficient facilities in Barrow
- dwellings not affordable
- public transport is limited
- out of development boundary
- harmful impact on character of Barrow
- other housing developments already approved in Barrow and are not built
- nine dwellings already approved adjacent to the site.

STATEMENT OF COMMUNITY INVOLVEMENT

No statement of community involvement has been submitted.

ASSESSMENT

Proposal

This proposal is for eighteen detached dwellings, each dwelling having its own garage and parking spaces. The dwellings comprise 5 bungalows, 1 dormer bungalow and 12 two/three-storey detached dwellings. The majority of the detached dwellings have rooms in the roofspace comprising a mix of dormer windows and rooflights. Four of the bungalows will be allocated to over 55's. The dwellings comprise a mix of different designs and layouts. They are located to the rear of nine dwellings currently under construction through PA/2020/803. The access road is from Ferry Road East and forms a T-junction arrangement into the site. The dwellings are located adjacent to the road and each dwelling is set within a spacious plot. Landscaping is to be provided on the site boundaries and existing hedging will be retained and infilled where required. The majority of the existing trees on the site will be retained. It is proposed to provide a landscaped area of open space at the eastern end of the site where a footpath will be provided to link to the existing public right of way to the north.

This application was deferred for site visit at planning committee on 12 January 2022. Members also expressed concerns over highway safety which will be discussed in the highways section of the report below.

The site

The application site is a 1.2 hectare parcel of greenspace land located to the north of Ferry Road East, on the urban fringe of the village of Barrow-upon-Humber. The site is grassed and is not in agricultural production.

The site is bounded by a cluster of dwellings to both the east and west, with agricultural fields to the north. Along the northern, eastern and western boundaries is hedging. On the northern boundary this hedging separates the site from the rolling agricultural fields to the north. To the southern boundary are nine dwellings under construction by the same applicant as has submitted this application. The site is relatively flat and featureless with distant views to the north across slightly falling land towards the River Humber and Hull. Public Footpath 43 lies adjacent to the site to the north-eastern corner.

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. Barrow is defined as a 'Rural Settlement' in the Core Strategy.

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.

Relevant planning history

PA/2020/803: Planning permission to erect nine dwellings, including associated access and garages – approved 29/09/2020

PA/2021/161: Planning permission to vary condition 16 of PA/2020/803 to amend working hours – approved 27/11/2020.

Material considerations

The main issues in the determination of this application are:

- **the principle of development;**
- **design, appearance and visual impact;**
- **loss of agricultural land;**
- **highway impacts;**
- **public right of way;**
- **flooding and drainage;**
- **ecological and arboricultural matters;**
- **trees;**
- **impact upon residential amenity; and**
- **S106 contributions.**

Principle

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. In this instance, the development plan consists of the saved policies of the North Lincolnshire Local Plan (NLLP) and the North Lincolnshire Core Strategy (NLCS). Material considerations exist in the form of national policy and guidance contained within the National Planning Policy Framework (NPPF) and the suite of documents comprising National Planning Practice Guidance (NPPG).

The NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development and that relevant policies for the supply of housing that seek to restrict housing outside settlements should not be considered up to date if a five-year supply cannot be demonstrated. The presumption in favour of sustainable development means that permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits of the application when assessed against the policies of the NPPF.

The North Lincolnshire Five Year Housing Land Supply Statement states that North Lincolnshire can demonstrate a 5.64-year supply between 1 April 2021 to 31 March 2026. Accordingly, the local planning authority has demonstrated a five-year supply of housing and housing applications should be considered in the context of the local development plan.

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 CS2 (Delivering More Sustainable Development) sets out how the principle elements of policy CS1 that make up the overall spatial strategy will be implemented using a

sequential approach to the location of future development that is based on the settlement hierarchy and taking into account other sustainability criteria. Any development that takes place outside the defined development limits of settlements or in rural settlements in the countryside will be restricted. Only development which is essential to the functioning of the countryside will be allowed to take place. This might include uses such as those related to agriculture, forestry or other uses which require a countryside location or which will contribute to the sustainable development of the tourist industry.

All future development in North Lincolnshire will be required to contribute towards achieving sustainable development. Proposals should comply with the overall spatial strategy together with the following sustainable development principles:

- be located to minimise the need to travel and to encourage any journeys that remain necessary to be possible by walking, cycling and public transport. It should be compliant with public transport accessibility criteria as set out in the Regional Spatial Strategy
- be located where it can make the best use of existing transport infrastructure and capacity, as well as taking account of capacity constraints and deliverable transport improvements particularly in relation to junctions on the Strategic Road Network
- where large freight movements are involved the use of rail and water transport should be maximised
- contribute towards the creation of locally distinctive, sustainable, inclusive, healthy and vibrant communities
- contribute to achieving sustainable economic development to support a competitive business and industrial sector
- ensure that everyone has access to health, education, jobs, shops, leisure and other community and cultural facilities that they need for their daily lives
- ensure the appropriate provision of services, facilities and infrastructure to meet the needs of the development, but where appropriate it is to be recognised that a phased approach may not be required on small scale development proposals.

Policy CS3 provides that outside development boundaries development will be restricted to that which is essential to the functioning of the countryside. In local planning terms the site is outside the development boundary of Barrow within the open countryside. As indicated earlier, development outside the defined boundaries will be restricted to that which is essential to the functioning of the countryside. This will include uses such as those related to agriculture, forestry or other uses that require a countryside location or that will contribute to the sustainable development of the tourist industry. To summarise, the application site is located within the open countryside and is strictly contrary to local planning policy which seeks to protect such areas from inappropriate uses and unsustainable development.

Policy CS8 of the Core Strategy 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 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.

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 associated with the open countryside. 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.

Since the proposal conflicts with policy RD2 of the North Lincolnshire Local Plan and policies CS2, CS3 and CS8 of the Core Strategy, a full assessment of the proposal and supporting documents should be carried out to establish if they are of sufficient weight to merit departing from the development plan. Paragraph 2 of the NPPF (2021) states that, 'Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.'

The applicant has put forward a justification for the proposal. The applicant considers that the development plan policies are out of date due to the 'changes to national policy since the adoption of the Core Strategy some 10 years ago. The NPPF has been introduced and reviewed several times. Paragraph 33 refers to the legal requirement that local plans must be reviewed every five years in order, for example, to take account of changing circumstances and changes to national policy. There are also changes taking place locally with an emerging local plan at an advanced stage.' The applicant also considers that, 'With regard to changes in national policy, of particular relevance is the Government's stated intention at paragraph 59 of the NPPF to significantly boost the supply of homes and to apply a presumption in favour of sustainable development.' The applicant also makes reference to a number of appeals that have been allowed, where councils could demonstrate a five-year land supply of deliverable sites, but development plan policies were considered to be out of date and inconsistent with the NPPF. Appeal cases where inspectors judged that the NPPF seeks to boost significantly the supply of housing and the ability to demonstrate a five-year housing land supply should not be seen as a maximum supply, and also cases where a five-year housing land supply could be demonstrated, that the proposal was sustainable development. The NPPF states that decision-takers should seek to approve applications for sustainable development wherever possible. The applicant also refers to the existing planning permission on the adjacent site (PA/2020/803) as a material consideration and carries significant weight as the site was judged to accord with all three dimensions of sustainable development.

In this particular case, the adjacent site, adjacent to Ferry Road East, already has planning permission for nine dwellings. These dwellings are currently under construction and are at roof level. This planning permission is therefore being implemented on the site. PA/2020/803 was approved when the council did not have a five-year land supply of deliverable sites and therefore paragraph 11d of the NPPF was triggered. Following an assessment of PA/2020/803, it was considered that this was a sustainable site for residential development as the dwellings would support the facilities and businesses in Barrow; jobs would be provided during construction; nine dwellings (including bungalows) were to be provided on the site, which would meet housing needs; the site was adjacent to

the settlement boundary, within walking distance of local services and close to public transport links (a bus stop); and landscaping would be provided on the site. The committee report is appended.

The site the subject of this application adjoins PA/2020/803 on its northern boundary. It is very close to the settlement boundary of Barrow, which lies to the east. The development would be viewed not only in context with the development being built under PA/2020/803 on Ferry Road East but in context with the existing built form of Barrow lying to the east and west. Some screening of the development would be achieved by the proposed and additional landscaping for the site and by existing residential development to the west of the site. The site is close to local services and facilities and is accessible by walking and cycling, and is close to a bus stop, providing public transport links to the larger settlement of Barton. The application also provides for a footpath within the public open space that would link to PROW 43 (to the north) through the site to Ferry Road East, although it must be noted this is not a direct link as users would need to negotiate the access road serving the development to gain access to and from Ferry Road East. The site is therefore judged to be in a sustainable location and meets the NPPF's core approach to sustainable development. For the above reasons, the planning authority considers the policy principle of residential development on this site to be acceptable.

The key issue now to be explored is whether any adverse impacts of the development would significantly and demonstrably outweigh the benefits of the application when assessed against other policies of the local development plan as a whole. The technical impacts of the proposal are assessed below.

Design, appearance and visual impact

Paragraph 2 of the NPPF (2021) states that, 'Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Paragraph 130 of the NPPF expresses 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 the size and scale is commensurate with the settlement.

The site at present is open greenspace, with the nine dwellings approved under PA/2020/803 parallel to Ferry Road East currently under construction on the site's southern boundary. The provision of a further 18 dwellings therein would 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. The proposal would extend the built form further to the north. The key consideration here is whether the visual impact is acceptable.

It is proposed to build 18 detached dwellings, of which 12 will be two/three-storey dwellings, five will be bungalows and one will be a dormer bungalow. The bungalows are all located along the main access road leading from Ferry Road East. These will relate well to neighbouring dwellings approved to the southern boundary of the site under PA/2020/803, which are mainly bungalows. The existing hedging and trees on the site boundaries, together with the proposed planting scheme (once established) 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 south-west on Ferry Road, there would be views of the dwellings at a distance. The development would also be visible from the end of Cherry Lane and from Footpath 43. 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 and spacing, substantial garden areas and the proposed landscape scheme, including the Spring Walk along the eastern boundary of the site, would not have an unacceptable visual impact on the surrounding areas of open countryside and would not appear as an over-development of the site.

With regard to the design of the dwellings themselves, the bungalows would be partially shielded by the existing bungalows and two-storey dwelling currently being constructed adjacent to Ferry Road East under PA/2020/803. The two-storey dwellings are located over 50m from Ferry Road East, well behind the bungalows and two-storey dwelling being constructed. The visual impact the development would have on Ferry Road East is therefore limited. The proposed dwellings are of vernacular design and materials which would fit with the character and appearance of Barrow generally and within the context of the site itself. The materials are specified on the drawings with roof materials comprising pantiles and slate; the bricks will be Heritage blend and Hampton rural which are acceptable for this rural location.

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 behind a row of approved dwellings (PA/2020/803) and adjacent to 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 proposed dwellings 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. It must be noted the council's Heritage Officer does not consider the proposals would have an adverse impact on Barrow conservation area (300m away) or the Holy Trinity Church (listed building). Conditions relating to landscaping and planting will ensure that the site is well screened and fits with its context as effectively as possible, limiting visual impact.

Loss of agricultural land

The proposal would result in the loss of 1.2 hectares of agricultural land. The loss of this land is not considered to have a substantial impact on the overall viability of farming or availability of quality agricultural land in the area. Barrow is surrounded by swaths of

agricultural land comprising grade 2 (very good). The site is not currently in agricultural production.

Highways

Policy T2 of the North Lincolnshire Local Plan states that all development should be served by satisfactory access. Policy T19 is concerned with parking provision as well as general highway safety. Both policies are considered relevant. The access is from Ferry Road East. Car parking is provided on site, with each dwelling having its own garage and car parking spaces. The speed limit for the section of road adjacent to the application site and access is 40mph. At planning committee on 12 January 2022 Members expressed concerns about the proposed access onto Ferry Road East and considered that the speed limit on this section of Ferry Road East should be reduced to 30mph to reduce highway safety concerns. Following further consideration, Highways consider that this request is reasonable. An S106 contribution of £3,000 is required to reduce the speed limit to 30mph. This includes the legal costs and provision of lines and signs on highway safety grounds. The applicant has agreed to this contribution.

Highways have no objection subject to the S106 contribution outlined above and conditions relating to access, car parking, a construction phased traffic management plan and wheel-cleaning facilities, which would be attached to any permission granted. The proposal therefore accords with policies T1, T2 and T19 of the North Lincolnshire Local Plan.

Public right of way (PROW)

To the north of the application site is Cherry Lane and Public Footpath 43. The applicant is proposing a footpath within the public open space on the application site which is intended to connect Ferry Road East with the southern terminus of Public Footpath 43. The council's PROW officer considers that this is a potentially useful link as Public Footpath 43 is already a popular walk. Although this link will involve users having to use the access road serving the development to access Ferry Road East, the link still will have some benefit to the community of Barrow and residents of the development. There is also the possibility of providing a direct connection onto Ferry Road East in the future subject to agreement with the relevant land owner. The proposal would align with policy T6 of the North Lincolnshire Local Plan.

Drainage

Policy DS14 (Foul Sewage and Surface Water Drainage) requires satisfactory provision to be made for the disposal of foul and surface water from new development by agreeing details before planning permission is granted, imposing conditions on planning permissions or completing planning agreements to achieve the same outcome. Policy DS16 (Flood Risk) requires that new development should not be at risk from flooding. The site lies within flood zone 1 according to the council's SFRA and is therefore at low risk of flooding. Policy DS13 (Groundwater Protection and Land Drainage) seeks to ensure that all new development takes account of the need to secure effective land drainage measures and groundwater protection to control the level of water in the land drainage system. Policy DS15 (Water Resources) does not allow development to be permitted which would adversely affect the quality and quantity of water resources by means of pollution from the development or water abstraction unless adequate measures are undertaken to reduce the impact to an acceptable level.

In terms of foul water, Anglian Water have submitted the following comments:

'The foul drainage from this development is in the catchment of North Ferry Water Recycling Centre which currently does not have capacity to treat the flows the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the planning authority grant planning permission.'

and in terms of the used waste water network:

'This response has been based on the following submitted documents: FRA April 2021. The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991.'

In light of Anglian Water's response, the EA is no longer requesting a condition requiring evidence that there is sufficient infrastructure capacity for the conveyance, treatment and disposal of foul sewage arising from the development. Planning conditions are proposed to ensure that details of the foul drainage arrangements are submitted for approval to the council. The EA and Anglian Water will be consulted on any foul drainage details submitted. Subject to conditions, the proposal is acceptable in terms of foul drainage and would align with policy DS14 of the North Lincolnshire Local Plan.

In terms of surface water, the layout indicates that boreholes may be utilised. Both the EA and the LLFA have concerns about this approach as the level of information submitted is considered to be insufficient to determine whether the risks to the aquifer are acceptable or whether adequate mitigation options have been considered. Both the EA and LLFA have no objection to the development subject to conditions requiring the submission of a surface water drainage strategy to the council, and both the EA and the LLFA would be consulted on these details. Therefore, in terms of surface water drainage, the development is acceptable subject to conditions and would align with policies DS13, DS14, DS15, DS16 the North Lincolnshire Local Plan, and CS18 and CS19 of the Core Strategy, and chapters 14 and 15 of the NPPF.

Ecology/biodiversity

Policies LC5 to 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. Ecology have been consulted on this proposal and have no objections subject to a S106 and planning conditions. 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.

The applicant has submitted a Biodiversity Metric 2.0 with the application. This reveals an overall -45% net loss of habitat units. There is a net gain of +145% for hedgerows together with a scheme of features within the development and an enhancement to provide a 'Spring Walk' for the use of the local community. For biodiversity net gain of 1%, there is a requirement for $2.11 + 0.05 = 2.16$ units. The applicant has agreed to an off-site contribution

to achieve a net gain of 1% overall. This equates to £23,760 to be used within North Lincolnshire for biodiversity. This will be obtained via a S106 agreement.

Planning conditions have been proposed to ensure that works and biodiversity enhancements are carried out strictly in accordance the submitted Extended Phase 1 Habitat Survey and Biodiversity Management Plan and the submitted ecology plan. Conditions will also be used to ensure full details of the proposed new hedgerow planting is submitted to the council for approval, should permission be granted.

These conditions, together with the S106 contribution for biodiversity, are considered reasonable to ensure that the proposal aligns with the NPPF, and policies CS5 and CS17 of the Core Strategy, and to ensure a net benefit in terms of ecology and biodiversity.

Trees

No response has been received from the council's Arboricultural Officer. Three trees of Category C (low quality) are shown to be removed on the landscaping plan which will be compensated for by over 50 new trees being planted on the application site. New hedgerow planting is proposed and existing hedgerows are to be retained and infilled with new planting. A tree protection plan has been submitted and landscaping plans. Planning conditions will be used to ensure that the tree protection measures on the site for the existing trees and hedgerows will be implemented on the site and to ensure details of the new hedgerows/infilling of hedgerows are submitted to the council for approval. Subject to conditions, the proposal will therefore align with policies CS5 and CS16 of the Core Strategy, and LC12 and DS1 of the North Lincolnshire Local Plan.

Residential amenity

In terms of residential amenity, the nearest neighbours are Annelton House and Clifton House, which adjoin the eastern boundary of the application site; The Paddock, located to the north-east; and Camelot, which adjoins the western boundary. The Paddock is a considerable distance from the nearest dwelling on the application site and therefore no overlooking/loss of privacy issues would occur. In terms of Annelton House, this is set within a large, spacious plot and there is a distance of over 35m between this dwelling and the nearest dwelling on the application site. The proposed public open space is sited adjacent to the western boundary of Annelton House. The existing trees and hedging on the boundary will be retained and additional tree planting is proposed. A new footpath through this open space is proposed. It is not considered that the development would result in any demonstrable harm to the amenity of this property. Clifton House is approximately 30m from the nearest dwelling (Plot 3) on the application site. Plot 3 is a dormer bungalow and has only rooflights in the rear elevation. Therefore, no adverse impacts would be caused to Clifton House. In terms of the impact the development would have on future occupiers of PA/2020/803, there is adequate separation distance between the properties, and due to the layout and design of the dwellings, no loss of privacy would be caused.

The potential for adverse impacts on the living conditions of neighbouring dwellings has been considered and it is concluded that there would be no impact so significant as to warrant a refusal on this basis. The proposals accord with policies DS1(iii) and H5 of the local plan, and CS5 of the Core Strategy.

Planning obligations

Policy CS27 is concerned with planning obligations and states that where a development proposal generates an identified need for additional infrastructure, North Lincolnshire Council will, through the negotiation of planning obligations pursuant to Section 106 of the Town & Country Planning Act 1990 and in accordance with guidance set out in Circular 05/2005, seek obligations that are necessary to make proposals acceptable in planning terms.

The tests for planning obligations are set out in Part 11, section 122 of the Community Infrastructure Levy Regulations 2010 (as amended). It states:

- (2) A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is—
- (a) necessary to make the development acceptable in planning terms;
 - (b) directly related to the development; and
 - (c) fairly and reasonably related in scale and kind to the development.

The legal test is also set out in planning policy under paragraph 57 of the National Planning Policy Framework 2021. The heads of terms for the developer contributions are set out below, all of which the applicant has agreed to.

Affordable housing

Policy CS9 is concerned with affordable housing and requires schemes for new residential housing in rural settlements to contribute 10% of the scheme for affordable tenure. Ideally 70% of affordable housing supplied should be for rent and, where possible, the housing should be provided on site, but an off-site contribution may be acceptable. Under policy CS9, the site requires only two affordable dwelling units, for which management of the affordable housing on-site cannot be secured effectively. As a result, the applicant has agreed to an off-site contribution of £129,726.40 towards affordable housing in Barrow/North Lincolnshire.

Public open space and leisure

Public open space and leisure policy H10 of the North Lincolnshire Local Plan is concerned with public open space. It states, '(i) ...New housing developments on allocated and windfall sites of 0.5 ha or more will be required to provide recreational open space on a scale, and in a form, appropriate to serve the needs of residents.' This is reinforced by policy CS22 of the North Lincolnshire Core Strategy. Both are considered relevant.

The recreation department has requested an off-site contribution of £3,378 towards improving pitches, £7,656 for changing room improvements for athletic training in Barton, £6,863 for improvement to swimming facilities at Baysgarth Leisure Centre and £1,145 for improvements to indoor bowling facilities at Scunthorpe Indoor Bowls.

With regard to open space, 970m² of open space is to be provided on site to be maintained by North Lincolnshire Council.

Education

A contribution of £8,049 is required towards primary and secondary education, which excludes affordable products and over 55's products (four bungalows).

Biodiversity

There is a 2.16 habitat unit loss on the site. An off-site contribution of £23,760 is required to be used within North Lincolnshire.

Highways

A contribution of £3,000 is required to reduce the speed limit to 30mph. This includes the legal costs and provision of lines and signs on highway safety grounds.

Other matters

The comments made by Environmental Health in respect of contamination, the submission of a CEMP and the submission of electrical vehicle charging points are noted. The conditions recommended by Environmental Health will be imposed on any planning permission. This aspect of the proposal, subject to the imposition of the recommended conditions, would align with policies DS1, DS7 and DS11 of the North Lincolnshire Local Plan, and CS5 and CS18 of the Core Strategy.

The comments made by the parish council are noted. The site is outside the development boundary and this issue has been addressed in an earlier section of this report. The comments about drainage are noted. However, the LLFA, EA and Anglian Water are not objecting to the proposal subject to conditions. The access concerns are noted, but Highways are not objecting to the proposal and therefore the access and car parking arrangements are considered to be acceptable. An ecology report has been submitted with the application. There is a biodiversity loss on the site and this will be compensated through an off-site biodiversity contribution to be used in North Lincolnshire.

In terms of neighbour objections the comments are noted. Issues such as the site being outside the development limit, flood risk, drainage, loss of visual amenity, that the development is out of character with the area, access issues, infrastructure and schools at capacity, no affordable housing, increased pollution, lack of facilities and public transport, have already been addressed in this report. Issues in relation to the previous approval for nine dwellings on the adjacent site (PA/2020/803) have also been discussed. It is acknowledged that other housing developments have recently been approved in Barrow, but each application must be judged on its planning merits according to planning law.

In terms of construction and operating hours, in the interests of consistency and to ensure residential amenity is protected during construction, a planning condition will be used to control construction and operating hours so that they are the same as those approved under PA/2021/1611, which are 7.30am to 6pm Monday to Friday, and 7.30am to 1pm on Saturdays.

Pre-commencement conditions

All pre-commencement planning conditions have been agreed with the applicant.

Conclusion

In conclusion, the development is for full planning permission for 18 dwellings that lie outside the development limits of Barrow as defined in the local development plan. The site is not identified as a housing allocation in the North Lincolnshire Local Development Plan.

The council can currently demonstrate a deliverable five-year housing land supply as set out in the North Lincolnshire Five Year Housing Land Supply Statement. In accordance with NPPF paragraph 11(d), the local plan's relevant policies for the supply of housing can be considered up to date.

This development proposal is considered to represent a departure from the development plan and policy guidance contained within the NPPF. The site is not considered to be unsustainable as to warrant refusal given its location. PA/2020/803 approved nine dwellings on the site frontage and it was judged that this adjacent site was a sustainable location for residential development. The site is not covered by any formal landscape designations. Any visual impact of the proposal would be localised and unlikely to result in any significant harmful protrusion into the open countryside, given the number of dwellings proposed. The loss of agricultural land is a disbenefit but it is a small amount of land to be lost in the context of the swaths of agricultural land which already surround Barrow. The proposal would provide a mix of housing types and designs, including bungalows for older people, for which there is a proven need in North Lincolnshire, and would provide a footpath link for occupiers and the community of Barrow. There are also no residential amenity, highway, drainage, landscape/arboriculture or ecological objections. Considering the low level of harm caused by the development, in the context of the countryside and surrounding area, the planning authority is of the view that when the planning balance is applied the low adverse impacts would not significantly and demonstrably outweigh the benefits of this proposal.

On balance, it is considered that the development would comply with the NPPF and there are sufficient grounds to justify the departure from the local development plan. The proposal is therefore recommended for approval subject to conditions and a S106 agreement.

Heads of terms

Traffic Regulation Order

Contribution amount	£3,000 to reduce the speed limit to 30mph; this includes the legal costs and provision of lines and signs
Trigger point	Prior to occupation of the 1st dwelling
How many years does the council require to spend the contribution?	10 years

Affordable housing

Off-site contribution	£129,726.40
Trigger point	On occupation of the 8 th dwelling

How many years does the council require to spend the contribution?	5 years within Barrow upon Humber and a further 5 years in North Lincolnshire
---	---

Education

Contribution amount	£8,049 per dwelling towards primary and secondary, excluding affordable products and over 55's products (4 bungalows)
Trigger point	30% on occupation of the 1 st dwelling 30% on occupation of the 5 th dwelling 40% on occupation of the 10 th dwelling
How many years does the council require to spend the contribution?	10 years

Open space

On-site informal open space	970m ² – £20,450.20 for NLC to maintain
Trigger point	Open space to be set out on occupation of the 10 th dwelling Transferred to NLC and contribution paid on occupation of the 10 th dwelling
How many years does the council require to spend the contribution?	10 years

Recreation

Off-site contribution	An off-site contribution of £3,378 towards improving pitches and £7,656 for changing room improvements for athletic training in Barton, £6,863 for the improvement of swimming facilities at Baysgarth Leisure Centre and £1,145 for improvements to indoor bowling facilities at Scunthorpe Indoor Bowls
Trigger point	On occupation of the 10 th dwelling
How many years does the council require to spend the contribution?	10 years

Biodiversity

Off-site contribution	2.16 habitat unit loss equivalent as an off-site contribution of £23,760 to be used within North Lincolnshire
Trigger point	On occupation of the 5 th dwelling
How many years does the council require to spend the contribution?	10 years

RECOMMENDATION Grant permission subject to the following conditions:

Subject to the completion of a formal agreement under Section 106 of the Town and Country Planning Act 1990 (or other appropriate legislation) providing for the contributions set out in the heads of terms specified above, the committee resolves:

- (i) it is mindful to grant permission for the development;**
- (ii) the decision be delegated to the Development Management Lead upon completion of the obligation;**
- (iii) if the obligation is not completed by 12 July 2022 the Development Management Lead be authorised to refuse the application on grounds of inadequate provision of essential community benefits and highway safety grounds; and**
- (iv) the permission so granted be subject to the following conditions:**

1.

The development must be begun before the expiration of three years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.

The development hereby permitted shall be carried out in accordance with the following approved plans:

FE/145/202

FE/145/203

MH/OP/19/102

MH/AS/19/102

materials FE/145/204 Rev A

Ea/AS/19/107

Te.sr.AS/19/102

MH/AS/19/102

Ea/AS/19/107

MH/AS/19/102

No/AS/19/002

Du/AS/18/103

M/OP/19/101
M/OP/19/102
Mx.sg/OP/19/102
Ki/OP/18/103
Ea/OP/19/107
Co/OP/19/106
Du/OP/18/103
FE/145/207
FE/145/206
FE/145/205
Tree Protection Plan - Ferry Road East
FE/145/215
Co/OP/19/103
Bu/OP/18/106
GA/FE/P12
GA/FE/P11
GA/FE/P7-8
GA/FE/P4-5
GA/FE/P3
GA/FE/P2
Te.sr/OP/19/102
MH/OP/19/102.

Reason

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

3.

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

Reason

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

4.

Works shall not commence on site until wheel cleaning facilities, in accordance with details to be submitted to and approved in writing by the local planning authority, have been provided within the curtilage of the site, and this facility shall be retained for the duration of the works.

Reason

To prevent material being deposited on the highway and creating unsafe road conditions.

5.

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.

6.

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.

7.

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

Reason

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

8.

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.

9.

No development shall take place until a construction phase traffic management plan showing details of:

- (i) a pre/post construction condition survey of the carriageway to identify any defects and how they will be rectified;
- (ii) all associated traffic movements, including delivery vehicles and staff/construction movements;
- (iii) any abnormal load movements;
- (iv) contractor parking and welfare facilities;
- (v) storage of materials; and

- (vi) traffic management requirements, including the means of controlling the deposition of mud onto the adjacent highway, along with appropriate methods of cleaning the highway, as may be required;

has been submitted to and approved in writing by the local planning authority. Once approved the plan shall be implemented, reviewed and updated as necessary.

Reason

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

10.

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, which should be based on the current national guidance) will not exceed the run-off from the existing site. It shall also include details of how the resulting completed scheme is to be maintained and managed for the lifetime of the development so that flood risk, both on and off the site, is not increased. SuDS must be considered. Reference should be made to North Lincolnshire Council's SuDS and Flood Risk Guidance Document. Should infiltration not be feasible at the site, alternative sustainable drainage should be used, focusing on above-ground solutions.

Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, for the protection of groundwater resources, and to ensure the implementation and future maintenance of the sustainable drainage structures in accordance with policies DS13 and DS16 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraphs 159, 161, 167, 169 and 174 of the National Planning Policy Framework.

11.

The drainage scheme shall be implemented in accordance with the approved submitted details required by condition 10 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 the increased risk of flooding to themselves and others, to improve and protect water quality, to protect groundwater resources and to ensure the implementation and future maintenance of the sustainable drainage structures in accordance with policies DS13 and DS16 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraphs 159, 161, 167, 169 and 174 of the National Planning Policy Framework.

12.

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.

13.

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

Reason

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

14.

Works and biodiversity enhancements shall be carried out strictly in accordance with section 5 of the submitted document, "Ferry Road East - Phase 2 Site, Barrow Upon Humber: Extended Phase 1 Habitat Survey and Biodiversity Management Plan" dated April 2021 and the submitted drawing number FE/145/206. 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.

15.

The details of the method of protecting the existing trees on the site throughout the construction period as specified in the submitted arboricultural report and tree protection plan shall be carried out before development is commenced, and maintained until completion of the development. None of the trees so protected shall be wilfully damaged or destroyed, uprooted, felled, lopped or topped, nor any other works carried out which would cause damage to the root systems or otherwise threaten the lives of the trees during the period of construction without the previous written consent of the local planning authority. Any trees removed without such consent or dying or being severely damaged or becoming seriously diseased during that period shall be replaced with trees of such size and species as may be agreed with the local planning authority.

Reason

To safeguard the existing trees on the site in accordance with policy LC12 of the North Lincolnshire Local Plan.

16.

The scheme of landscaping and tree planting shown on drawing no. FE/145/205 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 the amenity of the locality in accordance with policies CS5 of the Core Strategy and DS1 of the North Lincolnshire Local Plan.

17.

Before the approved landscaping scheme (drawing no FE/145/205) is carried out on the site, details of the location and species of the planting for the infilling of the hedgerows shall be submitted to and approved in writing by the local planning authority. Thereafter only the approved scheme shall be planted on the site and retained.

Reason

In the interests of the amenity of the locality in accordance with policies CS5 of the Core Strategy, and LC12 and DS1 of the North Lincolnshire Local Plan.

18.

No dwelling shall be occupied 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 dwellings are 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.

19.

If during development any odorous, discoloured or otherwise visually contaminated material is found to be present at the site then no further development shall be carried out until a written method statement, detailing how this contamination shall be dealt with, has been submitted to and approved by the local planning authority. The approved method statement shall be implemented in full prior to development commencing on the site.

Reason

To safeguard residential amenity in accordance with policies DS7 and DS11 of the North Lincolnshire Local Plan.

20.

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

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

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

Light – the CEMP shall set out the particulars of:

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

Dust – the CEMP shall set out the particulars of:

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

Reason

To safeguard the amenity of residents in accordance with policy DS1 of the North Lincolnshire Local Plan.

21.

No development shall take place on the site until a scheme for the provision of electrical vehicle charging points has been 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.iagm.co.uk/text/guidance/air-quality-planning-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 (NPPF) and policy CS18 of the Core Strategy.

22.

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

- 7.30am to 6pm Monday to Friday
- 7:30 am 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 in accordance with policies DS1 and DS11 of the North Lincoln shire Local Plan.

Informative 1

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

Informative 2

The proposals may require a new (restricted discharge) connection into the highway drainage system on Ferry Road. This is not a public sewer and therefore the developer has no 'as of rights' connection into this drain. Any additional flows into this drain must be fully modelled by the developer and upgrades to this drainage system may be required to facilitate the connection (at the developer's expense). This must be consented by North Lincolnshire Council's LLFA Drainage Team, in their capacity as Lead Local Flood Authority, through an Ordinary Watercourse Consent and appropriate discharge rates must

be agreed. Please contact the LLFA Drainage team on 01724 297522 or by email to llfadrainageteam@northlincs.gov.uk for further details. Compliance with this guidance is to ensure the free flow of surface water is maintained throughout the development.

Informative 3

The applicant's attention is drawn to the comments made by the LLFA , Anglian Water and the Environment Agency.

Informative 4

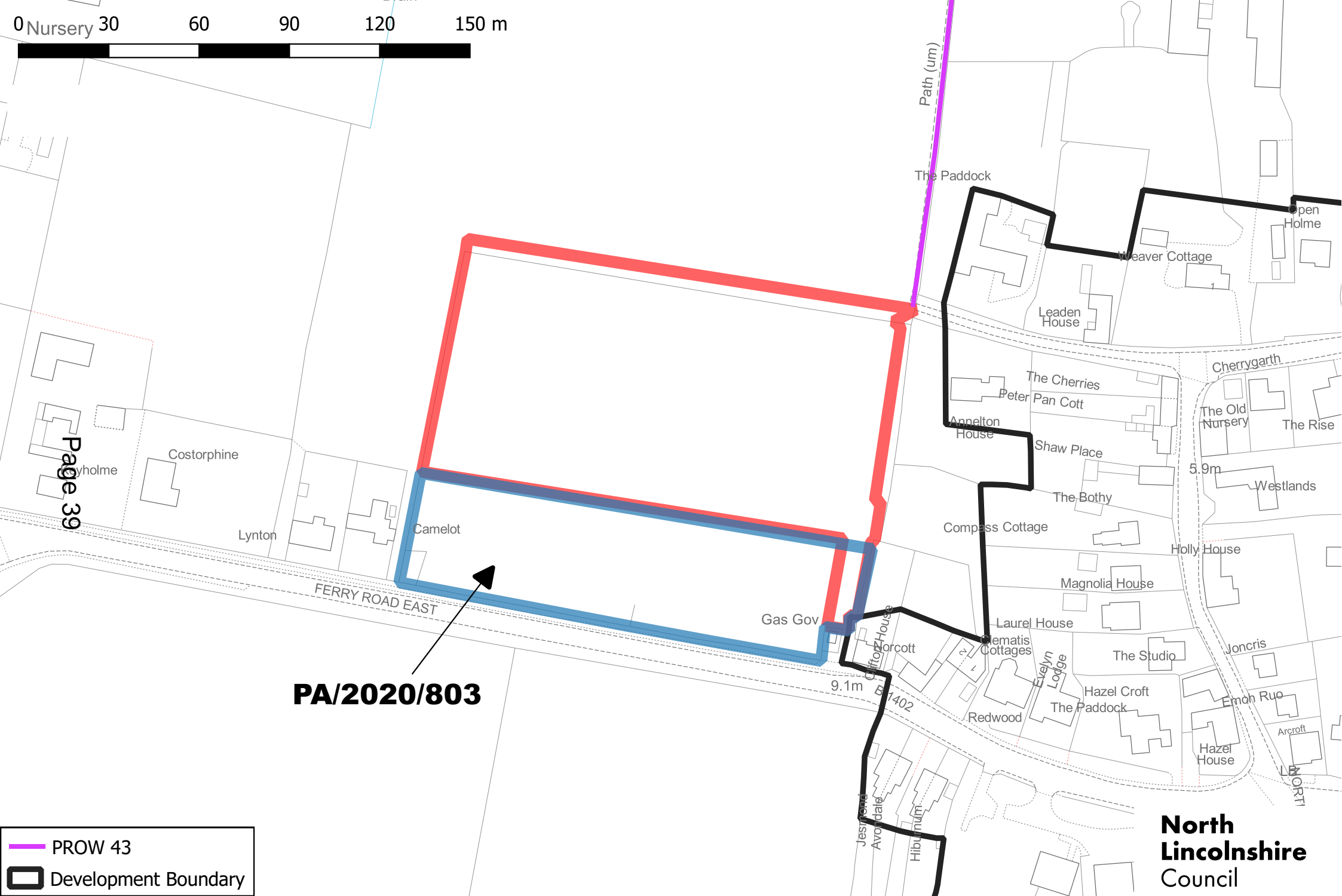
The development hereby granted planning permission requires works to be carried out within the limits of the adopted (public) highway. Therefore:

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

Informative 5



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

0 Nursery 30 60 90 120 150 m



Page 39

PA/2020/803

 PROW 43
 Development Boundary

PA/2021/970

**North
Lincolnshire
Council**



CREATION OF NEW OF PUBLIC RIGHT OF WAY, 'SPRING WALK' & PUBLIC OPEN SPACE.

Page 40

Anneltor House



FERRY ROAD EAST

CREATION OF PUBLIC RIGHT OF WAY, 'SPRING WALK' & PUBLIC OPEN SPACE.

Rev: Details: Drawn by: Date Approved:

KEIGAR HOMES LTD
 KEIGAR LODGE
 CANBERRA VIEW
 BARTON-UPON-HUMBER
 NORTH LINCOLNSHIRE
 DN15 5GR
 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: 06.03.21 Scale: 1/500 @ A3

Drawing No: FE / 145 / 203

PA/2021/970 Committee report for adjacent site under construction

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

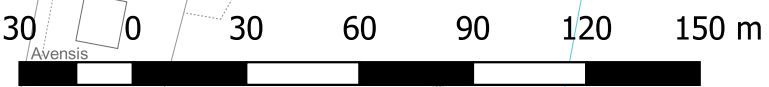
The development hereby granted planning permission requires works to be carried out within the limits of the adopted (public) highway. Therefore:

- 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;

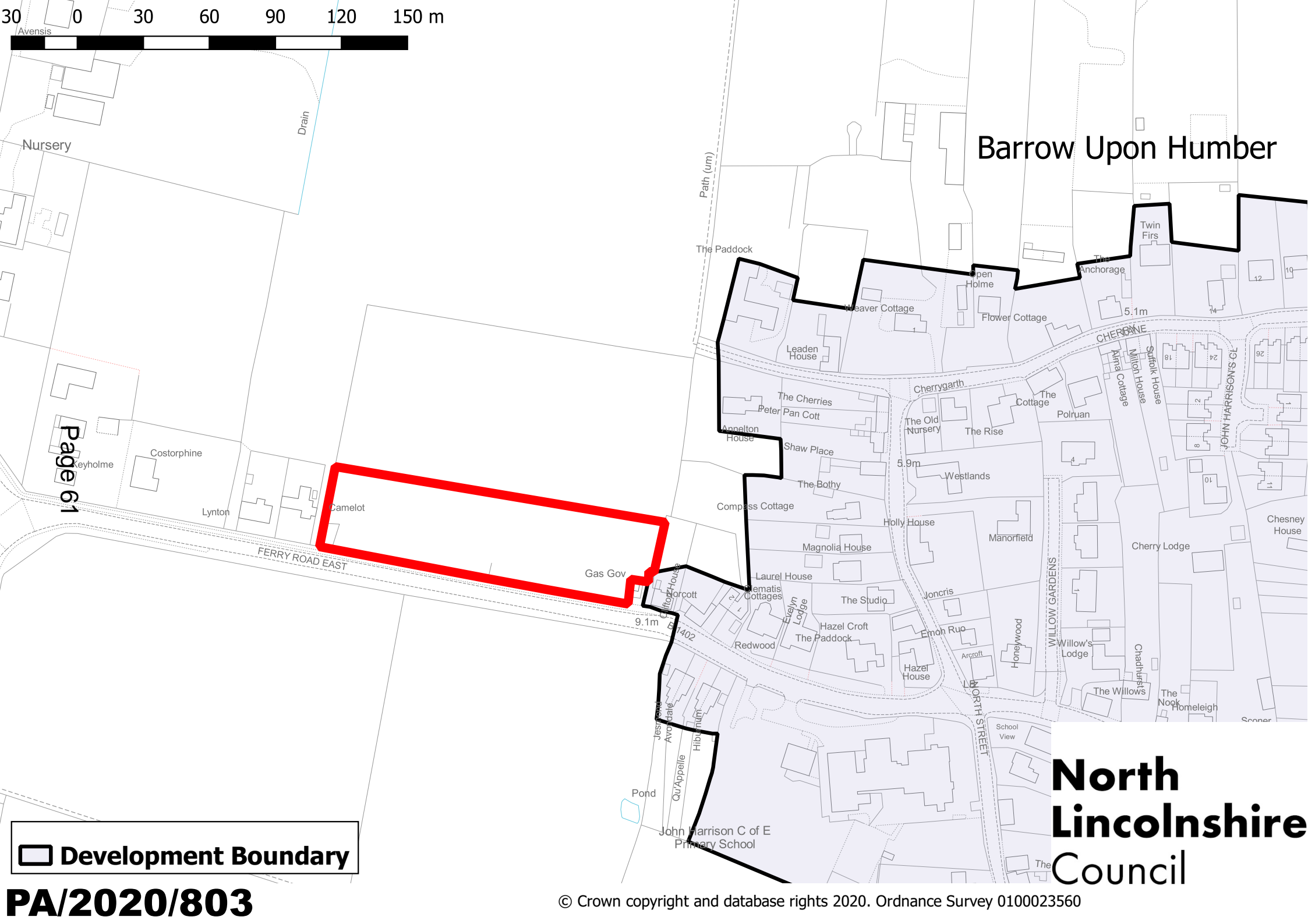
- before ANY service (utility) connections take place within the limits of the highway you MUST contact the highway authority on telephone number 01724 297319 to arrange for the relevant permissions/licenses to be issued.

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



Page 61

 Development Boundary

PA/2020/803

North Lincolnshire Council

© Crown copyright and database rights 2020. Ordnance Survey 0100023560

AMENDED



Page 62

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
 DN15 5GR
 Tel: 01652 631939 Fax: 01652 631938

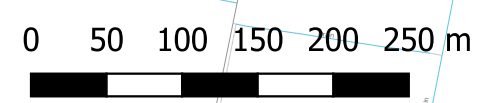


Project Title:
 Residential development
 land off FERRY ROAD EAST
 BARROW UPON HUMBER

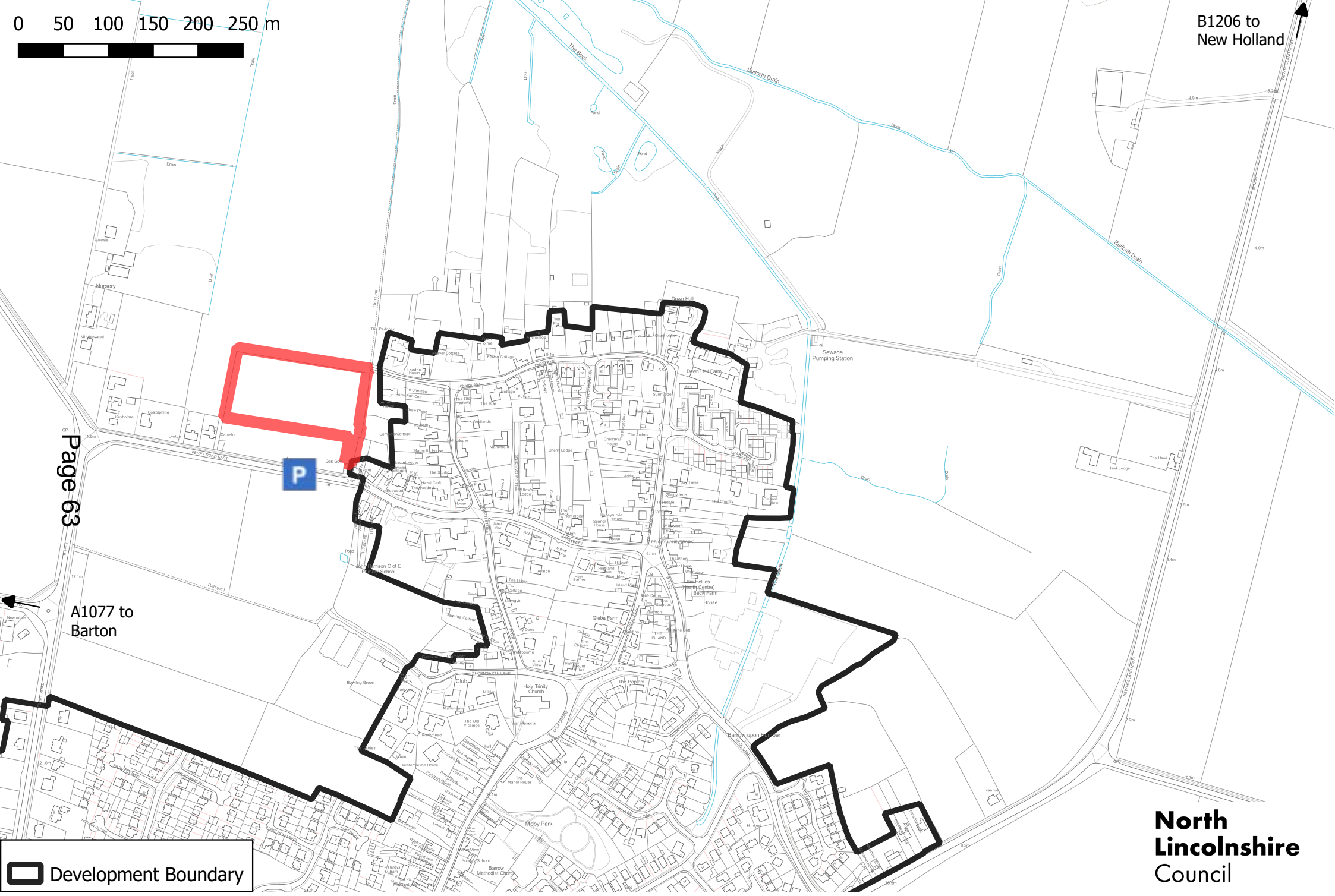
Drawing Title:
 SITE LAYOUT

Drawn by:	MdS	Date:	28.04.20	Scale:	1/500 @ A3
-----------	-----	-------	----------	--------	------------

Drawing No: FE / 145 / 03
 Revision: A



B1206 to New Holland



Page 63

A1077 to Barton

 Development Boundary

**North
Lincolnshire
Council**

PA/2021/970 Sat nav: Clifton House, Ferry Road East, Barrow, DN19 7AZ

© Crown copyright and database rights 2021. Ordnance Survey 0100023560

This page is intentionally left blank

APPLICATION NO	PA/2021/1612
APPLICANT	Mr Paul Davies
DEVELOPMENT	Outline planning permission to erect four dwellings, garages and associated works with scale, appearance and landscaping reserved for subsequent consideration
LOCATION	Grey Green Farm, Woodhouse Road, Woodhouse, Belton, DN9 1QQ
PARISH	Belton
WARD	Axholme Central
CASE OFFICER	Deborah Oikeh
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Belton Parish Council Departure from the development plan

POLICIES

National Planning Policy Framework: 78

North Lincolnshire Local Plan: DS1, DS7, DS11, DS14, DS16, H7, H8, T2, T19, RD2, RD10 and LC14

North Lincolnshire Core Strategy: CS1, CS2, CS3, CS5, CS6, CS7, CS17 and CS19

Housing and Employment Land Allocations DPD: Policy PS1 (Presumption in Favour of Sustainable Development)

CONSULTATIONS

Highways: No objections subject to conditions.

Environment Agency: No objections.

Drainage (Lead Local Flood Authority): No objection subject to conditions and informatives.

Environmental Protection: No objection subject to conditions.

Historic Environment Record: Objects with the reason that the extension of residential development in this location would be an unacceptable intrusion of the built environment into the historic landscape, contributing to adverse character change and affecting the setting and legibility of the early enclosures.

Ecology:

- Proposes conditions as development would affect the Isle of Axholme historic landscape.
- Works would result in harm to a bat roost. Consent can only be given if sufficient evidence is presented that the tests of European Protected Species (EPS) licensing are met.
- Planning conditions are proposed to minimise harm to protected and priority species and habitats and to seek a net gain in biodiversity in accordance with the Defra Small Sites Metric.

PARISH COUNCIL

Objects on the following grounds:

- The site is outside the development boundary and backland development.
- Access to the site is difficult.

PUBLICITY

Advertised by site notice. Three responses have been received, which are summarised below:

- outside the development boundary of Belton
- increased impact on highways access, drainage, school and other services
- overshadowing impact of the proposal
- impact of noise and disturbance to elderly residents.

ASSESSMENT

This application was deferred at the last meeting of the planning committee to allow members to visit the site before making a decision.

Planning history

- 2/1986/0443: Change of use to timber business and widening of an existing access – approved 26/09/1986
- 2/1989/0768: Erect a domestic extension and construct a vehicular access – approved 29/08/1989
- 2/1991/0991: Erect a farm shop – refused 16/03/1992
- PA/2015/1269: Outline planning permission to erect a detached dwelling and garage with appearance, landscaping, layout and scale reserved for subsequent approval – approved 16/12/2015

PA/2016/1537: Planning permission to erect a detached chalet bungalow and garage – approved 18/01/2017

Proposal and site characteristics

Outline planning permission is sought to erect four dwellings and garages, whilst reserving scale, appearance and landscaping for subsequent consideration. The site comprises existing detached dwellings, agricultural barns and outbuildings along Woodhouse Road in Belton. The site can be accessed via its own private driveway and is set within the 'Area of Special Historic Landscape Interest' of the Isle of Axholme and outside the development boundary of Belton.

Site constraints

- The site is outside the development boundary of Belton according to the HELADPD 2016
- The site is within SFRA flood Zone 1
- The site is designated under policy LC14 – Area of Special Historic Landscape Interest

Principle of development

Belton is classed as a 'Rural Settlement' according to North Lincolnshire Council's settlement hierarchy. Policies CS1 and CS3 of the Core Strategy are primarily concerned with the spatial strategy for North Lincolnshire and how development limits are applied to the settlement hierarchies. Both policies stipulate the use of development limits in the urban area, market towns and rural settlements with the aim of creating vibrant rural settlements through the protection and enhancement of local services. Policy CS1 in particular states 'rural settlements will be supported as thriving sustainable communities, with a strong focus on retaining and enhancing existing local services to meet local needs. Development will be limited and should take into account levels of local service provision, infrastructure capacity and accessibility'.

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 Housing and Employment Land Allocations DPD (HELADPD), and the application site is located outside, but adjoining the designated development limit for Belton.

Policy CS2 requires a sequential approach to be followed with development focused on the Scunthorpe urban area and infill areas, followed by previously developed land within the market towns and infill, and thereafter small-scale developments within the defined development limits of rural settlements to meet identified local needs. The policy further states that 'All future development in North Lincolnshire will be required to contribute towards achieving sustainable development. Development should be located where it can make the best use of existing transport infrastructure and capacity. A sequential approach will also be applied to ensure that development is, where possible, directed to those areas that have the lowest probability of flooding, taking account of the vulnerability of the type of development proposed, its contribution to creating sustainable communities and achieving the sustainable development objectives of the plan'.

Policy RD2 is mainly concerned with development in the open countryside and aims to restrict development in the countryside except in exceptional cases. This essentially includes agricultural or forestry operations, employment-related development, to meet affordable housing need, for re-use/adaptation of existing rural buildings, for the replacement or alteration of existing dwellings, and for the provision of outdoor sport or countryside recreation.

Policy CS7 states 'Housing development will be required to make efficient use of land but the density of new development should be in keeping with the character of the area and should support the development of sustainable, balanced communities'. The policy allows a net density of 30 to 35 dwellings per hectare within a residential development site of rural settlements and the countryside.

Policy CS8 relates to spatial distribution of housing sites and states, 'The first priority is to re-use previously developed land and buildings within North Lincolnshire's built-up areas which will be promoted by setting a target of 30% of the housing provision on such land. Second priority will be given to other suitable infill opportunities in North Lincolnshire's built-up areas. Flood risk will be taken into account, as this will be a determining factor in the distribution and location of housing.'

In this case, the proposed site is set outside the development boundary and is located within the area designated by policy LC14 (Area of Special Historic Landscape Interest) of the local plan. In addition, it would not meet any of the needs highlighted in policy RD2. The site, being on agricultural land with farm buildings, also does not fall under the definition of previously developed land (brownfield) as stipulated in annex 2 of the NPPF. As a consequence, the proposal is considered to conflict with policies CS2, CS3, CS8, LC14 and RD2.

The NPPF represents a material consideration in the determination of any application. Chapter 11 (Making effective use of land) and Footnote 7 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 and that housing applications should be considered in the context of the presumption in favour of sustainable development. In this case, North Lincolnshire Council has published a statement in August 2021 confirming that it can now demonstrate a five-year housing land supply, as such, the development plan is considered up-to-date and the NPPF paragraph 11 'tilted balance' is not applicable to the proposal.

Notwithstanding the above, the assessment of whether the proposed development is considered sustainable remains.

NPPF Chapter 2 (Achieving sustainable development) highlights the three overarching objectives to be considered in decision-making, namely social, economic and environmental objectives.

The North Lincolnshire Sustainable Settlement Survey 2019 states Belton is ranked 11 out of 76 settlements, with six out of seven key facilities. Belton is therefore considered to be a sustainable settlement that is capable of future growth.

The site is within walking distance of key local facilities and services including a school, fish and chip shop, bus stops and other facilities and is adjacent to the development boundary. It is considered that the site is in a sustainable location.

In economic terms it would provide much needed housing, job creation benefits during the construction phase, and money spent in the local economy by future residents.

Allowing additional dwellings at the edge of a settlement would bring social benefits by way of encouraging new social interactions, leading to growing local communities and supporting local services. The development would support local schools and playgroups, as well as other clubs and functions.

The area would benefit environmentally from the on-site biodiversity net gain and landscaping schemes appropriate for the site. Whilst the application site is washed over by the LC14 which surrounds the whole settlement of Belton, it is currently a farm with extensive areas of hardstanding, barns and buildings within an existing defined boundary. If the proposed development is allowed within this existing boundary, the harm to the open strip fields or LC14 will be limited. Farming operations ceased on the site on 30 March 2013. It is considered that leaving the site and buildings in their current state may present further harm to the character of the area.

Although the proposal would conflict with policies CS2, CS3 and CS8 of the Core Strategy and RD2 and LC14 of the local plan, it would provide additional dwellings within a sustainable locality, prevent deterioration of the site and enable the effective use of the land. It is therefore considered that the principle of the development is acceptable subject to the consideration of sustainability and other relevant policies.

Character and appearance

Policy DS1 states that a 'high standard of design is expected' and proposals will be considered against two criteria:

- (i) the design and external appearance of the proposal should reflect or enhance the character, appearance and setting of the immediate area, and
- (ii) the design and layout should respect, and where possible retain and/or enhance, the existing landform of the site.

Policy CS5 of the North Lincolnshire Core Strategy is also relevant. It 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' and '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.'

The site is dominated by bare ground comprising soft muds, occasional paving or hardstanding. At the centre of the land is an open-sided barn constructed of breezeblock base overlain by metal frame and corrugated wall and roof. On the western elevation is a polytunnel and wooden shed. Located on the southern elevation of the site is a detached garage. Many of these structures and barns are skeletal in structure. Therefore, redeveloping the site would enable efficient use of the land rather than re-using or adapting the structures into dwellings. Moreover, policy RD9, which relates to adaptation of agricultural buildings, only supports residential conversion of agricultural buildings that are of architectural or historic importance to the rural scene and are capable of conversion without major alteration. In this regard, the buildings on the site are not of historic or architectural importance.

Adjacent the site are Meadow Cottage (a new build) to the west and Orchard Cottage to the east; however, they are both set back from the site. The existing farm buildings on the site are single-storey, whilst the property to the west is a 1.5-storey building. Therefore, a scheme that respects the character and amenity of the area is achievable if the height of the dwellings is conditioned to a maximum height of 1.5-storey through the reserved matters application.

Impact on residential amenity

Policy DS1 is partly concerned with impacts upon residential amenity. It states, ‘...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.’

Policy H5 also seeks to require that proposals do not result in adverse impacts upon neighbouring amenity.

The outline nature of this application means full design details will be provided if outline permission is granted. The proposal would result in four additional dwellings. The proposed indicative layout suggests there should be no significant impact on residential amenity, although the property’s final details are reserved for future consideration. However, a suitable scheme that respects neighbours’ residential amenity is achievable, subject to appropriate internal layout, daylight assessment, and the direction of window openings.

The proposal is therefore considered to be acceptable in this regard and complies with policies DS1 and H5.

Impact upon highway safety

Policy T2 of the North Lincolnshire Local Plan states that all development should be served by a satisfactory access. Policy T19 is concerned with parking provision, as well as general highway safety.

There is an existing access to the site and indicative access layout to the dwellings has been proposed in the site location plan. The highways officers have not raised any objections, subject to conditions to control the access and parking on site.

Further consultation with the Highways team was conducted with regard to the concerns about highway safety raised by the parish council. The highways team stated ‘the site access is within the 30mph limit, has good visibility and the proposed access road is of sufficient width to allow vehicles to pass each other. The size of the development will only generate a small number of additional vehicle movements, which are not anticipated to have an adverse impact on highway safety’. Therefore, the proposal is not considered to conflict with the requirements of policies T2 and T19.

Flood risk and drainage

Policy CS19 of the Core Strategy is concerned with flood risk, whilst DS14 and DS16 of the local plan are concerned with flood risk, drainage and foul water. Policy CS19 in particular states ‘The council will support development proposals that avoid areas of current or future flood risk, and which do not increase the risk of flooding elsewhere. This will involve a risk-based sequential approach to determine the suitability of land for development that uses

the principle of locating development, where possible, on land that has a lower flood risk, and relates land use to its vulnerability to flood’.

The proposed site for residential development is situated within SFRA flood Zone 1 and is therefore acceptable in principle. The Environment Agency (EA) and the Drainage team were consulted and have raised no objections to the application. The EA in particular have no comments or recommendations for conditions regarding the application. It is therefore assessed that the proposal accords with policies DS14 and DS16 of the local plan and CS19 of the Core Strategy.

Land contamination

Policy DS7 of the local plan relates to contaminated land. It states that permission will only be granted on contaminated sites where a detailed site survey has been submitted, and a suitable scheme of remedial measures has been agreed to overcome any existing contamination. The historical maps dating from 1885 have shown the site to have been associated with farm buildings and over time more buildings have been erected. However, the applicant did not submit a contaminated land assessment.

The council’s Environmental Protection team have recommended some conditions relating to land contamination and construction hours given that the residential development is a sensitive end use, and these conditions should be attached to any permission granted.

Impacts upon heritage assets and the character of the area

Policy LC14 states ‘Within this area, development will not be permitted which would destroy, damage or adversely affect the character, appearance or setting of the historic landscape, or any of its features’. It further states ‘A high standard of design and siting in new development will be required reflecting the traditional character of buildings in the area and the character of the historic landscape, and using materials sympathetic to the locality’.

The initial site plan submitted was for five dwellings which showed the new build would encroach into the historic open strip fields. Consequently, an objection was raised to this effect by the HER. However, the applicant was advised to submit a revised plan such that the site boundary is limited to the existing farm yard boundary which the agricultural buildings and barns currently occupy. Whilst the site is washed over by the LC14 that surrounds the whole settlement of Belton, the amended proposal would sit within the existing farm boundary whereon the existing farm buildings occupy. It is therefore considered that the harm to the LC14 is limited in this case.

Moreover, two new houses have recently been built to the west of the site and both are outside the development boundary of Belton. Additionally, to the south of the site is an approved large plot for housing development, outside the development boundary and within the LC14 area (PA/2018/2416, approved 3 April 2020). But in this case, the site contains existing buildings and barns used for agricultural purposes. Until 30 March 2013, the site was a working farmyard, but could be converted to dwellings under Class Q (development consisting of a change of use of a building and any land within its curtilage from a use as an agricultural building to a use falling within class C3 – dwellinghouses); however, the applicant considered that the site could be efficiently used and better developed into four residential units.

Ecology

Policy CS17 of the Core Strategy is concerned with biodiversity and sets out principles for the management of schemes in order to achieve a net gain for wildlife habitat networks. It is reinforced by paragraph 170 of the National Planning Policy Framework; both are considered relevant.

The site is confirmed as being used by common pipistrelle bats for roosting at two locations within the southern elevation of the barn. No evidence of use as a maternity roost or larger bachelor roost was recorded. The numbers (four pipistrelle bats) and behaviour throughout the survey were consistent with use of the barn as a day roost.

The council's ecologist has put forward a robust response that sets out the prerequisite tests for a European Protected Species licence. The response also concludes that should these tests be met then the imposition of planning conditions would form sufficient mitigation to the scheme. The European Protected Species tests must be met in order to grant consent for development of this site as works would result in harm to pipistrelle bats. The tests include that the activity must be for a certain purpose, there must be no satisfactory alternative that will cause less harm to the species and the activity must not harm the long-term conservation status of the species.

On the western elevation sits a large red brick barn with a pitched roof covered with corrugated sheeting where the presence of pipistrelle bats was noticed by the ecologist. Several areas of displaced brick were recorded with deep fissures. With regard to satisfactory alternatives, it should be noted that the barn in question is currently used to store unused tools and has been disused for some time. The building is in an obvious state of disrepair. If no alternative use is found for the buildings it is likely they will continue to deteriorate and that the four bat roosts observed throughout the investigations in the barn will be put in danger. Consequently, there are no satisfactory alternatives that would cause less harm to the bat roosts; even the 'do nothing' approach may lead to further degradation of the site.

It is considered that the proposal for the erection of four dwellings on disused agricultural farmland would have both economic and social benefits. The applicant has proposed a scheme where the ecological harm can be compensated for and mitigated as much as possible. The level of impact on the site is considered low as proportionate mitigation will be provided for the species prior to development. The ecologist has advised conditions to secure the mitigation and compensation measures. The proposal is within the public interest as it would deliver additional housing within a sustainable location in Belton. Redeveloping the site would also reduce the financial burden of maintaining and securing the buildings in the current state. The final favourable conservation test is passed through the provisions of the biodiversity enhancement plan which can be secured by condition. Lastly, the proposal allows for ecological buffers as well as a generous landscaping scheme and it is thought that the existing species will have the chance to thrive.

It is therefore considered, subject to the aforementioned mitigation that the proposal would align with policy CS17 of the North Lincolnshire Core Strategy as well as paragraph 170 of the National Planning Policy Framework.

Conclusion

Whilst the proposal would be located outside the settlement boundary, the site is set in a sustainable location served by existing services and infrastructure. The proposal is assessed as having no detrimental impacts upon the character of the area or upon highway safety, drainage or amenity concerns to neighbouring properties. The site location is adjacent to but outside the development limits. Notwithstanding this, visually the proposal would appear as within the settlement and would not result in any appreciable intrusion into the open countryside. As such, on balance, it is considered in this instance that the proposal is sustainable development and is therefore recommended for approval subject to suitable conditions to control the development.

RECOMMENDATION Grant permission subject to the following conditions:

1.

Approval of the details of the scale and appearance of the building(s), and the landscaping of the site, (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, and the landscaping of the site, 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.

The development hereby permitted shall be carried out in accordance with the following approved plans:

Site, location and block plans amended 925-21 dated 27/11/21

Flood Risk Assessment
Heritage Statement
Design and Access Statement.
Bat Activity Report.

Reason

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

6.

The dwellings shall be 1.5 storeys in height.

Reason

To ensure the development reflects the character of adjacent development in accordance with policy DS1 of the North Lincolnshire Local Plan.

7.

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.

8.

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.

9.

The existing vehicular access to the site shall be improved within highway limits in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason

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

10.

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

- (i) the proposed method of forming access from the highway, including the required visibility splays;

- (ii) the method of constructing/paving the drive;
- (iii) the provision of adequate drainage features;
- (iv) the provision of suitable bin collection facilities adjacent to the highway;
- (v) the provision of suitable lighting arrangements; and
- (vi) the provision of street name plates that shall include the words 'Private Drive';

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

Reason

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

11.

The details to be submitted in respect of reserved matters for any phase of development shall include a scheme for the provision of surface water drainage for the site. The details shall include the following criteria:

- (a) any proposal to discharge surface water to a watercourse from the redevelopment of a brownfield site should first establish the extent of any existing discharge to that watercourse
- (b) peak run-off from a brownfield site should be attenuated to a minimum of 70% of any existing discharge rate (existing rate taken as 1.4 litres/sec/ha or the established rate whichever is the lesser for the connected impermeable area)
- (c) discharge from 'greenfield sites' taken as 1.4 lit/sec/ha (1:1yr storm)
- (d) no above-ground flooding to occur up to the 100 year plus climate change critical flood event (based on current national guidance)
- (e) a range of durations should be used to establish the worst-case scenario
- (f) the suitability of soakaways, as a means of surface water disposal, should be ascertained in accordance with BRE Digest 365 or other approved methodology
- (g) a scheme for the provision of a positive outlet of surface water from the site
- (h) adoption and maintenance agreements for all surface water and SuDS drainage features.

If a full sustainable urban drainage system (SuDS) scheme is incapable of being delivered, then comprehensive justification of this must be submitted.

Reason

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

12.

The drainage scheme shall be implemented in accordance with the approved submitted details required by condition 11 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 the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation and future maintenance of the sustainable drainage structures in accordance with policy DS16 of the North Lincolnshire Local Plan, and policies CS18 and CS19 of the North Lincolnshire Core Strategy.

13.

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, and policies CS18 and CS19 of the North Lincolnshire Core Strategy.

14.

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

A Phase 1 desk study shall be carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk study shall establish a 'conceptual model' of the site and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/Quantitative Risk Assessment (or state if none required). Two full copies of the desk study and a non-technical summary shall be submitted to the local planning authority for approval prior to proceeding to further site investigation.

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the local planning authority. The investigation and risk assessment must be undertaken by competent persons and a

written report of the findings must be produced. The written report is subject to the approval in writing of the local planning authority. The report of the findings must include:

- (i) a survey of the extent, scale, and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health;
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes;
 - adjoining land;
 - groundwaters and surface waters;
 - ecological systems;
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and a proposal of the preferred option(s).

This must be conducted in accordance with Environment Agency's Land Contamination Risk Management (LCRM) guidance October 2020.

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.

15.

Construction, demolition 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, demolition or site clearance operations shall take place on Sundays or public/bank holidays.

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

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

Reason

To protect residential amenity.

16.

No development shall commence until the local planning authority has been provided with either:

- (a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the specified development to go ahead; or
- (b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.

Reason

To conserve bats in accordance with saved policy LC5 of the North Lincolnshire Local Plan and policy CS17 of the Core Strategy.

17.

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

- (a) an assessment of biodiversity loss based on Appendix One of the submitted Preliminary Ecological Appraisal Report reference SQ-274 dated August 2021;
- (b) details of measures required to provide at least 1% biodiversity net gain in accordance with the Defra Small Sites metric;
- (c) details of bat boxes and nest boxes to be installed;
- (d) restrictions on lighting to avoid impacts on bat roosts, bat foraging areas, bird nesting sites and sensitive habitats;
- (e) provision for hedgehogs to pass through any fencing installed between gardens and between areas of grassland;
- (f) prescriptions for the planting and aftercare of hedgerows, trees and shrubs of high biodiversity value;
- (g) proposed timings for the above works in relation to the completion of the dwellings.

Biodiversity units should be delivered on site, within the red line boundary shown on the submitted location plan. 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.

18.

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 fourth 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.

Reason

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

19.

Notwithstanding the provisions of Classes A, B, C, D, E and G of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order (2015), or any order re-enacting that order with or without modification, no extensions, buildings or enclosures shall be erected on the site or installed on the building other than those expressly authorised by this permission.

Reason

To protect the historic landscape in accordance with policies LC14 of the North Lincolnshire Local Plan and CS6 of the North Lincolnshire Core Strategy.

Informative 1

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.

Informative 2

Our records indicate that the proposed development site is bounded by, or has running through it, a watercourse (surface water pipe/culvert or ditch). Following inspection, the watercourse may need to be cleared, replaced, protected or diverted by the landowner at their expense in accordance with their riparian responsibilities. An easement adjacent to the watercourse may need to be provided for future maintenance. Any other drainage feature found during excavations must be immediately reported to the LLFA Drainage Team, via email to llfadrainageteam@northlincs.gov.uk prior to any further construction works being carried out. Please refer to North Lincolnshire Council's 'Guide to Watercourses and Riparian Ownership' detailing riparian rights and responsibilities:

<http://m.northlincs.gov.uk/public/publications/RiparianGuidance/index.html#page=1>.

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

Informative 3

Our records indicate that the proposed development site is bounded by an ordinary/riparian watercourse/highway drain along the eastern boundary. The proposals show a new access to be provided over and/or connection into the watercourse. This must be consented by North Lincolnshire Council's LLFA Drainage Team, in their capacity as Lead Local Flood Authority, and/or the local Internal Drainage Board through an Ordinary Watercourse Consent and appropriate discharge rates must be agreed. Please contact the LLFA Drainage team via email for further details. Compliance with this guidance is to ensure the free flow of surface water is maintained throughout the development.

Informative 4

The downstream riparian watercourse network needs to be investigated to confirm it is functioning and capable of accepting the additional surface water discharge. We would require a condition survey of the long length of riparian. It is unclear from ordnance survey mapping where the downstream network outfalls to. This work is also required in order to agree the in principle agreement with the IDB for the discharge into the downstream watercourse network.

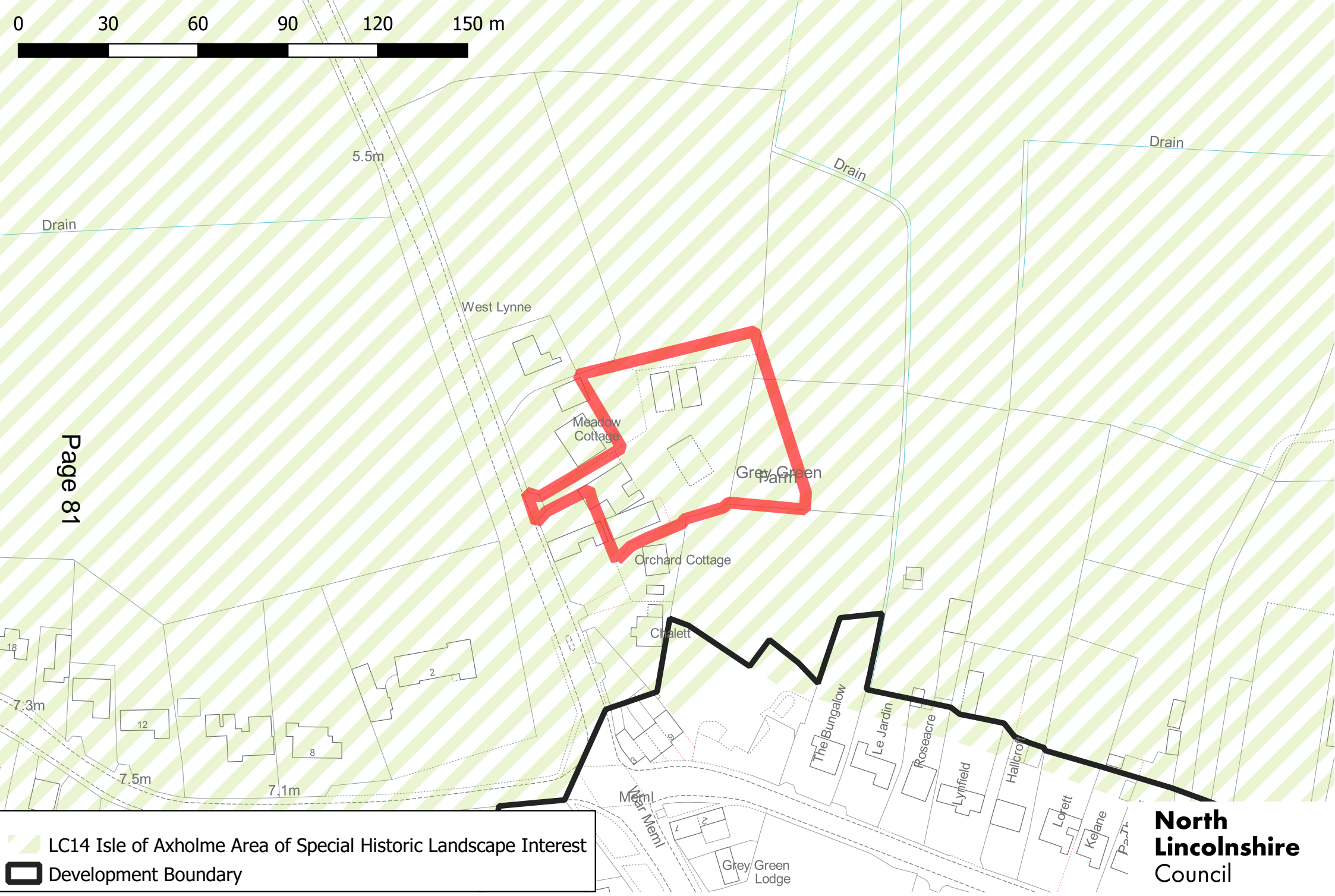
Informative 5



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.

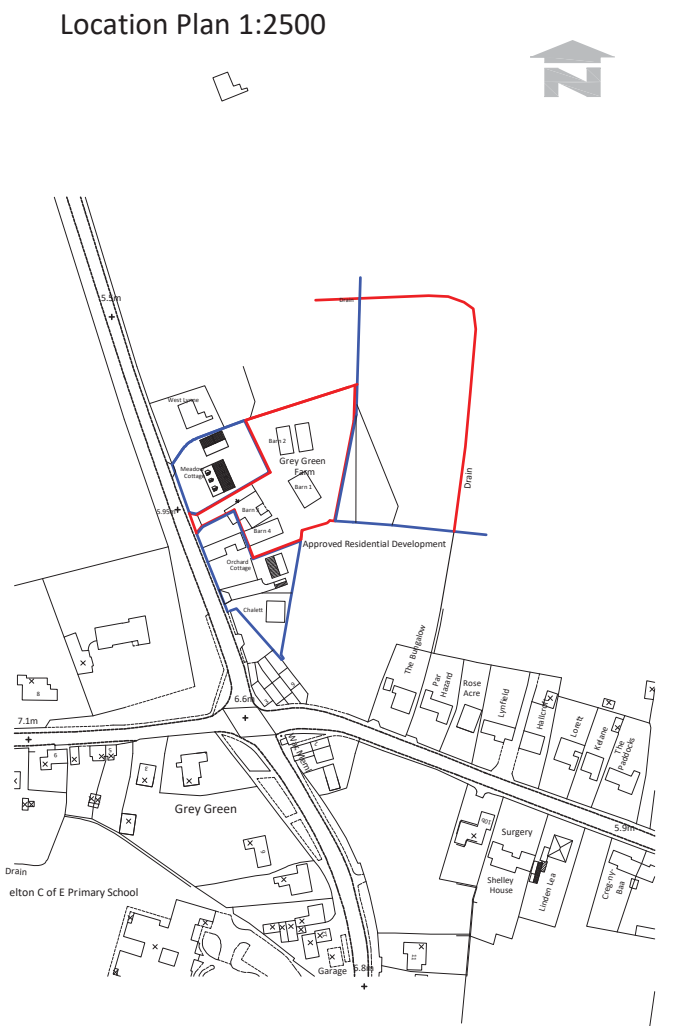
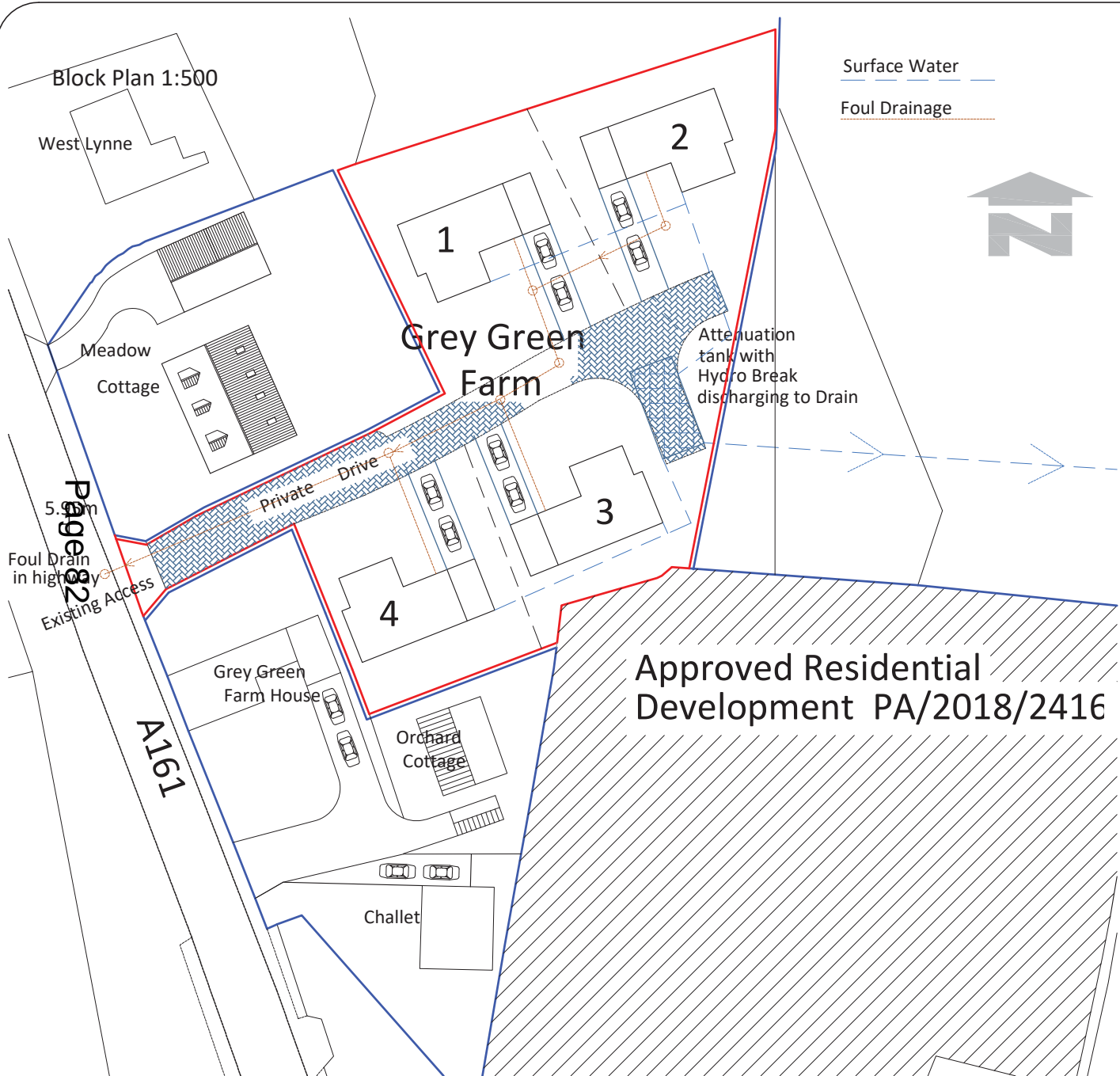


Page 81



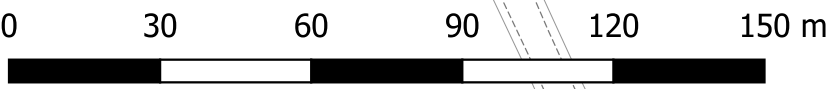
 LC14 Isle of Axholme Area of Special Historic Landscape Interest
 Development Boundary

**North
Lincolnshire
Council**



© Crown Copyright. All rights reserved. Licence number 100020449

Howard J Wroot BSc MRICS Chartered Surveyor 240 Wharf Road, Ealand Scunthorpe DN17 4JN Tel 01724 711068 Fax 01724 710174 Mob 07947 226577	Client Mr P Davies	Proposal 4 Residential Building Plots at Grey Green Farm, Belton, Doncaster, DN9 1QQ.	
	Date 27/11/21	Drawing Location and Block Plan	
	Scale As noted	Drawing	
	Dwg No 1 of 3		
	Ref No 925-21		



A161 to Crowle
5.5m

Drain

Drain

Drain

West Lynne



Meadow Cottage

Grey Green Farm

Orchard Cottage

Chalet

18

2

7.3m

Westgate Road to Sandtoft

12

8

7.5m

7.1m

Meml

Meml

The Bungalow

Le Jardin

Roseacre

Lynfield

Hallicro

Loret

Kelane

PA276

Grey Green Lodge

Development Boundary

Page 83

North Lincolnshire Council

PA/2021/1612 Sat nav: Grey Green Farm, Woodhouse Rd, Belton, DN9 1QQ

© Crown copyright and database rights 2021. Ordnance Survey 0100023560

This page is intentionally left blank

APPLICATION NO	PA/2021/1683
APPLICANT	North Lincolnshire Council
DEVELOPMENT	Planning permission to erect a statue with associated works
LOCATION	Winterton Junior School, West Street, Winterton, DN15 9QG
PARISH	Winterton
WARD	Burton upon Stather and Winterton
CASE OFFICER	Martin Evans
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Member 'call in' (Cllrs Ralph Ogg, Helen Rowson and Elaine Marper – significant public interest) Objection from Winterton Town 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 47 makes clear that 'Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.'

Paragraph 130 states, 'Planning policies and decisions should ensure that developments:

- (a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- (b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- (d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

- (e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- (f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Paragraph 197 states that in determining applications, local planning authorities should take account of:

- (a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- (b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- (c) the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 199: When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 200: Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Paragraph 206: Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

North Lincolnshire Local Plan: DS1, HE2

North Lincolnshire Core Strategy: CS5, CS6

Housing and Employment Land Allocations Development Plan Document (HELADPD)

Statutory test:

The statutory test within the Planning (Listed Buildings and Conservation Areas) Act 1990, section 72 states, 'In the exercise, with respect to any buildings or other land in a conservation area, of any [functions under or by virtue of] any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'

CONSULTATIONS

Highways: No comments or objections to make on this application.

Historic Environment Record: No objection stating 'The proposal is to put a life-size statue of a local world-renowned Astro-physicist who was born in the nearby village of Elsham, North Lincolnshire and grew up in Winterton. This statue will sit in front of Winterton School which sits on the northern edge of the Winterton Conservation Area. The proposed site is in front modern single-storey brick classroom block regarded as having a 'neutral effect' on the Conservation Area. Adjoining this building are older two-storey former 19th century townhouses. The buildings on the opposite side of the street just outside the conservation area are modern bungalows. The nearest listed buildings are St Luke's Church and No. 53 West Steet respectively approximately 100 and 200m away from this location. They are not intervisible with the proposed statue and there will be no impact on the setting of the listed buildings. Regarding impacts on the conservation area, the statue is not overly large and is the size of a person; it is grey coloured and won't stand out overtly. Considering it sits in front of a modern building there is only negligible impact on the character of the conservation area. It highlights the social history of the area which is a positive aspect of the proposal.'

TOWN COUNCIL

Objects as the proposed statue is not in keeping with the conservation area and setting close to a listed building. It is not considered a suitable location.

PUBLICITY

A site notice has been displayed. No comments have been received.

ASSESSMENT

This application was deferred at the last meeting of the planning committee to allow members to visit the site before making a decision.

Planning history

No relevant history.

Site characteristics

The application site comprises a small parcel of land to the front of Winterton Junior School within the northern edge of the Winterton Conservation Area and the settlement development boundary as defined in HELADPD.

Proposal

This is an application to erect a 2m tall cast corten steel sculpture of Wallace Sargent, an eminent astrophysicist, onto Yorkstone paving flags with a small surround.

Principle of development

The proposal seeks to erect a 2m tall cast corten steel sculpture of Wallace Sargent, an eminent astrophysicist, onto Yorkstone paving flags with a small surround. The proposal is

therefore considered as a public art/display and is acceptable in principle subject to being found to be acceptable in regard to the following material issues.

The key issues for this proposal include heritage impacts and social benefits.

The aforementioned statutory test is the primary consideration. It requires special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area. The NPPF is quoted at length above.

Policy CS6 states, 'The council will seek to protect, conserve and enhance North Lincolnshire's historic environment, as well as the character and setting of areas of acknowledged importance including historic buildings, (and) conservation areas. ...All new development must respect and enhance the local character and distinctiveness of the area in which it would be situated, particularly in areas with high heritage value.'

Policy HE2 states, 'All development proposals in, or which affect the setting of, Conservation Areas should preserve or enhance the character and appearance of the area and its setting.' and, 'development should harmonise with adjoining buildings, preserve or enhance the street scene and should not detract from important existing spaces and views'.

Policy DS1 requires that a 'high standard of design is expected' and identifies that proposals will be considered against two criteria being:

- (i) the design and external appearance of the proposal should reflect or enhance the character, appearance and setting of the immediate area; and
- (ii) the design and layout should respect, and where possible retain and/or enhance, the existing landform of the site.

Policy CS5 of the North Lincolnshire Core Strategy is also relevant. It 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' and '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.'

The applicant has provided the following explanation of the proposal:

'Wallace Sargent was an eminent Astro-physicist who was born in Elsham, North Lincolnshire and grew up in Winterton. Sargent was the first person in his family to attend high school, and the first student from his high school to ever attend college. He received his bachelor's degree from the University of Manchester in 1956, and his Ph.D. in 1959 from the same institution. Sargent spent the majority of his career at California Institute of Technology (Caltech). Sargent carried out research in many areas of astronomy including stars, galaxies, quasars and active galactic nuclei, quasar absorption lines, and the intergalactic medium. He pioneered the detection of supermassive black holes in galactic nuclei using stellar dynamics, and published the first dynamical measurement of the mass of the black hole in the elliptical galaxy. A local fundraising group has commissioned and produced a full size corten steel statue of Wallace Sargent with the intention that this be erected in the village where he spent his formative years growing up: Winterton. The statue is set in a naturalistic pose with Wallace gazing to the stars in the night sky.'

Design intent and setting

Both the designer of the sculpture and the fundraising group have expressed a desire that the statue be placed in a natural setting to permit visitors and local people to approach the sculpture and engage with the history of the man. It is the intention that a small plaque will be attached to the plinth wall that creates the base. Alternative locations have been considered but it is considered that none of these offer the same opportunity to place the statue in a location that may be easily accessed by the public and where it may be presented in a natural way.'

The Winterton Townscape Analysis available on the council's website shows the proposal would be located directly to the north of a 'Building with Neutral Effect' on the townscape.

The Historic Environment Record officer considers the proposed site is in front of a modern single-storey brick classroom block regarded as having a 'neutral effect' on the conservation area. Adjoining this building are older two-storey former 19th century townhouses. The buildings on the opposite side of the street just outside the conservation area are modern bungalows. The nearest listed buildings are St Luke's Church and No. 53 West Steet respectively approximately 100 and 200m away from this location. They are not intervisible with the proposed statue and there will be no impact on the setting of the listed buildings. Regarding impacts on the conservation area, the statue is not overly large and is the size of a person and is grey coloured and won't stand out overtly. Considering it sits in front of a modern building there is only negligible impact on the character of the conservation area. It highlights the social history of the area which is a positive aspect of the proposal.

In the absence of harm being identified by the relevant heritage expert the proposal can be considered to preserve the conservation area in accordance with the statutory test and series of development plan and national policies. The proposal is well designed and would increase awareness of a local luminary, a consideration that attracts considerable weight because of the positive contribution this makes to the social strand of sustainable development.

Residential amenity

Policy DS1 requires that there be no unacceptable impacts upon neighbouring uses through noise, smell, fumes, dust or other nuisance or through the effects of overlooking or overshadowing. In this regard, and given the scale of the proposal, it is not considered that there would be any appreciable effects upon any neighbouring property.

Appearance

Policies DS5 and CS5 are both concerned with visual amenity, the former stating that proposals should be sympathetic in design, scale and materials. In this regard the proposal would not appear overly incongruous, and its grey colour will not stand out overtly. It is therefore considered that the proposal is in accordance with policies DS5 and CS5.

Highway safety

Impact on highway safety is a material planning consideration outlined within the NPPF. In this regard highways officers have been consulted on the proposal and no objections are raised.

Conclusion

The proposal is located within the development limit of Winterton; would preserve the character or appearance of the conservation area; would not impact on the setting of the listed buildings; is well designed; and would increase awareness of a local luminary, a consideration that attracts considerable weight because of the positive contribution this makes to the social strand of sustainable development. The proposal is considered to be acceptable.

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:

NL2106-APP-00-GF-DR-A-01 Rev P1
NL2106-APP-00-GF-DR-A-03 Rev P1
NL2106-APP-00-GF-DR-A-04 Rev P1
NL2106-APP-00-GF-DR-A-10 Rev P1.

Reason

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

Informative

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.



Page 92

North
Lincolnshire
Council

PA/2021/1683

© Crown copyright and database rights 2021. Ordnance Survey 0100023560

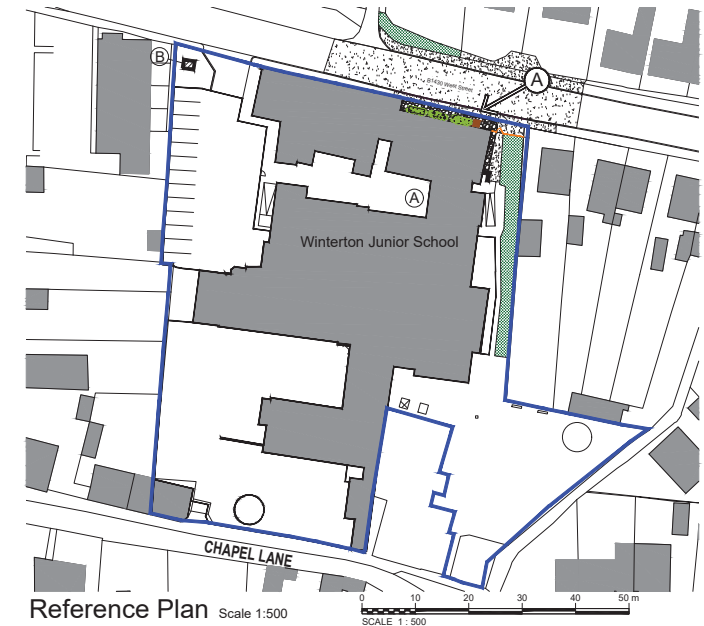
PA/2021/1683 Proposed siting and photomontages (not to scale)



A. Existing Streetscape View



A. Proposed Streetscape View



Notes
 This Drawing is an instrument of service and shall remain the property of Align Property Partners Ltd copyright ©. It may not be reproduced or copied in any form. It shall not be used for the construction, engagement or alteration of a building or area other than the said project without the authorisation of the issuing office.
 Contractors shall verify and be responsible for all dimensions and conditions and shall report any discrepancies to the issuing office before proceeding with any work. Drawings shall not be scaled.

Note: Look at the reference plan for location & orientation of streetscape images.

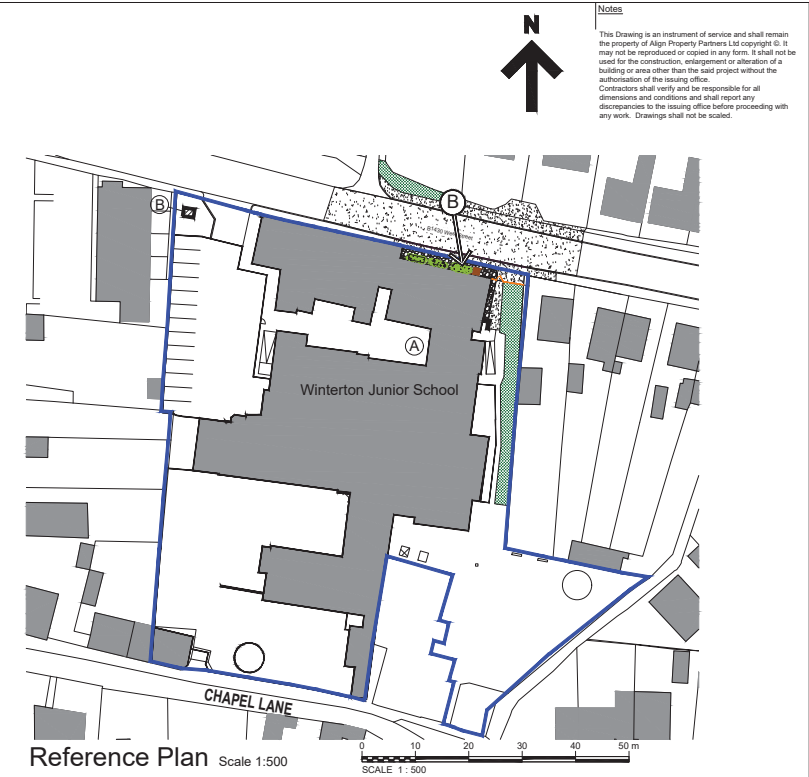
P1	Planning	JG	PC	RG
Ver	Details	16/09/21	16/09/21	16/09/21
		Author	Checked	Approved
		& Date	& Date	& Date
align PROPERTY PARTNERS				
Mount View, Standard Way, Northallerton, North Yorkshire, DL6 2YD Tel: 01659 757375				
Client North Lincolnshire Council				
Project name Winterton Junior School West Street				
Drawing Title Proposed Statute Photo Montage Sheet 1 of 2				
Project Planning				
Scale	Drawn	Checked	Approved	
1:500	JG	PC	JG	RG
Original Size	Date	Date	Date	Date
A1	16/09/21	16/09/21	16/09/21	16/09/21
Drawing Number NL2106-APP-00-GF-DR-A-05				Version P1



B. Existing Streetscape View

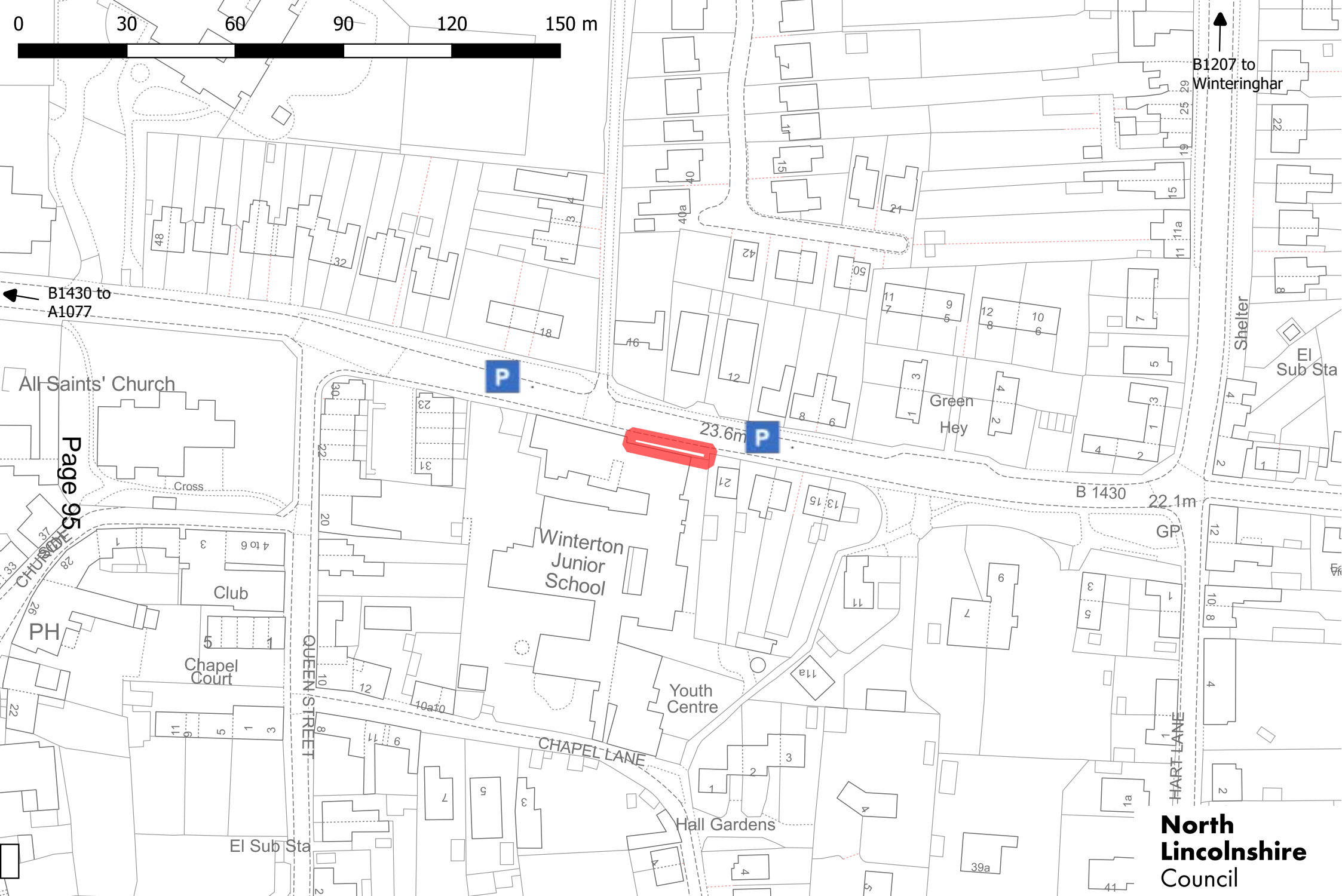
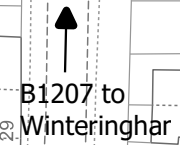


B. Proposed Streetscape View



Note: Look at the reference plan for location & orientation of streetscape images.

P1	Planning	JG	PC	RG
Ver	Details	16/09/21	16/09/21	16/09/21
		Author	Checked	Approved
		& Date	& Date	& Date
align PROPERTY PARTNERS				
Mount View, Standard Way, Northallerton, North Yorkshire, DL6 2YD Tel: 01659 797372				
Client North Lincolnshire Council				
Project name Winterton Junior School West Street				
Drawing Title Proposed Statute Photo Montage Sheet 2 of 2				
Project Planning				
Scale	Drawn	Checked	Approved	
1:500	JG	PC	JG	RG
Original Size	Date	Date	Date	Date
A1	16/09/21	16/09/21	16/09/21	16/09/21
Drawing Number NL2106-APP-00-GF-DR-A-06				Version P1



B1430 to A1077

B1207 to Winteringham

All-Saints' Church

Page 95

PH

CHURCH

Cross

Club

Chapel Court

El Sub Sta

QUEEN STREET

P

P

Winterton Junior School

Youth Centre

CHAPEL LANE

Hall Gardens

Green Hey

B 1430

GP

Shelter

El Sub Sta

HART LANE

North Lincolnshire Council

This page is intentionally left blank

NORTH LINCOLNSHIRE COUNCIL

PLANNING COMMITTEE

MAJOR PLANNING APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

1. OBJECT

- 1.1 To inform the committee about major planning applications which are ready for determination.

2. BACKGROUND

- 2.1 This committee is required under its terms of reference to exercise the functions of the council as local planning authority for the purposes of the control of development, including the determination of applications for planning permission and other applications under the Town and Country Planning Acts, General Development Orders, and any Orders or Regulations made thereunder, and in accordance with the council's planning policies.
- 2.2 In exercising these functions the committee is required to have regard to the National Planning Policy Framework, the development plan for the area and any other material considerations. It will also take account of the duty imposed by section 17 of the Crime and Disorder Act 1998 and the requirements of the Human Rights Act 1998.

3. INFORMATION

- 3.1 Items for determination are listed in the attached schedule.
- 3.2 References to standard time limit conditions and standard outline conditions mean the conditions automatically applied by sections 91 and 92 of the Town and Country Planning Act 1990.
- 3.3 Reports will be updated at the meeting if necessary to take account of additional relevant information received after publication.
- 3.4 Plans included with reports are for identification and/or illustrative purposes only. Applications and supporting documents can be viewed in full on the planning pages of the council's web site.
- 3.5 Members will visit the sites in the morning on the day of the meeting if deemed necessary by the Chairman of the Planning Committee in consultation with the Development Management Lead.

4. RESOURCE IMPLICATIONS

- 4.1 There are no staffing or financial implications arising from this report.

- 4.2 Environmental considerations are of major importance when considering planning applications and are set out in the individual reports.

5. RECOMMENDATION

- 5.1 That the applications be determined in accordance with the recommendations contained in the schedule.

DEVELOPMENT MANAGEMENT LEAD

Church Square House
30–40 High Street
SCUNTHORPE
DN15 6NL

Reference: CB/JMC/Planning committee 09 February 2022.docx

Date: 31 January 2022

Background papers used in the preparation of this report:

1. The applications including accompanying plans and ancillary correspondence.
2. Statutory and non-statutory consultation letters and responses.
3. Responses from parish and town councils.
4. Representations from other bodies or individuals.
5. Relevant planning policy documents.
6. Previous relevant planning decisions.

(Pursuant to section 100D of the Local Government Act 1972 any document containing 'exempt information' is excluded from this list.)

Statement of publication's purpose

The Ordnance Survey map data included within this publication is provided by North Lincolnshire Council under licence from the Ordnance Survey in order to fulfil its public function to act as a planning authority. Persons viewing this mapping should contact Ordnance Survey copyright for advice where they wish to licence Ordnance Survey map data for their own use.

APPLICATION NO	PA/2020/1628
APPLICANT	Mr Mark Snowden, Keigar Homes Ltd
DEVELOPMENT	Planning permission to erect 317 dwellings, including associated garages, access road, playground, ponds and public open space
LOCATION	Phases 5 and 6 Falkland Way, land off Canberra View, Barton upon Humber, DN18 5GR
PARISH	Barton upon Humber
WARD	Barton
CASE OFFICER	Tanya Coggon
SUMMARY RECOMMENDATION	Subject to the completion of a section 106 agreement, grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Officer discretion 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 Framework:

North Lincolnshire Local Plan:

Policy C6 (Cemeteries)

Policy H5 (New Housing Development)

Policy H8 (Housing Design and Housing Mix)

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

Policy T1 (Location of Development)

Policy T2 (Access to Development)

Policy T6 (Pedestrian Routes and Footpaths)

Policy T19 (Car Parking Provision and Standards)

Policy LC5 (Species Protection)

Policy LC7 (Landscape Protection)

Policy LC15 (Landscape Enhancement)

Policy HE9 (Archaeological Excavation)

Policy DS1 (General Requirements)

Policy DS3 (Planning Out Crime)

Policy DS7 (Contaminated Land)

Policy DS13 (Groundwater Protection and Land Drainage)

Policy DS14 (Foul Sewage and Surface Water Drainage)

Policy DS15 (Water Resources)

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 (Design)

Policy CS6 (Historic Environment)

Policy CS7 (Overall Housing Provision)

Policy CS8 (Spatial Distribution of Housing Sites)

Policy CS9 (Affordable Housing)

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

Policy CS17 (Biodiversity)

Policy CS18 (Sustainable Resource Use and Climate Change)

Policy CS19 (Flood Risk)

Policy CS22 (Community Facilities and Services)

CS23: Sport, Recreation and Open Space

Policy CS25 (Promoting Sustainable Transport)

Policy CS27 (Planning Obligations)

Housing and Employment Land Allocations DPD:

BARH-1 and BARH-2 (Land at Pasture Road)

Policy PS1 (Presumption in Favour of Sustainable Development)

CONSULTATIONS

Highways: No objections subject to conditions relating to access, car parking, highway safety, travel plans and traffic management details and a S106 for the provision of 2x weekly Humber Megarider tickets per dwelling – £17,118 and for highway improvements along the A1077 corridor – £100,000.

Environment Agency: Originally objected to the proposal due to ‘an unacceptable FRA as this did not adequately evidence the potential flood depths on site in case of a breach in the sea defences over the lifetime of the development nor quantify the extent and impacts of land raising on the site. The northern part of the site is in Flood Zone 3 of our Flood Map for Planning. Moreover, it is shown by our hazard mapping to have a hazard rating of ‘danger for all’ in case of a breach in the tidal defences during a flood event with a 0.5% chance of occurring in any year up to 2115. There appear to be around 120 dwellings proposed in this area. Our hazard mapping is based on modelling carried out in 2009. The scale of the development and high hazard require an update to the mapping, as this does not include the latest climate change figures, cover a suitable lifetime or use the latest sea level data. It will then be necessary to assess whether the land raising being done clearly places the habitable floors above the flood level. The FRA states that the existing site level within the northern boundary is around 3.2m AOD (verified with our LIDAR) and that the proposed first floor will be 6.1m AOD. The applicant will need to ensure that land raising does not increase flood risk to third parties off site from any source of flooding. The EA also advised that it is for the local planning authority to determine if the sequential test has to be applied and whether or not there are other sites available at lower flood risk.’

Following the comments made by the Environment Agency and the subsequent amendments to the proposal, the applicant submitted additional information to include a model review response, breach modelling report, amended FRA, modelling outputs downloaded, latest plot designs and site levels. The EA confirmed that the approved minimum finished floor level for habitable accommodation will be achieved by raising floor levels as necessary or, in the area of greater flood risk, limiting the ground floor to non-habitable uses. The EA have withdrawn their objection to the proposed development subject to conditions requiring the development to proceed in accordance with the approved amended FRA, finished floor levels, the dwellings indicated on the floor level drawings shall have non-habitable uses only at ground floor level and no extensions to provide additional habitable/living accommodation shall be erected.

Drainage (Lead Local Flood Authority): The LLFA originally objected to the proposal as a more strategic SuDS design, splitting the site into smaller SuDS catchments and not relying on large terminal features. A detailed sustainable surface water drainage strategy and flood risk assessment outlining all sources of flood risk (including surface water, ground water and ordinary watercourse) and proposals to mitigate this, based on SuDS principles and an assessment of the hydrological and hydrogeological context of the development is required.

Following receipt of the revised submitted flood risk assessment and drawings there are still some design and adoption/maintenance issues to resolve at discharge of conditions stage. The LLFA have removed their objection subject to conditions requiring a detailed surface water drainage scheme for the site shall be submitted to and approved in writing by the Local Planning Authority and a condition requiring details showing an effective method of preventing surface water run-off from the highway onto the developed site is submitted to and approved in writing by the Local Planning Authority.

JBA Consulting (Shire Group of IDBs) No comments as the site is outside the drainage board's district

North East Lindsey Drainage Board (IDB): No objection. The watercourse on the North boundary is the Board-maintained Barton Drain Branch 2 (16E). The Board has no objection to the proposed development provided it is constructed in accordance with the submitted details and Flood Risk Assessment. However, should anything change in relation to the method of surface water disposal and/or in relation to the flood risk assessment etc then this Board would wish to be re-consulted. It is noted:

- a 7m easement has been left adjacent to the Board-maintained Barton Drain Branch 2;
- the discharge rate for the site is 1.4l/s/ha;
- properties within the EA flood zone have non-habitable accommodation on the ground floor and floor levels are a minimum of 6.1m. All other properties have a minimum FFL of 6.1m.

The IDB advises that 'part of the site is in Zone 2/3 on the Environment Agency Flood Maps and at flood risk from breach of the Humber banks. It is noted a Flood Risk Assessment is included in the application that contains appropriate mitigation. Under the terms of the Board's Byelaws, the prior written consent of the Board is required for any proposed temporary or permanent works or structures in, under, over or within the byelaw distance (7m soon to be revised to 9m) of the top of the bank of a Board-maintained watercourse. A consent will be required for outfalls. Under the terms of the Land Drainage Act 1991 the prior written consent of the Board is required for any proposed temporary or permanent works or structures within any watercourse, including infilling or a diversion. A permanent undeveloped strip of sufficient width should be made available adjacent to the top of the bank of all watercourses on site to allow future maintenance works to be undertaken. Suitable access arrangements to this strip should also be agreed. This includes the watercourse that the existing consented discharge (Phase 4) outfalls into. Discussion have been had about culverting this watercourse. If that is proposed a consent will be required.'

Anglian Water: [summarised] Our records show that there are no assets owned by Anglian Water or subject to an adoption agreement within the development site boundary. The foul drainage from this development is in the catchment of Barton on Humber Water Recycling Centre which currently does not have capacity to treat the flows from the development site.

Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the planning authority grant planning permission.

The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer. From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management.

National Grid Plant Protection (Cadent Gas): No objection. Cadent must be liaised with and consulted before any development commences in the vicinity of the IP gas pipeline as we will have plant protection measures to protect our gas pipeline.

ESP Utilities Group Limited: Advises on precautions to be taken whilst undertaking work in the vicinity of gas pipelines. Early consultation with ESP Utilities Group prior to excavation is recommended to obtain the location of plant and precautions to be taken when working nearby.

Sport England: Originally objected to the proposal on the grounds that it would generate demand for sporting provision that has not been addressed in the current planning application. Following negotiation with the applicant and Sport England in relation to S106 contributions for sport, Sport England have withdrawn their objection based on the following:

The contribution of £216,039 is acceptable to Sport England. Subject to a legal agreement to secure this contribution, Sport England would be minded to withdraw its objection to this planning application. The applicant has now agreed the following off-site contributions for sport:

- £111,893 improvements towards swimming pool facilities
- £50,700 improvements towards natural grass pitches
- £3,872 towards indoor bowls at Scunthorpe Bowls Centre
- £49,574 towards improvements to youth football changing rooms.

The above figures total £216,039 and detail where the contributions will be spent, and have been endorsed by the Senior Leisure and Active Lifestyles Manager for the council. The contribution has been justified by the Playing Pitch Calculator (based upon the council's robust and up-to-date Playing Pitch Strategy) and Sport England's Sports Facility Calculator as the evidence base. The contribution will help address the sporting needs that will arise from the new population living in the proposed houses. The contribution is acceptable to Sport England and, subject to an appropriate legal mechanism to secure and deliver the

contribution, Sport England would be minded to withdraw its objection to this planning application. Sport England understands that negotiations are progressing by way of a legal mechanism to resolve our concerns. However, Sport England's default position in cases where a legal agreement has yet to be secured, is to maintain its objection until a suitable Section 106 agreement or other legal mechanism is delivered. Sport England can confirm that once a Section 106 agreement or other legal agreement has been signed and completed, we will withdraw our objection to this planning application.

Education: The Department for Education expects local authorities to seek developer contributions towards school places that are created to meet the need arising from housing development. Developer contributions for education are secured by means of a planning obligation under Section 106 of The Town and Country Planning Act 1990. The Section 106 planning obligation secures a contribution directly payable to the local authority for education where it is:

- necessary to make the development acceptable in planning terms;
- directly related to the development;
- fairly and reasonably related in scale and kind to the development.

We have carefully considered this planning application against the known and projected pupil numbers for this area. We have taken into account housing developments that have approved planning applications or pending planning applications that have been validated prior to this application. We seek both primary and secondary education contributions in respect of this development. The amount per eligible house for both primary and secondary places is £8,508 (this figure is valid for S106 agreements signed by 31 March 2021).

Humberside Police: No objections to the application, however I would like to raise concerns regarding an area of open space to the north of the development.

I have identified on the 'Site Plan North', an area within the public open space to the north of the development behind the pump station. There appears to be a large recess which could provide an area of concealment which may increase people's fear of crime of the area. This location will not be surveyed by residents of the adjacent dwellings due to the hedgerow planting, positioned to the rear of the plots, and potentially will not be surveyed from the public open space due to the proposed orchard fruit tree planting. I would like to recommend if possible the recess behind the pump station is removed, by way of re-positioning the pump station further back closer to the public open space. Although the entry point will be located further back, this will allow natural surveillance opportunities from the street. It would still be an advantage to include the hedgerow to the rear of the pump station to restrict any criminal activity such as graffiti, loitering and antisocial behaviour. Communal spaces ideally should not abut residential dwellings – positioning of communal space to the rear/side of dwellings can increase the potential for crime and complaints arising from noise and nuisance. However, it appears that a mitigating measure has been applied to the design, such as the hedgerow planting. This will restrict easy access into rear/side gardens and reduce potential antisocial behaviour I would be grateful if confirmation of the height of the hedgerows could be provided. Ideally these should be 1.8m high.

In response to the amended plans, which include amendments to the pumping station, no further comments.

Humberside Fire and Rescue: Comments relating to access for the fire service and water supplies for fire-fighting.

Environmental Protection: No objection subject to a noise mitigation scheme to be submitted to the council for approval due to traffic and industrial noise sources associated with the site. The submitted noise assessment with the application is considered to be out of date. A condition for the submission of a noise mitigation scheme is requested. In relation to contamination, concerns are raised with regard to the importation of topsoil. It still remains unclear as to whether topsoil for the proposed development will be site won or sourced from other locations. If sourced from other locations the developer will need to demonstrate that the material being brought onto the site is suitable for use. Conditions are proposed in relation to the importation of topsoil and the reporting of unexpected contamination. The proposed development is situated in close proximity to residential dwellings. Noise, dust and light generated during the construction phase has the potential to impact on residential amenity and therefore conditions relating to construction and site clearance operations, and the submission of a CEMP, are proposed. Developments should be located and designed where practical to enable future occupiers to make green vehicle choices and promote sustainable modes of transport in accordance with Section 9 of the NPPF. To prepare for increased demand in future years, appropriate cable provision should be included in the development. Environmental Protection are recommending that the scheme includes provision for electric vehicle charging points.

Leisure: 267 (not including social housing) x average occupancy of North Lincolnshire of 2.36 gives a new figure of additional population of 630. Developer contributions will be: £111,893 improvements towards swimming pool facilities, £50,700 improvements towards natural grass pitches, £3,872 towards indoor bowls at Scunthorpe Bowls Centre and £49,574 towards improvements to youth football changing rooms.

NHS North Lincolnshire: Recommendations are:

- for consultations to take place with local Primary Care services to assess the impact of the development on local health services;
- to support the conditions requested by the Environment Agency;
- to support the comments made by Sport England;
- to support the comments made by LLFA Drainage;
- to support the comments made by Environmental Protection;
- to support the comments made by the Design Crime Out Officer, Humberside Police;
- that notice is taken of the 10 principles of Active Design developed by Sport England and considered in the layout of the development.

Historic Environment Record: The applicant has submitted an Archaeological Mitigation Strategy (dated 18/01/2022) with proposals to preserve by record the archaeological remains across the site.

The proposals are set out in a detailed Written Scheme of Investigation (WSI) that provides for a programme of:

- pre-construction archaeological strip, map and record excavations within the identified areas of archaeological interest;
- additional monitoring of selected house plots and infrastructure during construction;
- preservation in situ of archaeological remains in undeveloped areas;
- post-excavation assessment, analysis and reporting followed by deposition of archive at North Lincolnshire Museum;
- community engagement during and after the excavations;
- provision of an archaeological interpretation board on site.

The scope, methodology and timetabling of the proposed programme accords with HER advice and professional archaeological standards. The Archaeological Mitigation Strategy satisfactorily addresses the harmful impacts of the proposed development. The HER has no further objection to this application subject to planning conditions securing the implementation of the strategy in accordance with the agreed WSI. Appropriate conditions are proposed. This procedure is in accordance with paragraph 205 of the NPPF, and local planning policies CS6 and HE9.

Conservation: The application site is situated to the east of the Barton conservation area and has the potential to impact on the character of the conservation area and the listed buildings in that area. This open land historically has always been the open landscape that surrounded the historic core (the conservation area) of Barton and does contribute to its character. However, there is a large amount of existing modern housing at the eastern side of the conservation area creating a significant visual barrier and the sites are not intervisible. Therefore, there is negligible impact on how the conservation area and its listed buildings are experienced. Whilst there is some harm in the loss of the original open landscape which provides the historical context of the conservation area, the public benefits outweigh the harm in this instance in the planning balance required by the NPPF and there is no objection to the proposal. Regarding the design, there is a varied number of housing types which will contribute to making it a more interesting visual built form. Considering its proximity to the historic core of Barton, I would recommend that a traditional palette of construction materials is used in the development (justification – council policy HE2 Development in Conservation Areas). The final appearance of the built form would benefit from a varied set of construction materials (a mixture of traditional types of bricks, pantiles and roof slates). Having some buildings rendered would also create a varied design associated with traditional building settlements. This should be conditioned. Recommend a condition requiring details of the final construction materials and finishes to be agreed before construction starts.

Ecology: The site has limited biodiversity value at present and low potential for protected species. Nevertheless, once the biodiversity metric is applied, it is very likely that further biodiversity enhancement measures will be required beyond those already proposed. Planning conditions are proposed to minimise harm to protected and priority species and habitats and to seek biodiversity enhancement in accordance with policy CS17, the National Planning Policy Framework and Biodiversity Metric 3. Conditions relating to biodiversity are proposed.

Tree Officer: This development would see the removal of several agricultural hedges, and in fact the council has been contacted recently by concerned residents stating that several of these hedges have already been removed, which would be contrary to the Hedgerow Regulations that give protection to agricultural hedges. If the council is minded to consider giving consent on this application, then there is a need to ensure that the landscaping and green infrastructure would be of a good standard and sufficient to mitigate the loss of any present vegetation, trees and hedges.

Recycling: General comments relating to bins, access for refuse vehicles, highway construction, unadopted roads, pulling distances for bins, and refuse and recycling storage.

Barton Civic Society: As it is now realised, there is a substantial late-Saxon development to the east of the town. The opportunity should be seized for a full archaeological investigation of the site of the proposed development.

TOWN COUNCIL

Barton Town Council Planning Committee do not object to the application but would like a planning condition placed to state that the Greenway and East Acridge access remains for emergency vehicles, and pedestrian and cyclists, and that this condition remains in perpetuity. The committee also wishes to have noted its concerns over the potential added risk of flooding, and request a pharmaceutical needs assessment be conducted.

The committee has concerns over the potential added risk of flooding and would like a revised Flood Assessment to be carried out, as the previous one is now out of date and the Environment Agency have also requested this. The committee has concerns regarding environmental protection and that the noise mitigation assessments are out of date and request that new ones are carried out. The committee also had concerns over the high density housing to the west of the site and would like to see more open green spaces and a playground. Additionally, the committee have concerns in relation to the volumes of traffic leaving the area from Falkland Way.

The planning committee acknowledged there had been an updated flood risk assessment but that it did not look at the impact elsewhere in Barton, particularly to the north of the site.

PUBLICITY

The application has been advertised by site and press notices. In response to the original and subsequent amended plans 60 letters of objection have been received raising the following material considerations:

- traffic assessment is out of date and does not consider Wren traffic, school traffic and regular HGV traffic
- East Acridge and Greenway access should not provide access for vehicles and be for pedestrian purposes
- emergency vehicle access cannot serve a fire engine which is an HGV
- no plant equipment should use East Acridge/Greenway as access/egress to avoid nuisance and danger to residents
- local facilities are overstretched

- works have commenced on site
- flood risk
- loss of land for natural soakaway/water retention
- increased surface water run-off
- inadequate drainage infrastructure
- consultation with the LLFA and EA is required
- development on neighbouring property
- garage for plot 347 too close to neighbouring property
- plot 346 close to neighbouring property causing loss of light/privacy issues
- plot 329 garden area causing loss of light/privacy issues
- development may result in neighbouring properties being unable to be extended
- loss of trees and hedgerows
- loss of wildlife
- increased traffic congestion
- increased demand on sewage system
- development too large for Barton
- increased demand for school places
- the development potentially increases flood risk for existing properties to the north
- the dyke on Pasture Road South already struggles to cope from time to time, with water levels sometimes close to the top
- flood warnings regarding the dyke and those it connects are an increasing trend
- by opening Greenway, the development will also have an adverse effect on the character of this road, along with the connecting road Treece Garden
- development out of scale with the area and overbearing on the area
- access proposals unsafe for school children
- a bypass from Falkland Way to the A15 is required
- increased demand for parking in Barton
- another entrance onto Falkland Way should be provided

- loss of wildlife
- negative impact on historic character of Barton
- need to create a larger tunnel under the railway and install an automatic pumping station at Fosters Wharf to stop flooding
- poor air quality
- need a second access onto Falkland Way
- bollards proposed will not stop vehicles accessing the site
- empty properties in Barton should be renovated
- public transport information is not up to date
- increased traffic onto Pasture Road
- how will vehicle access be restricted to emergency vehicles
- existing trees and hedgerows should be retained on the site boundaries
- three-storey homes to the north will be out of character, overbearing and dominant in the area
- dwellings located in the flood plain
- balancing pond should not be removed
- increased noise
- no need for emergency access via East Acridge or Greenway
- loss of public facilities
- development should be car free
- more bungalows should be provided
- lack of pavements within the proposed and existing development
- need for a wildlife survey.

One letter of support has been received raising the following issues:

- site allocated for housing
- site surrounded by development on all sides
- is the land for the cemetery expansion sufficient?

- pedestrian access to Pasture Road via Greenway will improve bus access from the estate
- new bus stops could be added on Falkand Way.

STATEMENT OF COMMUNITY INVOLVEMENT

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

ASSESSMENT

Proposal

This proposal is for the erection of 317 dwellings (a mix of house types and designs) with associated garaging, access roads, playground, public open space and two balancing ponds. The housing will comprise 33 five-bedroom dwellings, 75 four-bedroom dwellings, 122 three-bedroom dwellings and 87 two-bedroom dwellings, (of which 19 are detached two-bedroom bungalows, 9 bungalows are to be allocated for over 55's and the applicant is proposing 10 bungalows for affordable housing). Of the 317 dwellings, 50 affordable dwellings are proposed on the site which will include bungalows, semi-detached and terraced properties. The dwellings will be a mix of single-storey, two-storey and three-storey dwellings (some properties also have rooms in the roofspace). It is proposed to provide 621 private parking spaces, 147 private garaged spaces and 16 unallocated casual parking spaces within the estate road design.

The site will be accessed from Falkland Way. Pedestrian/cycle and emergency access is proposed via East Acridge and Greenway, with bollards shown on the plans to prevent vehicular access. A pedestrian link will be provided from one of the estate roads into the open space proposed in the northern area of the application site. This will connect the development to Pasture Road South and provide a pedestrian link to the town centre of Barton. The development will also provide pedestrian linkages to the other phases of the development and onto Falkland Way.

A new balancing pond for drainage is proposed to the north-west corner of the site within the open space area that will provide surface water attenuation. As part of this application the existing balancing pond on the Phase 4 development is to be increased in size to provide surface water attenuation not only for the Phase 4 approved development but also for part of this current application.

Within this application the applicant is proposing to transfer 1 acre of land within the application site that lies adjacent to the southern boundary and Barton cemetery to the council.

The site

The application site is a greenfield site comprising grade 2 agricultural land that is not in agricultural production. It has been used as grazing land. The site is approximately 10.88 hectares. The site is not level, it slopes with a constant fall from the southern boundary to the northern boundary. The site lies within Flood Zone 1 (to the south) and Flood Zone 2/3a tidal (to the north) on the Strategic Flood Risk Assessment for North and North East Lincolnshire. Broadly, half the site is in Flood Zone 1 (south) and is at low risk of flooding and half the site is in Flood Zone 2/3a tidal and is at high risk of flooding (north).

The site is part of a much wider housing development that has been under construction over many years. The majority of the site falls within the housing allocation BARH-1 and BARH-2 of the HELA DPD. The development has been carried out in various phases and this is the final phase (Phase 5/6) to complete the development. Phase 4 is currently under construction.

A watercourse, in the form of a drainage dyke, is located along the northern boundary of the site and runs east to west. Further to the north is a cycleway/path (Pasture Road South) and beyond are the Harrier Road industrial units. To the east are residential dwellings of the previous phases of this development, to the south is Barton Cemetery and to the west are residential properties.

A gas main runs through part of the application site from the northern boundary then to the south through the existing residential development. The site is not located within the Barton conservation area, nor are there any listed buildings within or in close proximity to the site. However, the area surrounding the site and the site itself is known to have archaeological potential. A proposed landscape enhancement area (policy LC15-6, Barton East of the North Lincolnshire Local Plan) is located around the edge of the site. The landscape enhancement schemes under policy LC15 are indicative. The actual scheme will be defined by a process of negotiation. Part of the Phase 4 residential development is located within the eastern area of LC15-6 .

Relevant planning history

BARH-1 and BARH-2 housing allocations in the HELA DPD have been developed in phases over many years with a series of planning applications, amended and variation applications together with modifications to S106 agreements being submitted. The most recent planning applications approved on the site are:

PA/2015/0111: Planning permission to erect 23 dwellings including associated driveways, garages and access – approved 28/07/2015

PA/2016/1793: Planning permission for 115 dwellings, associated garages, access roads, playground, public open space and pond – approved 14/06/2017.

Material considerations

Principle

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. In this instance the development plan consists of the North Lincolnshire Local Plan (NLLP) which was adopted in May 2003, the North Lincolnshire Core Strategy (NLCS) which was adopted in June 2011 and the Housing and Employment Land Allocations (HELA) DPD which was adopted in March 2016. Material considerations exist in the form of national planning policy and guidance contained within the National Planning Policy Framework (NPPF) and the suite of documents comprising the Planning Practice Guidance (PPG).

The site is identified within the HELA DPD as BARH-1 Land at Pasture Road South Phase 2 and BARH-2 Land at Pasture Road South Phase 1 of this document. BARH-1 is allocated for 260 dwellings and BARH-2 is allocated for 227 dwellings. A number of dwellings have already been constructed and occupied across both these sites and construction is

currently taking place on Phase 4 of the site. This proposal is known as Phase 5/6 and is the final phase of the development. The policy for both BARH-1 and BARH-2 specifically states that 'The surrounding residential uses and close proximity to the district centre of Barton upon Humber and local services make this a suitable site for residential development.' The policy goes on to confirm that a mix of housing size and tenure should be provided and developed at approximately 40 dwellings per hectare. The HELA DPD and policy BARH-1 and BARH-2 was adopted by North Lincolnshire Council in 2016, following examination by an independent inspector, and as such forms part of the development plan for North Lincolnshire.

Notwithstanding the above, it should also be noted that the site is located within the development boundary for Barton, where residential development is generally acceptable in principle, and is located in a highly sustainable location within walking and cycling distance of a range of local facilities, services and employment opportunities. The site is located close to a number of bus stops with Barton Terminus just over 1km away from the site.

Policy CS1 of the NLCS identifies Barton upon Humber as being one of a number of market towns, which are considered to be important service centres serving the needs of local communities across North Lincolnshire. Policy CS1 confirms that an appropriate level and range of new housing development will be provided to support the market towns as sustainable communities with an aspiration to deliver 2,171 dwellings in these settlements over the plan period. Policy CS8 further sets out that there is a requirement to deliver 724 dwellings in Barton specifically. These figures are a minimum target and do not form a maximum threshold for the delivery of housing, which would run contrary to the provisions of the National Planning Policy Framework which seeks to significantly boost the supply of housing. Therefore, development plan policy confirms the view that Barton is a sustainable settlement with the key facilities, services, employment opportunities and regular public transport to support new housing development.

Policy CS7 of the Core Strategy sets out an aspirational minimum density of 40–45 dwellings per hectare on sites within the market towns. However, this policy also states that whilst housing developments should make efficient use of land, the density of new developments should be in keeping with the character of the area. The proposed development of 317 dwellings results in a density of approximately 29 dwellings per hectare, which falls below the minimum density sought by policy CS7 (40–45 dwellings per hectare). However, the proposed layout makes provision for a substantial area of open space and SuDS drainage, including a balancing pond and increasing the size of the existing balancing pond on the Phase 4 site along the eastern side of the site, which lowers the average density across the site. The area of new housing is considered to be appropriate for the area, being very similar to the density of the surrounding Falkand Way development and adjacent residential areas. The proposal for 317 dwellings is considered to represent an efficient use of land, as required by paragraph 124 of the NPPF. In light of the site being located in a very sustainable location, this number of dwellings will make a significant contribution to the housing need in Barton, and affordable homes and over 55's accommodation will be provided on the site. On this basis, the slightly lesser density than that sought by policy CS7 is considered to be justified in this instance.

The adopted housing allocations BARH-1 and BARH-2 establish the principle of residential development on this site and that the proposal generally accords with the relevant policies of the development plan. As such the statutory presumption in section 38(6) of the Planning and Compulsory Purchase Act 2004 is engaged, which states that planning permission should be granted unless other material considerations indicate otherwise. The proposal is

considered to represent sustainable development and the presumption in favour set out in paragraph 11(c) of the Framework is triggered. In determining the principle and sustainability of the proposed development, an assessment is required on the technical elements of the proposal which will be discussed below.

Landscape, character, amenity and visual impact

Policy CS5 of the North Lincolnshire Core Strategy is relevant. It 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’ and ‘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 CS7 sets out net density ranges.

Policy H5 of the local plan, which is concerned with new housing development, is also relevant. The first part of this policy is concerned with the location of development and has been superseded by policy CS1 of the Core Strategy, but the latter part of the policy is considered relevant and sets out a criteria-based approach to assessing the suitability of new housing developments. This analysis allows us to measure both character and amenity impacts.

The development will clearly result in the loss of greenfield land, which is obviously 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 surrounded by existing residential development to the east and the previous (built) phases of the Falkland Way residential development to the west. To the north are the South Humberside Industrial Estate units and to the south is Barton cemetery. Therefore, the site is well contained by the existing development of Barton and by the previous phases of the Falkland Way development. The location of the development between existing developments of a similar density, against which it will be viewed from key approaches, will ensure that the proposals will not have a significant impact on the overall character or aesthetic appearance of the settlement. The proposed development would alter the character and appearance of the application site. However, that would apply to any greenfield site and would be an inevitable consequence of the authority striving to meet its housing need. Given the fact that the site is comparatively enclosed, is allocated for residential development and lies within the defined development boundary adjacent to existing developments and in a very sustainable location, it is considered that the landscape impact would be limited in this instance. The visual impact of the development would be further mitigated by the proposals to provide a significant degree of landscaping along the northern boundary of the site and north-western corner of the site comprising the retention of the existing hedge, tree planting and open space with wild meadows created.

In addition, it must be noted that adjacent to the northern, eastern, western and southern boundaries of the site is an area of landscape enhancement (LC15-6 of the North Lincolnshire Local Plan). Under this policy, the landscape enhancement schemes are shown in ‘an indicative manner, with the actual scheme defined by a process of negotiation’. In terms of the LC15-6 area on the western side, this land comprises primarily the rear garden areas to the residential properties, and on the southern side the land will be transferred into the council’s ownership and in the future (subject to the necessary consents) form an extension to the cemetery, thereby keeping the land open whilst providing final resting places for residents of Barton. Much of the eastern area of the LC15-6 has already been developed for housing on a previous phase of the Falkland Way development. To the northern area of most of the LC15-6 is proposed to be open space

and the phase 5 attenuation pond with new and informal landscaping provided on this part of the site. This will provide new wildlife habitat. The proposal will therefore provide landscape enhancement on the site and aligns with LC15-6 of the North Lincolnshire Local Plan.

There is a good mix of dwelling types and designs, and all elevations and floor plans are provided. The house types are considered to be in keeping when considering the wider development. The dwellings are sufficiently spaced and offer a proportionate amount of private amenity space. All openings also appear to be in an appropriate location and would not give rise to character impacts. Planning conditions will be used to ensure all bathroom, WC and en suite windows in the walls of the dwellings are obscure glazed to protect privacy. Concerns that some of the dwellings are three-storey are noted. This is due to the flood risk on the site resulting in a number of dwellings on the northern part of the site having to have non-habitable accommodation at ground floor level. The majority of these dwellings are located within the main development and will be viewed in context with this development and the previous phases of the Falkland Way site. Three-storey dwellings are proposed to be located adjacent to Greenway and Treece Gardens. Whilst these three-storey dwellings will be visible from some properties on these roads, they will not be overbearing on these properties due to their siting, location and design.

The proposed plans lead to an understanding that this development will be absorbed within the locality and within the existing Falkland Way development and would fairly be described as in keeping. The proposal would align with policies CS5 and CS7 of the Core Strategy and the density is appropriate for Barton, and is reflective of the site constraints. The proposal would also align with policy H5 of the North Lincolnshire Local Plan in that in both character and visual amenity terms the development is acceptable. The dwelling mix and types are similar to previous phases of the Falkland Way development. The landscaping would also align with policies LC7 of the North Lincolnshire Local Plan and again with CS5 of the Core Strategy.

The proposed development will therefore have no demonstrable unacceptable impact on the character of the local landscape or that of the settlement of Barton, nor will it be unacceptably detrimental to visual amenity. As such the development accords with policies DS1, H5, LC7 and LC15 of the North Lincolnshire Local Plan, and CS5 of the Core Strategy, as well as paragraph 127 of the NPPF.

Flood risk and drainage

Policies DS16 of the North Lincolnshire Local Plan, CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraphs 166 and 167 of the NPPF are considered highly relevant.

The application site is located within flood zones 1 and 2/3a (tidal). The scale of development also has the potential to increase flood risk elsewhere. The council acts as the Lead Local Flood Authority and has a statutory duty to promote and prioritise the use of Sustainable Urban Drainage Systems or SuDS in accordance with local and national planning policy requirements. A flood risk assessment, modelling, and drainage strategy has been submitted in support of this planning application.

The land within the site boundary lies at a level of between 3.200mOD within the northern boundary of the site and 15.084mOD adjacent to the southern boundary of the site. There are three sources of flood risk: the first is from the River Humber which is to the north of the

proposed development. The River Humber is defended by earth embankments and flood walls which are elevated above the adjacent natural ground level. As such, consideration will need to be given to overtopping and a breach of the defences. The second is the local watercourse to the north of the site. The watercourse in line with the site has no elevated flood defences. As such, only overtopping of the natural river bank will need to be considered. The third is the proposed development will introduce impermeable areas into the site; therefore, consideration will need to be given to the existing drainage route and the drainage characteristics in order to evaluate the impact that surface water run-off from the site will have on the site and elsewhere. There is also higher ground adjacent to the southern boundary (cemetery) of the site which could promote overland flow of water across the site from the residential area and needs to be considered.

The EA, LLFA, IDB and Anglian Water have been consulted on the amended FRA and are not objecting to the proposal subject to a number of conditions that will be imposed on any planning permission granted. Part of the site (northern area) is located in flood zone 2/3a and is therefore at high risk of flooding. It is estimated that the lower part of the site is located within an area which will have a flood depth of between 0.5m and 1m with a velocity of between 0m/s and 0.3m/s. The 1 in 200 year plus climate change breach flood level at the site has been estimated at 5.8m AOD. In order to mitigate the flood risk, it is proposed that habitable rooms are elevated at least 300mm above the estimated 1 in 200 year plus climate change flood level at the site to an internal ground floor level of 6.1m AOD. A plan is provided at Appendix I in the FRA which illustrates the proposed floor levels for the dwellings in the lower part (northern) of the site. Some of the proposed dwellings will result in the habitable rooms being constructed at a level of at least 6.1m AOD with the ground floors being for non-habitable accommodation. Again, these plots are identified in Annex 1 and these dwellings will be three-storey. Land raising will be required on the northern part of the site in order to achieve the minimum ground floor finished floor level of 6.1m AOD for the standard two/three-storey dwellings, with a finished floor level of 6.1m AOD for the three-storey and three-storey dwellings with rooms in the roofspace with non-habitable rooms on the ground floor. According to the applicant the land raising to take place on the northern area of the site will vary between 0.2m and 1.2m. To establish the land raising required on this part of the site, planning conditions will be used. The Environment Agency currently operates a flood warning service in this area of Barton upon Humber and residents of the proposed dwellings will need to sign up to Floodline Warnings Direct. Modelling has been undertaken to demonstrate that the development would have an insignificant impact on local flood levels and adjacent users.

In terms of surface water run-off the development will increase in impermeable area and subsequently run-off from the site will also be increased. To mitigate surface water run-off, it is proposed that the existing attenuation pond on the Phase 4 development be increased in size to accommodate the additional run-off, also increasing the discharge. The council understands that the developer has already carried out the works to the Phase 4 pond. This attenuation pond will serve the approved Phase 4 development (currently under construction) and 0.65 hectares of this application site (Phase 5/6). This pond will continue to be maintained by the council and due to the increased size of this pond a financial contribution through a S106 agreement has been agreed with the applicant (refer to planning obligations section of the report).

A new attenuation pond to serve this application is also proposed in the north-western corner of the site within the open space to serve the remaining area of the Phase 5/6 development. This pond will discharge into the local watercourse. This pond will be offered to Anglian Water through a section 104 agreement for adoption and maintenance. If Anglian

Water do not take on the pond the council will adopt and maintain the Phase 5 pond for a financial contribution set out in the planning obligations section of this report.

SUDs features are also proposed, which include swales, permeable paving, filter drains and rain gardens. The LLFA are not objecting to the proposal and are requesting conditions relating to the submission of a detailed surface water drainage scheme for the site to be agreed with the council and for details showing an effective method of preventing surface water run-off from the highway onto the developed site to be submitted to the council for approval.

The North East Lindsey Drainage Board has no objection to the proposals provided the development is constructed in accordance with the submitted details and Flood Risk Assessment. The Drainage Board notes that: a 7m easement has been left adjacent to the Board-maintained Barton Drain Branch 2, the discharge rate for the site is 1.4l/s/ha, and properties within the EA flood zone have non-habitable accommodation on the ground floor and floor levels are a minimum of 6.1m. All other properties have a minimum finished floor level of 6.1m. The Drainage Board will be consulted on any surface water strategy submitted by the applicant and have the opportunity to comment.

Anglian Water have also been consulted on the proposal. In terms of wastewater treatment, Barton on Humber Water Recycling Centre currently does not have capacity to treat the flows from the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity. In terms of sewage, the sewage system has available capacity for these flows. If the developer wishes to connect to Anglian Water's sewage network notice will need to be served under Section 106 of the Water Industry Act 1991. Planning conditions will be used to ensure a foul drainage strategy for the site is submitted to the council for approval. Anglian Water will be consulted on any foul drainage strategy submitted by the applicant and will have the opportunity to comment on this scheme. In relation to surface water, Anglian Water does not wish to provide comments as the proposed method of surface water management does not relate to Anglian Water operated assets.

The proposed development does not require the sequential test to be carried out as the site is an allocated housing site (BARH-1 and BARH-2 in the HELA DPD) as specified in paragraph 166 of the NPPF). The exceptions test will need to be passed for the development to be acceptable in terms of flood risk. NPPF paragraph 164 states that for the exception test to be passed it should be demonstrated that

- (a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
- (b) the development will be safe for its lifetime, taking account of the vulnerability of its users, without increasing flood risk elsewhere, and where possible reducing flood risk overall.

Both elements of the test need to be satisfied for development to be permitted.

The scheme would bring about a number of sustainable benefits, including (but not limited to) market and affordable housing and bungalows to accommodate our elderly population, energy efficient homes, proximity to employment areas, services and amenities, provision of open space, extensive landscaping, increased pedestrian and cycle connectivity,

biodiversity enhancement and SuDs. It is considered that the scheme would provide wider sustainability benefits and part 'a' of the exceptions test is considered passed. The Environment Agency, LLFA, IDB and Anglian Water have all been consulted and have no objections to the scheme subject to the imposition of conditions. It is considered that this mitigation would make the development safe for its lifetime, taking account of the vulnerability of its users, without increasing flood risk elsewhere, and where possible reducing flood risk overall; part b of the exceptions test is therefore considered passed. Conditions from consultees relate to control over both surface water and foul sewage disposal, development to proceed in accordance with the submitted FRA, finished floor levels and non-habitable accommodation on the ground floor to some of the properties. Therefore, subject to the aforementioned mitigation, it is considered that the proposal would accord with policies CS19 of the Core Strategy, and DS14 and DS16 of the North Lincolnshire Local Plan.

Highways

Policy T2 of the North Lincolnshire Local Plan states that all development should be served by a satisfactory access. Policy T19 is concerned with parking provision as well as general highway safety. Both policies are considered relevant. The application shows the main access to the site from Falkland Way through the existing estate entrance. The applicant has submitted a transport assessment (TA) in support of the proposal. Objectors to the proposal consider this TA to be out of date. Highways Development Control have assessed all the information submitted as part of the application together with their own evidence base and information in relation to transport and the highway network in Barton. Highways have no objections subject to the attachment of conditions and for S106 contributions towards improvements to the highway network. The conditions relate to the laying out of hard paved areas prior to occupation, and the provision of main access and visibility splays as an earlier requirement in the construction works. There are also conditions relating to parking, provision of footways and conditions mitigating the development during construction which will also be attached. A S106 contribution has been requested from Highways for improvements along the A1077 corridor to mitigate the impact the proposal will have on the highway network. The applicant has agreed to this contribution.

A number of objections/concerns have been received relating to the use of East Acridge and Greenway for vehicular access. Following these concerns, the applicant has submitted amended plans showing these accesses to be for pedestrian and cycle access, and access for emergency vehicles, only. Bollards are shown on the plans to restrict access. Planning conditions will be used to ensure these accesses are restricted and are not used for vehicle access (apart from emergency vehicles). Comments that emergency vehicles are HGVs and could not access Greenway and East Acridge are noted. However, not all emergency vehicles are HGVs – they are often cars, motorbikes 4x4 vehicles and vans, for example. Therefore, Greenway and East Acridge can be accessed by emergency vehicles if the need arose.

The site also provides pedestrian access through the estate by a network of pavements. Within the open space area to the north will be a pedestrian path for use by pedestrians and cyclists which will connect to the path and cycle path on Pasture Road South. This will improve the pedestrian and cycle links from the site to the town centre of Barton. The site is also within close proximity of a number of bus stops and is just over 1km from Barton interchange (bus and rail facilities). The application site is therefore well integrated with public transport links, and provides pedestrian and cycling linkages. The sustainable transport officer has recommended a condition requesting a residential travel plan be

submitted prior to occupation, and also that bus tickets for residents of the development be provided by the developer through a S106 contribution. The travel plan and bus tickets will further improve the sustainability of the scheme and allow for greater access to more sustainable transport modes for occupiers of the development.

Comments from objectors requesting another access onto Falkland Way, that a bypass is required, and that the development will lead to increased congestion and increased danger to school children are all noted. However, Highways are not objecting to the proposal and therefore the access and parking arrangements are considered to be acceptable in highway terms (including highway safety), and together with the S106 contribution for highway improvements, the scheme is considered to be acceptable in highway terms. Objectors' comments in relation to increased demand in Barton for car parking are also noted. However, the site is highly sustainable by public transport, walking and cycling and therefore alternative transport options are available to occupiers of the development so there will not be a reliance on private vehicles.

The proposal is considered to be acceptable in highway terms and aligns with policies T1, T2 and T19 of the North Lincolnshire Local Plan, policy CS25 of the Core Strategy, and the NPPF.

Cultural heritage

Core Strategy policy CS6 (Historic Environment) states that 'The council will seek to protect, conserve and enhance North Lincolnshire's historic environment as well as the character and setting of areas of acknowledged importance, including historic buildings, conservation areas, listed buildings (both statutory and locally listed), registered parks and gardens, scheduled ancient monuments and archaeological remains...' and 'Development proposals should provide archaeological assessments where appropriate'. Policy HE9 states that 'Where development proposals affect sites of known or suspected archaeological importance, an archaeological assessment will be required to be submitted prior to the determination of a planning application. Planning permission will not be granted without adequate assessment of the nature, extent and significance of the remains present and the degree to which the proposed development is likely to affect them.' Paragraphs 194, 195, 197, 199 and 205 of the NPPF are also relevant.

Previous investigations on the Falkland Way development and the archaeological field evaluation of the current application site have demonstrated the widespread presence of archaeological remains, the majority of which are medieval dating between the 9th and 12th centuries. The archaeology has the potential to contribute to our understanding of the medieval town at an important stage in its history and development as the preeminent port on the Humber and its defence at a time of national upheaval.

The archaeological remains within the application site would not benefit from preservation in situ. The development would, however, result in the destruction of the archaeological evidence across the site and it is therefore important to ensure that the remains are appropriately preserved by record to further understanding and community benefit. This process is in accordance with paragraph 205 of the NPPF, policy CS6 of the Core Strategy and policy HE9 of the North Lincolnshire Local Plan.

The applicant has submitted an amended Written Scheme of Investigation (WSI) for the Archaeological Mitigation Strategy to address the impacts and provide heritage

enhancement and community benefit. The Archaeological Mitigation Strategy is set out in the WSI and provides for a programme of:

- pre-construction archaeological strip, map and record excavations within the six areas of the identified archaeological interest; the excavations are timetabled to be undertaken in three phases over consecutive years;
- additional monitoring of selected house plots and infrastructure during construction;
- preservation in situ of archaeological remains in the undeveloped area at the south of the application site to be excluded from any construction activity during development;
- post-excavation assessment, analysis and reporting of the archaeological excavations and recording followed by deposition of the archive at North Lincolnshire Museum and the digital archive with the Archaeological Data Service;
- community engagement during and after the excavations, including open days and opportunities to participate in the dig, and to disseminate the results to the local community;
- provision of an information board to interpret the archaeology to be sited within the public open space.

The submitted amended information has been assessed by HER who raises no objection to the proposal subject to conditions. HER considers that 'the scope, methodology and timetabling of the proposed programme set out in the WSI follows our advice and the professional archaeological standards, and that the Mitigation Strategy represents a satisfactory and proportionate response to the impacts of development on the significance of the archaeology.'

It is acknowledged that the archaeological remains on the site will be destroyed by the development, which is regrettable. However, this must be balanced against the allocation of the site for housing in the HELA DPD, the provision of new homes on the site to meet our residents' housing needs, the location of the site in a highly sustainable and accessible location and the other benefits of the development outlined in other sections of this report. The loss of the archaeological remains (non-designated heritage assets) would be mitigated to some extent by the measures proposed in the Mitigation Strategy. For the reasons set out above, and subject to the recommended archaeological conditions and the S106 contribution for an information board to be provided on the site to inform residents and future generations of the archaeological significance of the site, it is considered, on balance, that the proposal is acceptable in terms of its impacts on archaeology and the proposed development aligns with policies HE9 of the North Lincolnshire Local Plan and CS6 of the Core Strategy, as well as paragraphs 203 and 205 of the NPPF in this regard.

In terms of impact on the historic area of Barton, the site is located some distance from the Barton conservation area. The comments from the council's heritage officer are noted. The materials for the dwellings specified on the amended plans are considered to be acceptable and will match the existing residential development on Falkland Way. Comments about rendering some of the proposed dwellings are noted. However, the applicant considers there are maintenance issues associated with render and if properties with render are not maintained it would detract from the rest of the development. The case officer considers

that the materials specified on the plans are acceptable and will be conditioned accordingly. The proposal therefore aligns with policies CS5 and CS6 of the Core Strategy

Ecology

Policy CS17 of the Core Strategy, as well as paragraph 174 of the NPPF, relates to biodiversity. Paragraph 174 states, 'planning policies and decisions should contribute to and enhance the natural and local environment by minimising impacts on, and providing net gains for, biodiversity.' Paragraph 180 of the NPPF states, 'opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity.'

In this case, a Biodiversity Management Plan, detailed landscape plans and plans showing ecology features for the site have been submitted by the applicant. The council's ecologist has assessed all the submitted information and finds the site to have limited biodiversity value at present and low 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 policy CS17, the National Planning Policy Framework and Biodiversity Metric 3.0. To make sure that biodiversity net gain is quantified and deliverable, the applicant is advised to make use of Defra's Biodiversity Metric Version 3.0. The proposal, subject to planning conditions relating to biodiversity enhancement, is therefore in accordance with policies CS17 of the Core Strategy, and paragraphs 174 and 180 of the NPPF.

Trees

The plans show an extensive landscaping scheme to be provided on the site. This will comprise new tree species, including hawthorn, cherry, rowan, liquid amber, silver birch, downy birch, Swedish birch, whitebeam and holly. Shrub and hedgerow planting is proposed. Planting is proposed to the attenuation ponds and the rain gardens. Wildflower meadows are proposed within the public open spaces. The tree officer has raised no objections to the proposal. Comments from neighbours concerning the removal of hedges and trees on the site are noted. Planning conditions will be used to ensure the submitted landscaping scheme is provided on the site. Planning conditions will also be used to ensure any existing trees and hedges to be retained on the site are protected during development. Subject to planning conditions, the proposal is considered to be acceptable in terms of trees and aligns with policies LC7 and LC12 of the North Lincolnshire Local Plan, and policies CS5 and CS16 of the Core Strategy.

Air quality and sustainable resource

Policy CS18 is concerned with sustainable resource use and climate change. Its purpose is to promote development that utilises natural resources as efficiently and sustainably as possible. Two points of this policy are relevant:

- (10) ensuring development and land use helps to protect people and the environment from unsafe, unhealthy and polluted environments, by protecting and improving the quality of the air, land and water; and
- (12) supporting new technology and development for carbon capture and the best available clean and efficient energy technology, particularly in relation to the heavy industrial users in North Lincolnshire, to help reduce CO₂ emissions.

The council's Environmental Health department have made an assessment of the proposal and have proposed a condition that, prior to development, a scheme for electric vehicle charging points shall be submitted to and agreed in writing with the local planning authority. The request is considered to be in accordance with the above policy requirements and will be attached to any permission to mitigate the impact upon air quality generated by the development. It is considered that the imposition of this condition would not only satisfy policy CS18 of the Core Strategy, but also DS11 of the local plan by making a positive impact upon the reduction of polluting activities.

Land contamination

Policy DS7 of the North Lincolnshire Local Plan is concerned with contaminated land. It states that permission will only be granted on contaminated sites where a detailed site survey has been submitted, and a suitable scheme of remedial measures has been agreed to overcome any existing contamination. In this case site investigation reports have been submitted with the application and have been assessed by Environmental Health. Concerns have been raised by Environmental Health in relation to the importation of top soil. It is unclear as to whether top soil for the proposed development will be site won or sourced from other locations. If sourced from other locations the developer will need to demonstrate that the material being brought onto the site is suitable for use. Environmental Health are proposing conditions in relation to the submission of a verification report for imported topsoil and a condition in relation to unexpected contamination being found on the site. The request is considered to be in accordance with the above policy requirements and will be attached to any permission to ensure policy compliance with policy DS7.

Noise

Policy DS11 of the North Lincolnshire Local Plan is concerned with polluting activities. It states that planning permission for development, including extensions to existing premises and changes of use, will only be permitted where it can be demonstrated that the levels of potentially polluting emissions, including effluent, leachates, smoke, fumes, gases, dust, steam, smell or noise do not pose a danger by way of toxic release; result in land contamination; pose a threat to current and future surface or underground water resources; or create adverse environmental conditions likely to affect nearby developments and adjacent areas.

Paragraph 185 of the NPPF is in part concerned with noise and sets out requirements for how local planning authorities should consider noise impacts from a new development within an assessment. It states: *Mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life.*

A noise report has been submitted with the application and Environmental Health have assessed this report. The report is considered to be unclear and out of date. The report has not addressed road traffic noise specifically or the industrial noise. In light of noise associated from the adjacent highways (Falkland Way and the A1077) and nearby industrial premises, a noise mitigation survey condition has been requested which will be imposed on any planning permission. Subject to an acceptable mitigation survey being submitted, the proposal is considered to align with policies DS1 and DS11 of the local plan as well as paragraph 185 of the NPPF.

Cemetery

Policy C6 of the North Lincolnshire Local Plan relates to cemeteries. Policy CS6 (2) identifies a need to extend the existing cemetery facilities onto adjacent land. The southern boundary of the application site lies adjacent to Barton cemetery. The applicant, as part of the application (if approved), intends to transfer 1 acre to North Lincolnshire Council for a proposed cemetery extension through a S106 agreement. This would provide a community facility and fulfil a community need for residents of Barton. This aspect of the proposal would therefore accord with C6 of the North Lincolnshire Local Plan. It must be noted that if the existing Barton cemetery is extended onto this 1 acre of land (to be transferred to the council) then the council will need to submit a change of use application for this land.

Impact on neighbours

Policy DS1 is partly concerned with impacts upon residential amenity. It states that ‘...No unacceptable loss of amenity to neighbouring land uses should result in terms of noise, smell, fumes, dust or other nuisance, or through the effects of overlooking or overshadowing’. CS5 is concerned with delivering quality design in North Lincolnshire. Concerns over three-storey dwellings proposed to be located adjacent to Greenway and Treece Gardens are noted. The three-storey dwellings are proposed because the ground floor accommodation will be non-habitable (garages, WC, utility room for example) due to flood risk. The applicant has submitted cross-sections to demonstrate the relationship between the three-storey properties sited adjacent properties on Greenway and Treece Gardens. Whilst these three-storey dwellings will be visible from some properties on these roads, due to their siting, location and design, they will not result in demonstrable harm to nearby neighbours.

The comments that a garage, proposed dwelling and proposed dwelling’s garden will be too close to neighbours are also noted. However, there is adequate separation distance between dwellings. Effective boundary treatments and obscuring bathroom, WC and en suite windows will safeguard privacy. These matters will be dealt with by planning conditions. Issues in relation to ownership boundaries are not planning matters.

The proposal is considered to be acceptable in terms of its impact on adjoining neighbours and therefore aligns with policies DS1, H5 and H8 of the North Lincolnshire Local Plan and policy CS5 of the Core Strategy.

Planning obligations

Policy CS27 is concerned with planning obligations and states that where a development proposal generates an identified need for additional infrastructure, North Lincolnshire Council will, through the negotiation of planning obligations pursuant to Section 106 of the Town & Country Planning Act 1990 and in accordance with guidance set out in Circular 05/2005, seek obligations that are necessary to make proposals acceptable in planning terms.

The tests for planning obligations are set out in Part 11, section 122 of the Community Infrastructure Levy Regulations 2010 (as amended). It states:

- (2) A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is—
 - (a) necessary to make the development acceptable in planning terms;

- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

The legal test is also set out in planning policy under paragraph 57 of the National Planning Policy Framework 2021. The heads of terms for the developer contributions are set out below, all of which the applicant has agreed to.

Affordable housing

Policy CS9 is concerned with affordable housing and requires schemes for new residential housing in market towns to contribute 20% of the scheme for affordable tenure. Ideally 70% of affordable housing supplied should be for rent and, where possible, the housing should be provided on site. In this case affordable housing has been secured on the site. Policy CS9 would seek to provide 63 affordable homes on the site. In this case, 50 affordable dwellings have been secured on the site. This is based on the removal of the cost of the cemetery area (which will be transferred into the council's ownership) which is agreed at 10 units and the provision of affordable bungalows being provided at a rate of 1.3 per dwelling taking away three units based on floorspace and build costs. This has been evidenced based on BCIS with a bungalow build cost = £1,626 per square metre and a house build cost = £1,368 per square metre. The tenure split will be for affordable rent, shared ownership and discounted market sale. First Homes policy requirements do not apply to this application because there has been significant pre-application engagement. The proposal therefore aligns with policy CS9 of the Core Strategy and the NPPF.

Public open space and leisure

Public open space and leisure policy H10 of the North Lincolnshire Local Plan is concerned with public open space. It states, '(i) ...New housing developments on allocated and windfall sites of 0.5 ha or more will be required to provide recreational open space on a scale, and in a form, appropriate to serve the needs of residents.' This is reinforced by policy CS22 and CS23 of the North Lincolnshire Core Strategy. Both are considered relevant.

The recreation department has agreed an off-site contribution of £111,893 improvements towards swimming pool facilities, £50,700 improvements towards natural grass pitches, £3,872 towards indoor bowls at Scunthorpe Bowls Centre and £49,574 towards improvements to youth football changing rooms. This is based on the Sports Calculator and Playing Pitch Strategy. Following negotiations with Sports England, who originally objected to the proposal, they have withdrawn their objection based on the off-site contributions proposed. This contribution will mitigate the impact the development will have on leisure facilities in Barton and in North Lincolnshire by providing a financial contribution to improve/expand sporting facilities. This accords with policies CS22 and CS23 of the Core Strategy.

With regard to open space, 6,316 square metres of informal open space is to be provided on site to be maintained by North Lincolnshire Council for a maintenance contribution of £104,699.80. An off-site formal open space contribution towards Baysgarth Park of £162,309 (equivalent to three LEAPS) is also required. This aligns with policy H10 of the North Lincolnshire Local Plan.

Education

Policy C1 states that where major new housing proposals would result in an increased demand for education facilities, which cannot be met by existing schools and colleges, a developer may be required to enter into a planning obligation under Section 106 of the Town and Country Planning Act 1990, in order to secure the provision of, or contribution towards, new or extended facilities. There is an identified need for the monies to go towards schools in the local catchment areas. A contribution of £8,049 is required towards primary and secondary education, which excludes affordable products and over 55's products to mitigate the impact the development will have on primary and secondary education. This aligns with policy C1 of the North Lincolnshire Local Plan.

Highways

A contribution of £100,000 for highway improvements along the A1077 corridor to mitigate the impact the proposal will have on the highway network is required. This aligns with policy CS25 of the Core Strategy.

Public transport

A contribution of £17,118 to provide 2x weekly Humber mega rider tickets per dwelling to provide public transport opportunities for the development is required. This aligns with policy CS25 of the Core Strategy.

Cemetery

Policy C6 of the North Lincolnshire Local Plan relates to cemeteries. Policy CS6 (2) identifies a need to extend the existing cemetery facilities into adjacent land. The southern boundary of the application site lies adjacent to Barton cemetery. The applicant, as part of the application, intends to transfer 1 acre of land to North Lincolnshire Council for a proposed cemetery extension on occupation of the 1st dwelling. It must be noted that if the existing Barton cemetery is extended onto this identified 1 acre of land, then the council will need to submit a change of use application for this land.

Archaeology

The developer is to provide an information board to inform residents and tourists to Barton of the archaeology on the site. The content and siting will be agreed with HER. A financial contribution of £2,000 for the maintenance and two replacement boards over a 10-year period has been secured. This aligns with policies HE9 of the North Lincolnshire Local Plan and CS6 of the Core Strategy.

Drainage

The proposed balancing pond in phase 5/6 development will firstly be offered to Anglian Water through a section 104 agreement for adoption and maintenance. If Anglian Water will not take on the pond the council will adopt and maintain the phase 5 pond for a contributed sum of £100,298.00.

The phase 4 pond has increased in size to serve the Phase 4 and part of the Phase 5 development. An additional £25,000 has been agreed with the developer for the council to continue to maintain this pond.

Pre-commencement conditions

All pre-commencement planning conditions have been agreed with the applicant in accordance with the Town and Country Planning (Pre-commencement Conditions) Regulations 2018.

Other matters

A number of other matters have been raised in the consultation responses:

- A gas main runs through the site. The application has been designed to avoid this gas main. Cadent Gas are aware of the application and raise no objection. The applicant is advised and is aware that they will need to work with Cadent to ensure safety during construction.
- Concerns over existing properties not being able to be extended if the development is approved are noted. Each planning application is judged on its merits. Furthermore, many properties can be extended without planning permission under 'permitted development rights'.
- Comments on existing infrastructure unable to support the development are noted. There have been no objections from statutory consultees to the proposed development subject to conditions and S106 contributions to mitigate the impact of the development.
- Comments that a pharmaceutical needs assessment is needed are noted, but there is no evidence to suggest this is required and this matter has not been raised by the NHS.
- The amount of open space to be provided on the site is acceptable and a S106 contribution is proposed towards Baysgarth Park.
- Comments that a larger tunnel under the railway should be created and an automatic pumping station installed at Fosters Wharf to stop flooding are noted. However, this has not been requested by the statutory consultees.

Conclusion

This application seeks full planning permission for the erection of 317 dwellings. The application site is allocated for residential development (BARH-1 and BARH-2)) as part of the adopted development plan and its development would make a significant contribution towards meeting housing delivery targets and housing needs for residents of North Lincolnshire. The applicant is already building the Phase 4 approved development and intends to start to deliver this scheme in 2022. The applicant has a proven track record for housing delivery in North Lincolnshire.

In addition to the extant housing allocation on the site, the proposed development is also considered to comply with the relevant policies of the development plan and the presumption in favour of sustainable development set out in paragraph 11 of the NPPF.

No material considerations or technical matters have been identified that could properly be considered to outweigh the statutory presumption in favour of the development plan and the presumption in favour of sustainable development set out in the NPPF.

On this basis the proposed development is considered to be acceptable and is recommended for approval subject to the conditions and planning obligations set out below.

Heads of terms

Affordable housing

Number of dwellings or commuted sum:	50 affordable dwellings
House type	A mix of affordable rent, shared ownership and discounted market sale
Trigger point	8 affordable dwellings on occupation of the 60th dwelling 12 affordable dwellings on occupation of the 120th dwelling 10 affordable dwellings on occupation of the 180th dwelling 10 affordable dwellings on occupation of the 240th dwelling 10 affordable dwellings on occupation of the 300th dwelling
How many years does the council require to spend the contribution?	Affordable units to be retained in perpetuity

Education

Contribution amount	£8,851 per dwelling towards primary and secondary, excluding affordable and over-55's bungalow (numbers to be confirmed)
Trigger point	25% on occupation of the 50th dwelling 25% on occupation of the 100th dwelling 25% on occupation of the 150th dwelling 25% on occupation of the 200th dwelling
How many years does the council require to spend the contribution?	10 years

Open space

On-site informal open space	6,316 square metres of informal open space £104,699.80 maintenance contribution
Trigger point	On the penultimate dwelling to be adopted by North Lincolnshire Council
Off-site formal open space	3 LEAP equivalent – £162,309 towards Baysgarth Park
Trigger point	50% on occupation of the 75th dwelling 50% on occupation of the 175th dwelling
How many years does the council require to spend the contribution?	10 years

Recreation

Contribution amount	£111,893 improvements towards swimming pool facilities £50,700 improvements towards natural grass pitches £3,872 towards indoor bowls at Scunthorpe Bowls Centre £49,574 towards improvements to youth football changing rooms
Trigger point	50% on occupation of the 175th dwelling 50% on occupation of the 250th dwelling
How many years does the council require to spend the contribution?	10 years

Bus tickets

Contribution amount	£17,118 provision of 2x weekly Humber mega rider tickets per dwelling
Trigger point	On occupation of the 1st dwelling

How many years does the council require to spend the contribution?	10 years
---	-----------------

Highways

Contribution amount	£100,000 for highway improvements along the A1077 corridor
Trigger point	50% on occupation of the 1st dwelling 50% on occupation of the 30th dwelling
How many years does the council require to spend the contribution?	10 years

Cemetery

Contribution amount	Transfer 1 acre to North Lincolnshire Council for the cemetery extension
Trigger point	On occupation of the 1st dwelling
How many years does the council require to spend the contribution?	N/A

Archaeology

Contribution amount	1 information board to be provided and installed for archaeology, the content agreed by HER. £2,000 towards 2 replacement information boards anticipated over a 10-year period and for maintenance.
Trigger point	On occupation of the 250th dwelling
How many years does the council require to spend the contribution?	10 years

Drainage

Contribution amount	Balancing pond to Phase 5 to be offered to Anglian Water through a section 104 agreement for adoption and maintenance. If Anglian Water do not take on the pond the council will adopt and maintain the Phase 5 pond for a contribution of £100,298.00. The Phase 4 pond will increase in size and an additional £25,000 will be required for the council to continue to maintain this pond.
Trigger point	Phase 5 pond: contribution and adoption on the occupation 275th dwelling but to be constructed and operational on occupation of the 64th dwelling. Phase 4 pond: on occupation of the 1st dwelling.
How many years does the council require to spend the contribution?	10 years

RECOMMENDATION

Subject to the completion of a formal agreement under Section 106 of the Town and Country Planning Act 1990 (or other appropriate legislation) providing for the contributions set out in the heads of terms specified above, the committee resolves:

- (i) it is mindful to grant permission for the proposed residential development comprising 317 dwellings, including associated garages, access road, ponds, landscaping and public open space;
- (ii) the decision be delegated to the Development Management Lead upon completion of the obligation;
- (iii) if the obligation is not completed by 9 August 2022 the Development Management Lead be authorised to refuse the application on grounds of no provision of essential community benefits; and
- (iv) the permission so granted be subject to the following conditions:

1.

The development must be begun before the expiration of three years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.

The development hereby permitted shall be carried out in accordance with the following approved plans: location plan, FW/149/999 site layout and gas main, material specification sheet, and drawing schedule dated 24.01.2022.

Reason

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

3.

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 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

In the interests of highway safety.

4.

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.

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 served by the shared private driveway shall be occupied until it has been constructed in accordance with details including:

- (i) the proposed method of forming access from the highway, including the required visibility splays;
- (ii) the method of constructing/paving the drive;
- (iii) the provision of adequate drainage features;
- (iv) the provision of suitable bin collection facilities adjacent to the highway;

- (v) the provision of suitable lighting arrangements; and
- (vi) the provision of street name plates that shall include the words 'Private Drive';

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

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 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.

10.

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

Reason

In the interests of highway safety and to accord with T2 of the North Lincolnshire Local Plan.

11.

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.

12.

The final travel plan shall be submitted to and approved in writing by the local planning authority within six months of the proposed development being brought into use and all conditions and requirements of the plan, once approved, shall be implemented and retained at all times.

Reason

To ensure that the proposed development operates in a safe and sustainable manner with minimal disruption to the highway network.

13.

The travel plan, once approved and in place, shall be subject to monitoring on an annual basis for a period of three years from the approval date. The monitoring report on the impact of the travel plan shall be submitted to the local planning authority on the first of January each year following the grant of planning permission. All amendments to the approved travel plan identified as a result of the monitoring process shall be implemented and retained.

Reason

To ensure that the proposed development operates in a safe and sustainable manner with minimal disruption to the highway network.

14.

No development shall take place until a construction phase traffic management plan showing details of:

- an approved access point to the development, which shall be taken via Falkland Way, avoiding residential properties on Greenway and East Acridge;
- all associated traffic movements, including delivery vehicles and staff/construction movements;
- any abnormal load movements;
- contractor parking and welfare facilities;
- storage of materials, 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;

have been submitted and improved in writing by the local planning authority. Once approved the plan shall be implemented, reviewed and updated as necessary throughout the construction period.

Reason

In the interests of highway safety.

15.

At no time shall the access from Greenway and East Acridge be used for construction traffic.

Reason

In the interests of highway safety and to safeguard residential amenity in accordance with policies T2 and DS1 of the North Lincolnshire Local Plan and policy CS5 of the Core Strategy.

16.

Before any above-ground works take place on the site, details of the pedestrian, cycle and emergency access from Greenway and East Acridge (including the means of preventing unauthorised vehicular access) shall be submitted to and approved in writing by the local planning authority. These accesses shall not be brought into use until they have been constructed in accordance with the approved details and all measures to prevent unauthorised access to the site shall be retained.

Reason

In the interests of highway safety and to safeguard residential amenity in accordance with policies T2 and D1 of the North Lincolnshire Local Plan and policy CS5 of the Core Strategy.

17.

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) 4 October 2021/Final Report RevD/EWE Associates Ltd. In particular, finished floor levels of all habitable accommodation shall be set no lower than 6.1 metres above Ordnance Datum. The mitigation measures shall be fully implemented prior to occupation and subsequently remain in place.

Reason

To reduce the risk and impact of flooding to the proposed development and future occupants in accordance with policies CS18 and CS19 of the Core Strategy and policy DS16 of the North Lincolnshire Local Plan.

18.

Those dwellings so indicated on Floor Levels Drawing FW/146/22 A updated on 27 September 2021, (plots 509-523, 542-560, 561-566, 567-589, 590-600 and 601-631) shall have non-habitable uses only at ground floor level.

Reason

To reduce the risk and impact of flooding to the proposed development and future occupants in accordance with policies CS18 and CS19 of the Core Strategy and policy DS16 of the North Lincolnshire Local Plan.

19.

Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions to provide additional habitable/living accommodation shall be

erected on the plots shaded blue in Annex I of the FRA dated October 2021 (plots 509-523, 542-560, 561-566, 567-589 590-600 and 601-631) without the prior approval in writing of the local planning authority.

Reason

To reduce the risk and impact of flooding to these proposed dwellings and future occupants in accordance with policies CS18 and CS19 of the Core Strategy and policy DS16 of the North Lincolnshire Local Plan.

20.

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. This must be based upon the submitted Flood Risk Assessment, prepared by EWE Associates Ltd, Final Rev: D October 2021.

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 159, 161, 167, 169 and 174 of the National Planning Policy Framework.

21.

The drainage scheme shall be implemented in accordance with the approved submitted details required by condition 21 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 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 159, 161, 167, 169 and 174 of the National Planning Policy Framework.

22.

No development shall take place until details showing an effective method of preventing surface water run-off from the highway onto the developed site is 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 Councils Local Plan and policies CS18 and CS19 of the North Lincolnshire Councils Core Strategy and paragraphs 159, 161, 167, 169 and 174 of the NPPF

23.

Before any works commence on the Phase 5 attenuation pond, full details of the works required for the construction/excavation of the pond, including the depth, levels of the pond, amount of excavation works required and details of any bunding to be installed shall be submitted to and approved in writing by the local planning authority. Thereafter only the approved scheme shall be installed on the site.

Reason

To ensure a satisfactory standard of development on the site and in the interests of visual amenity and flood mitigation in accordance with policies DS1 and DS16 of the North Lincolnshire Local Plan and policies CS5 and CS19 of the Core Strategy.

24.

Within three months of the date of this permission, full details of the works that have been carried out to increase the size of the Phase 4 pond shall be submitted to and agreed in writing by the local planning authority.

Reason

To ensure a satisfactory standard of development on the site and in the interests of visual amenity and flood mitigation in accordance with policies DS1 and DS16 of the North Lincolnshire Local Plan and policies CS5 and CS19 of the Core Strategy.

25.

No above-ground works shall commence until a foul water strategy, including foul water drainage layouts and connections, has been submitted to and approved in writing by the local planning authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved.

Reason

To provide an acceptable foul water strategy for the development in accordance with policy DS14 of the North Lincolnshire Local Plan.

26.

No land raising shall be carried out in relation to any dwelling on the site until full details of the extent of the land raising works proposed have been submitted to and approved in writing by the local planning authority. Thereafter, only the approved works shall be carried out on the site.

Reason

To safeguard properties from flooding and in the interests of visual amenity, in accordance with policies DS1 and DS16 of the North Lincolnshire Local Plan and policies CS5 and CS19 of the Core Strategy.

27.

Prior to any above-ground works, a noise mitigation scheme shall be submitted to and approved in writing by the local planning authority. As a minimum this noise mitigation scheme shall include details of:

- noise mitigation measures;

- predicted noise levels to be achieved at sensitive locations as a result of the noise mitigation scheme; and
- how the noise mitigation scheme will be maintained for the lifetime of the development.

The noise mitigation scheme shall be implemented before occupation of the development.

Reason

To protect future residents from the impacts of noise and to accord with policy DS11 of the North Lincolnshire Local Plan.

28.

Prior to the importation of topsoil onto the site, a topsoil verification plan shall be submitted to and approved in writing by the local planning authority. The verification plan shall ensure that imported soil is safe and suitable for use on the approved development.

The development hereby permitted shall not be occupied until the verification plan has been complied with in full and subsequently approved in writing by the local planning authority. No deviation from the approved plan shall be permitted unless agreed in writing with the local planning authority. The scheme shall be retained for the duration of the development.

Reason

To safeguard residential amenity and human health in accordance with policy DS11 of the North Lincolnshire Local Plan.

29.

If during development any odorous, discoloured or otherwise visually contaminated material is found to be present at the site then no further development shall be carried out until a written method statement, detailing how this contamination shall be dealt with, has been submitted to and approved by the local planning authority. The approved method statement shall be implemented in full prior to development commencing on the site.

Reason

To safeguard residential amenity and human health in accordance with policy CS11 of the North Lincolnshire Local Plan.

30.

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

- 7.30am to 6pm Monday to Friday
- 7.30am to 1pm on Saturdays.

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

HGV movements shall not be permitted outside these hours during the construction phase without 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 safeguard residential amenity in accordance with policy DS1 of the North Lincolnshire Local Plan.

31.

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 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 –

- (d) specified locations for contractors' compounds and materials storage areas;
- (e) areas where lighting will be required for health and safety purposes;
- (f) the location of potential temporary floodlights;
- (g) the identification of sensitive receptors likely to be impacted upon by light nuisance;
- (h) 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 –

- (i) site dust monitoring, recording and complaint investigation procedures;
- (j) the 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;
- (k) the provision of water to the site;
- (l) dust mitigation techniques at all stages of development;
- (m) the prevention of dust trackout;
- (n) communication with residents and other receptors;
- (o) a commitment to cease the relevant operation if dust emissions are identified either by regular site monitoring or by the local authority;

(p) a 'no burning of waste' policy.

Reason

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

32.

Prior to any above-ground works, 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-quality-planning-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.

33.

The materials to be used on the approved dwellings shall be as specified on drawing number FW/146/06B and there shall be no deviation therefrom without the prior approval in writing of the local planning authority.

Reason

To ensure a satisfactory standard of development in accordance with policy CS5 of the Core Strategy and policy DS1 of the North Lincolnshire Local Plan.

34.

Works and biodiversity enhancements shall be carried out strictly in accordance with section 5 of the submitted document, 'Keigar Homes Ltd Falkland Way, Barton Upon Humber: Extended Phase 1 Habitat Survey And Biodiversity Management Plan' dated September 2020 and the submitted drawing number FW/146/14 Rev B. 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 100th, 200th and 300th dwellings, 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.

35.

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 'Keigar Homes Ltd Falkland Way, Barton Upon Humber: Extended Phase 1 Habitat Survey And Biodiversity Management Plan' dated September 2020;
- (b) details of measures required to provide at least 1% biodiversity net gain in accordance with the Defra biodiversity metric 3.0.

Biodiversity units should be delivered on site, within the red line boundary shown on submitted drawing number FW/146/02. 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.

36.

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 100th, 200th and 300th dwellings, 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.

37.

Development shall take place in complete accordance with the document 'Archaeological Mitigation Strategy: Land off Falkland Way, Barton upon Humber, North Lincolnshire, Allen Archaeology, v1.2, 18 January 2022', and the approved details and timings.

Reason

To comply with paragraph 205 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 to preserve archaeological evidence by means of a comprehensive record and creation of a permanent archive, to advance understanding.

38.

The final 10 dwellings of the approved development shall not be occupied until the full and final completion of the programme set out in the approved archaeological mitigation strategy has been carried out to the satisfaction of the local planning authority.

Reason

To comply with paragraph 205 of the National Planning Policy Framework, policy CS6 of the Core Strategy and policy HE9 of the North Lincolnshire Local Plan to ensure the timely undertaking of all stages of the approved archaeological mitigation strategy.

39.

A copy of any analysis, reporting, publication and archiving required as part of the archaeological mitigation strategy shall be deposited with the North Lincolnshire Historic Environment Record, North Lincolnshire Museum and the Archaeological Data Service within three years of completion of the archaeological fieldwork.

Reason

To comply with paragraph 205 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.

40.

No more than 249 dwellings shall be built on the site before details of the proposed location and design of the notice board providing information of the archaeological features to be located within the public open space area shown on drawing number FW/146/05F have been submitted to and agreed in writing by the local planning authority. Thereafter the content of the notice board shall be submitted to and agreed in writing by the local planning authority prior to the board being erected in the agreed location within six months of the completion of the archaeological post-excavation report as set out in the approved archaeological mitigation strategy.

Reason

To comply with paragraph 205 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.

41.

No development shall commence on site until the land to be transferred to the council identified on the approved site layout has been fenced off to the satisfaction of the local planning authority. This land shall remain fenced and shall not be used by the applicant for any purpose(s) without the prior approval in writing of the local planning authority.

Reason

To safeguard this land from construction works/site operations as it has potential for archaeological remains and ecology, in accordance with policies CS6 and CS17 of the Core Strategy.

42.

Before development is commenced, details of the method of protecting the existing trees and hedgerows on the site to be retained throughout the construction period shall be submitted to and approved in writing by the local planning authority, and such works as may be so approved shall be carried out before development is commenced, and maintained until completion of the development. None of the trees and hedgerows so protected shall be wilfully damaged or destroyed, uprooted, felled, lopped or topped, nor any other works

carried out which would cause damage to the root systems or otherwise threaten the lives of the trees during the period of construction without the previous written consent of the local planning authority. Any trees removed without such consent or dying or being severely damaged or becoming seriously diseased during that period shall be replaced with trees of such size and species as may be agreed with the local planning authority.

Reason

To safeguard the existing trees and hedgerows on the site in accordance with policy LC12 of the North Lincolnshire Local Plan.

43.

The scheme of landscaping and tree planting shown on drawing numbers FW/146/08 Rev A and FW/146/09 Rev B shall be carried out in its entirety within a period of 18 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 the amenity of the locality in accordance with policy CS5 of the Core Strategy.

44.

No dwelling shall be occupied 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 dwelling(s) is/are occupied and retained.

Reason

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

45.

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

Reason

To protect the living conditions presently enjoyed by the occupants of adjoining properties and/or to protect the privacy of occupiers of the new dwellings in accordance with policy CS5 of the Core Strategy.

Informative 1

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

Informative 2

Our records indicate that the proposed development site is bounded by the Internal Drainage Board maintained watercourse on the southern boundary. A 7 metre easement

adjacent to the watercourse has been agreed/provided for future maintenance to be carried out by the IDB. Compliance with this guidance is to ensure the free flow of surface water is maintained throughout the development.

Informative 3

A provisional rate of 20 litres/second from two ponds has been agreed with the local Internal Drainage Board. This needs to be formally approved through an Ordinary Watercourse Consent and appropriate discharge rates must be agreed. Compliance with this guidance is to ensure the free flow of surface water is maintained throughout the development.

Informative 4

The applicant's attention is drawn to the comments made by the LLFA on 5 November 2021 (refer to Notes for Developer).

Informative 5

The applicant's attention is drawn to the comments made by Anglian Water (21/10/2021), Cadent Gas (12/11/2021), ESP Utilities Group Limited (30/10/2020) and Humberside Fire and Rescue Service (25/10/2021).

Informative 6

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 7

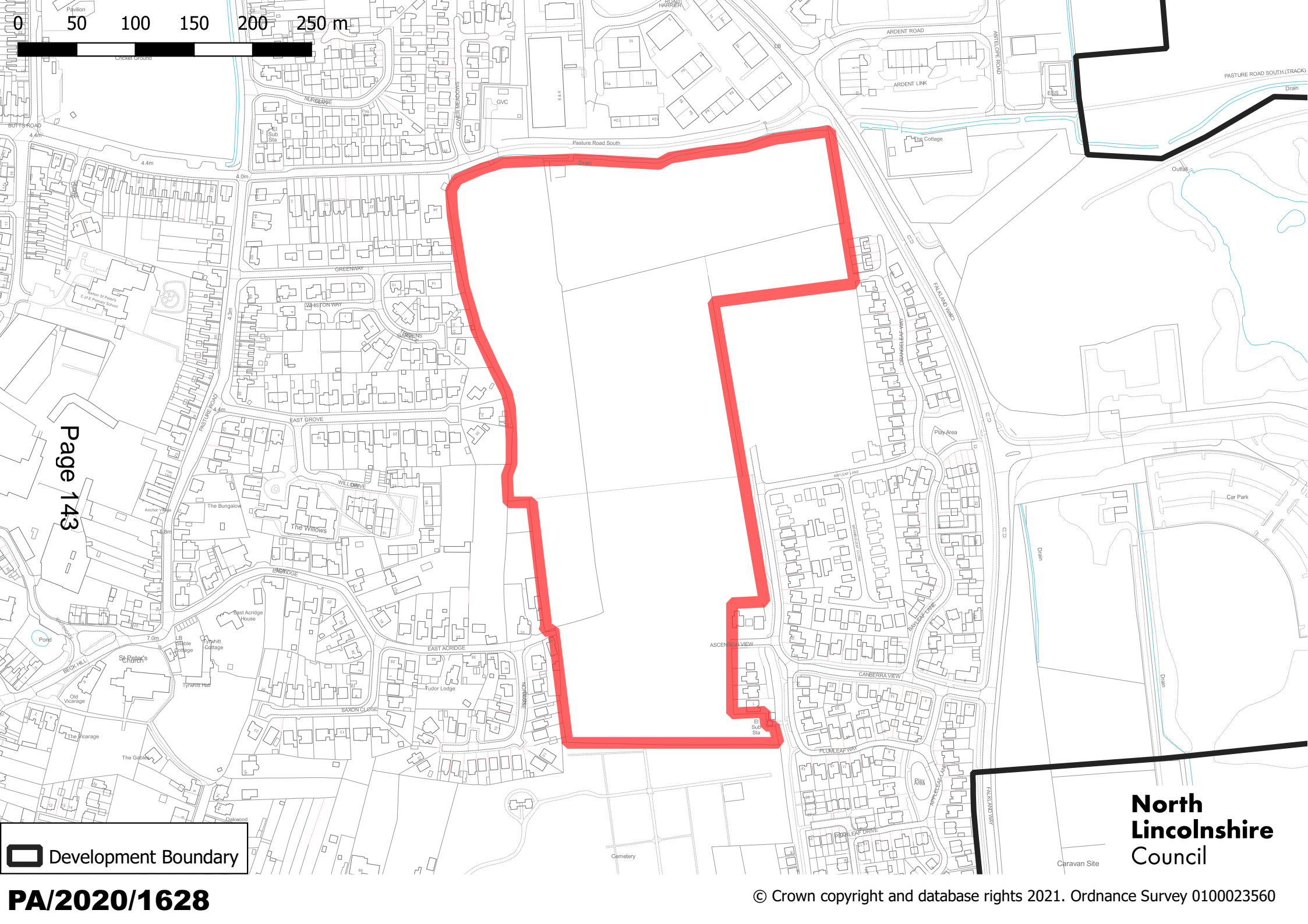
In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.

0 50 100 150 200 250 m

Page 143

 Development Boundary

PA/2020/1628



**North
Lincolnshire
Council**



D | SCHEME UPDATED. MMS 27/02/21
 C | LAYOUTS. MMS 10/05/21
 B | SCHEME UPDATED. MMS 26/02/21
 A | SERVICE & PEDESTRIAN ACCESS UPDATED. MMS 06/11/20
 Drawn by: [Signature]

KEIGAR HOMES LTD
 KEIGAR LODGE
 CANBERRA VIEW
 BARTON UPON HUMBER
 NORTH LINCOLNSHIRE
 DN15 5GR
 Tel: 01652 631939 Fax: 01652 631938

Residential Development at
 FALKLAND WAY phase 5 & 6
 BARTON UPON HUMBER

SITE LAYOUT PLAN

PROJECT	MJS	DATE	09/09/20	SCALE	1:750@A1
SHEET	FW / 146 / 03	REVISED		DATE	D

AMENDED

NORTH LINCOLNSHIRE COUNCIL

PLANNING COMMITTEE

PLANNING AND OTHER APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

1. OBJECT

- 1.1 To inform the committee about planning applications and other associated matters falling within its terms of reference which are ready for determination.

2. BACKGROUND

- 2.1 This committee is required under its terms of reference to exercise the functions of the council as local planning authority for the purposes of the control of development, including the determination of applications for planning permission and other applications under the Town and Country Planning Acts, General Development Orders, and any Orders or Regulations made thereunder, and in accordance with the council's planning policies.
- 2.2 In exercising these functions the committee is required to have regard to the National Planning Policy Framework, the development plan for the area and any other material considerations. It will also take account of the duty imposed by section 17 of the Crime and Disorder Act 1998 and the requirements of the Human Rights Act 1998.

3. INFORMATION

- 3.1 Items for determination are listed in the attached schedule.
- 3.2 References to standard time limit conditions and standard outline conditions mean the conditions automatically applied by sections 91 and 92 of the Town and Country Planning Act 1990.
- 3.3 Reports will be updated at the meeting if necessary to take account of additional relevant information received after publication.
- 3.4 Plans included with reports are for identification and/or illustrative purposes only. Applications and supporting documents can be viewed in full on the planning pages of the council's web site.

4. RESOURCE IMPLICATIONS

- 4.1 There are no staffing or financial implications arising from this report.
- 4.2 Environmental considerations are of major importance when considering planning applications and are set out in the individual reports.

5. RECOMMENDATION

- 5.1 That the applications be determined in accordance with the recommendations contained in the schedule.

DEVELOPMENT MANAGEMENT LEAD

Church Square House
30–40 High Street
SCUNTHORPE
DN15 6NL

Reference: CB/JMC/Planning committee 09 February 2022.docx

Date: 31 January 2022

Background papers used in the preparation of this report:

1. The applications including accompanying plans and ancillary correspondence.
2. Statutory and non-statutory consultation letters and responses.
3. Responses from parish and town councils.
4. Representations from other bodies or individuals.
5. Relevant planning policy documents.
6. Previous relevant planning decisions.

(Pursuant to section 100D of the Local Government Act 1972 any document containing 'exempt information' is excluded from this list.)

Statement of publication's purpose

The Ordnance Survey map data included within this publication is provided by North Lincolnshire Council under licence from the Ordnance Survey in order to fulfil its public function to act as a planning authority. Persons viewing this mapping should contact Ordnance Survey copyright for advice where they wish to licence Ordnance Survey map data for their own use.

APPLICATION NO	PA/2021/999
APPLICANT	Ms C Allen & Mr T Binks
DEVELOPMENT	Planning permission to erect six holiday lodges (resubmission of PA/2020/1251)
LOCATION	Former site of Priesthows, Butterwick Road, Messingham, DN17 3PA
PARISH	Messingham
WARD	Ridge
CASE OFFICER	Scott Jackson
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Messingham Parish Council

POLICIES

National Planning Policy Framework: Sections 6, 9 and 12 apply.

North Lincolnshire Local Plan: Policies RD2, LC5, LC6, LC7, R12, DS1 T1, T2, T19 and R5 apply.

North Lincolnshire Core Strategy: Policies CS1, CS2, CS3, CS5, CS15 and CS17 apply.

CONSULTATIONS

Highways: No objection; recommend two conditions.

Ecology: Compared to the previous application this is an improvement in landscape terms. Conditions are recommended to minimise harm to protected and priority species and to seek a net gain in biodiversity.

Historic Environment Record: The proposal does not adversely affect any heritage assets or their settings.

Environment Agency: No objection or comments.

Drainage (Lead Local Flood Authority): No objection; recommend a condition.

Environmental Protection: Following receipt of additional information, no objection but recommend a condition.

PARISH COUNCIL

Object on the following grounds:

- The proposed location is in too close proximity to the village and allotment site.
- The allotments provide a valued amenity space and should not be impacted on by holiday or residential properties.
- The visual impact is detrimental to the street scene and the entrance to the village.

PUBLICITY

A site notice has been displayed; no comments have been received.

ASSESSMENT

The application site consists of an agricultural field which is located on the northern side of Butterwick Road and extends to 0.48 hectares (4800 square metres) in area. It is within the open countryside, to the west of Messingham. There is a residential property to the west of the site and another under construction to the west of that. The site is within flood zone 1 and has an existing vehicular access from Butterwick Road to the south. A highway footpath runs across the front boundary of the site (to the south). Planning permission is sought to change the use of the land to erect six holiday lodges with associated garden areas, car parking and bin store. This is a resubmission of PA/2020/1251 which was refused on 13 January 2021.

The main issues in the determination of this application are the principle of development (incorporating impact on the character and appearance of the countryside).

Principle

This proposal is for the creation of a new business in the open countryside (a tourism use). Of direct relevance to this proposal is policy RD2 of the North Lincolnshire Local Plan (NLLP) which states that development in the open countryside will be strictly controlled and only permitted if it is employment-related development appropriate to the open countryside. Policy CS3 of the adopted Core Strategy (CS) echoes this policy approach and states the following in respect of development outside defined settlement boundaries:

‘Development outside these defined boundaries will be restricted to that which is essential to the functioning of the countryside. This will include uses such as those related to agriculture, forestry or other uses which require a countryside location or which will contribute to the sustainable development of the tourist industry.’

In terms of national planning policy, the NPPF, at paragraphs 83 and 84, states the following:

‘Planning policies and decisions should enable: the sustainable growth and expansion of all types of business in rural areas, both through the conversion of existing buildings and well-designed new buildings;’

and

'Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport).'

It is worth noting that the NPPF is not discriminatory about the types of businesses to be located in a rural area, save they are grown in a sustainable manner and that they may be sited in locations not well served by public transport. This is not an existing business in the countryside and it is proposed to erect six holiday lodges, each with its own garden area to the rear of each lodge.

Policy R12 (New Caravan and Camping Facilities) of the NLLP is relevant and states that new caravan and camping facilities (both touring and static) will be granted planning permission provided:

- (i) the development is closely associated with existing or proposed recreational and tourist attractions and is of an appropriate scale having regard to the size and type of attraction with which it is associated; and
- (ii) the site can be suitably screened by existing land forms and/or the provision of a scheme of landscaping; and
- (iii) the provision of any built development is restricted to those essential facilities which are required to service the site.

In granting planning permission conditions will be imposed, where necessary, restricting the use of the site to holiday lettings.

The first issue to consider is whether establishing new tourist accommodation in the countryside is sustainable in the context of the NPPF and policy CS3 of the adopted CS, and whether it complies with policy R12 of the NLLP.

There is no existing business established at this site and the proposal, if permitted, would result in the establishment of a new business in the open countryside. A supporting statement has been submitted that states this location has been chosen for the lodges as they link to existing businesses in the area (fishing lakes, paintball, walking and golf), the site is linked via a highway footpath to Messingham, where it will support local services and amenities, and there are a wide range of amenities within close proximity of the site. Whilst no additional supporting information has been received such as a business case or support from the local tourism sector (in order to substantiate the need for additional holiday accommodation in this location), it is noted there are a number of tourist attractions in the local area that the proposed lodges could be linked to, including Messingham Zoo, local fishing lakes along Butterwick Road, Pink Pig, Play Avenue, Gainsborough Old Hall, Aerial course at Pink Pig and local attractions in Scunthorpe. The number of lodges proposed in this location would not be detrimental to the character and appearance of the countryside, would not constitute an intensive form of development (it would allow the business to grow

organically), could easily be removed from the site if required and could be appropriately managed by the applicant.

The site is within walking distance along a highway footpath to Messingham to the east and there are facilities within Messingham that the tourist accommodation could reasonably support. However, at an overall walking distance of approximately 965 metres along a partly unlit section of highway footpath, it is likely the development would result in the use of the private car to access local facilities (other than in the lighter summer months).

The proposal would introduce built form onto the site by virtue of the proposed holiday lodges (which have a ridge height of 4.45 metres). As a result, it would not reflect its less developed surroundings and the introduction of built development on the site could contrast markedly with the relatively expansive and open nature of the rural landscape in the area to the east. However, there is recent built form to the west which consists of a new bungalow and a converted barn currently under construction. Some screening is afforded to the site along its southern boundary with Butterwick Road, along the eastern boundary and by a substantial hedge along the northern boundary. It is proposed to introduce a landscaping scheme within the site which consists of additional hedge, tree and wildflower planting. This will help to screen views of the site, assist in biodiversity enhancement and provide an attractive environment for recreational enjoyment of the site. In terms of landscape impact, the council's ecologist has confirmed the proposal has been improved with a more attractive layout, makes use of more natural bog gardens, proposes native shrub and tree planting and will complement the existing landscape south of Butterwick Road and Black Bank. Following receipt of the landscaping scheme, it is considered that the proposal can be successfully assimilated into the rural landscape without resulting in an alien or discordant form of development. In addition, the lodges will be set back from the public highway and screened by existing hedging and additional landscaping over time. The proposal will not be highly visible in the rural landscape.

In conclusion, the proposed development is considered to comply with policies RD2 of the NLLP and CS3 of the adopted Core Strategy in this regard, where it concerns development not being detrimental to the character or appearance of the open countryside or a nearby settlement in terms of siting, scale, massing, design and use of materials and it constitutes a use which requires a countryside location. In addition, the proposal is considered to comply with policy R12 of the NLLP in that it has been demonstrated the proposal is linked to existing tourist facilities in the local area, it would support the local economy, the scale of the business is acceptable in a rural area, it can be effectively screened and successfully assimilated into the rural landscape and the holiday lodges are self-sufficient without the requirement for additional facilities on site.

Other issues

The level of parking provision consisting of two spaces per lodge, together with a turning space, is considered acceptable in highway safety terms. There is provision for a bin store to the front of the site which will be enclosed by close-boarded fencing and the level of amenity space is proportionate to the size of each lodge. The plans show a connection to the foul sewer can be achieved on Butterwick Road to the south, and the retention of gardens with soakaways and parking areas constructed from permeable materials will allow the drainage of surface water from the site. In addition, the flood risk maps on the Gov.uk website show this area to be at low risk from surface water flooding and located in Flood Zone 1 (lowest area of flood risk). Therefore, the condition recommended by LLFA

Drainage in respect of the submission of a surface water drainage scheme is considered neither necessary nor reasonable in this case.

The proximity of new holiday accommodation has the potential to disrupt the enjoyment of the allotments (a hobby associated with enjoyment and relative peace) located to the east of the site through additional noise and disruption. However, the allotments (in part) are directly to the west of the built framework of Messingham and to the south of Butterwick Road. This, in part, will already create noise sources to users of the allotments. In addition, the scale and type of holiday accommodation proposed appears to be based on relaxation and enjoyment of the countryside and not towards other parts of the tourist market. Furthermore, the site operator would be able to regulate the types of customers occupying the holiday accommodation in this case.

Conclusion

In conclusion, the proposed development is considered to comply with policies RD2 of the NLLP and CS3 of the adopted Core Strategy, where it concerns development not being detrimental to the character or appearance of the open countryside or a nearby settlement in terms of siting, scale, massing, design and use of materials and it constitutes a use which requires a countryside location. In addition, the proposal is considered to comply with policy R12 of the NLLP in that it has been demonstrated the proposal is linked to existing tourist facilities in the local area, it would support the local economy, the scale of the business is acceptable in a rural area, it can be effectively screened and successfully assimilated into the rural landscape and the holiday lodges are self-sufficient without the requirement for additional facilities on site. The application is therefore recommended for approval.

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: 030321-03, Site Location Plan, 030321-02 and 030321-05.

Reason

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

3.

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

- (a) details of nest boxes and bat boxes to be installed;
- (b) restrictions on lighting to avoid impacts on bat roosts, bat foraging areas, bird nesting sites and sensitive habitats;

- (c) provision for hedgehogs to pass through any fencing installed between gardens and between areas of grassland;
- (d) prescriptions for the planting and aftercare of native trees, shrubs, hedgerows and wildflowers of high biodiversity value;
- (e) details of wetland habitat to be created as part of sustainable drainage;
- (f) details of how the measures proposed will provide at least 1% biodiversity net gain in accordance with the Defra Small Sites Metric;
- (g) proposed timings for the above works in relation to the completion of the lodges.

Reason

To conserve and enhance landscape and biodiversity in accordance with saved policy LC7 of the North Lincolnshire Local Plan, and policies CS5, CS16 and CS17 of the Core Strategy.

4.

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 completion of the approved development, 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 landscape and biodiversity in accordance with saved policy LC7 of the North Lincolnshire Local Plan, and policies CS5, CS16 and CS17 of the Core Strategy.

5.

All the approved landscaping shall be carried out within twelve 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 in the interests of ensuring the successful assimilation of the development into the rural landscape.

6.

If, during development, any odorous, discoloured or otherwise visually contaminated material is found to be present at the site then no further development shall be carried out until a written method statement detailing how this contamination shall be dealt with has been submitted to and approved in writing by the local planning authority.

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.

7.

None of the holiday lodges hereby permitted shall be brought into use until adequate parking and turning facilities have been completed in accordance with the approved details shown on drawings 030321-02 and 030321-05.

Reason

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

8.

The holiday lodges are to be occupied for holiday purposes only.

Reason

To ensure the approved holiday accommodation is not used for unauthorised permanent residential occupation.

9.

The holiday lodges shall not be occupied as a person's sole or main place of residence.

Reason

To ensure the approved holiday accommodation is not used for unauthorised permanent residential occupation.

10.

The owners/operators of the site shall maintain an up-to-date register of the names of all owners/occupiers of individual holiday lodges on the site, and of their main addresses, and shall make this information available at all reasonable times to the local planning authority.

Reason

To ensure the approved holiday accommodation is not used for unauthorised permanent residential occupation.

Informative

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.



Pond

Allotment Gardens

Track

Track

Drain

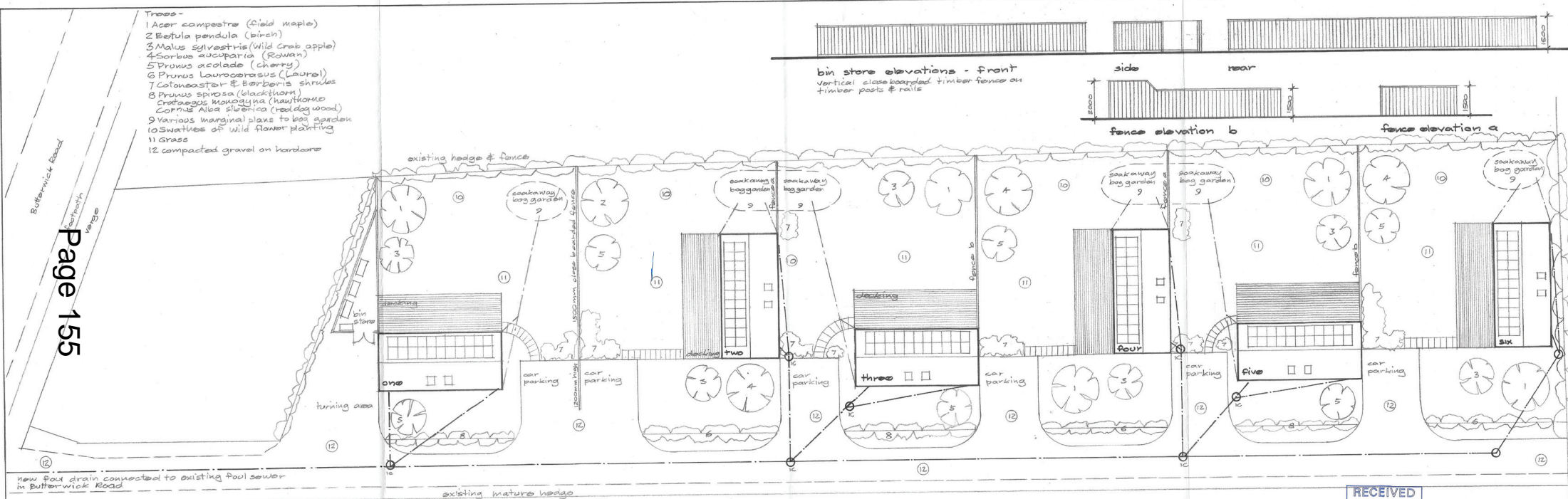
BUTTERWICK ROAD

**North
Lincolnshire
Council**

Page 154

Bridge Farm

PA/2021/999 Proposed layout (not to scale)



- Trees -
- 1 Acer campestre (Field maple)
 - 2 Betula pendula (Birch)
 - 3 Malus sylvestris (Wild Crab apple)
 - 4 Sorbus aucuparia (Rowan)
 - 5 Prunus avellana (cherry)
 - 6 Prunus laurocerasus (Laurel)
 - 7 Cotoneaster & Berberis shrubs
 - 8 Prunus spinosa (blackthorn)
 - 9 Crataegus Monogyna (hawthorn)
 - 10 Cornus Alca sibirica (red dog wood)
 - 11 Various marginal plants to bog garden
 - 12 Swathes of wild flower planting
 - 13 Grass
 - 14 compacted gravel on hardwears

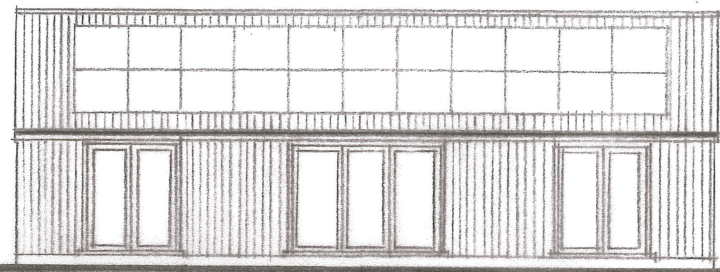
Page 155

proposed site layout 1:200
 proposed holiday bodes, Butterwick Road, Messingham

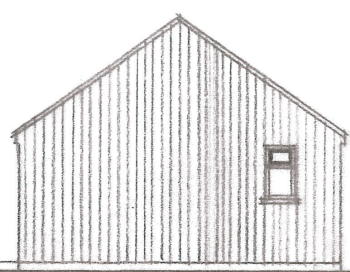
RECEIVED
 30 APR 2021

dwg 030321-05
 scale 1:100 & 1:200

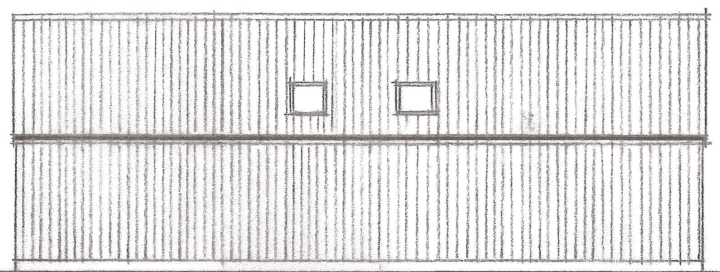
PA/2021/999 Proposed plans & elevations (not to scale)



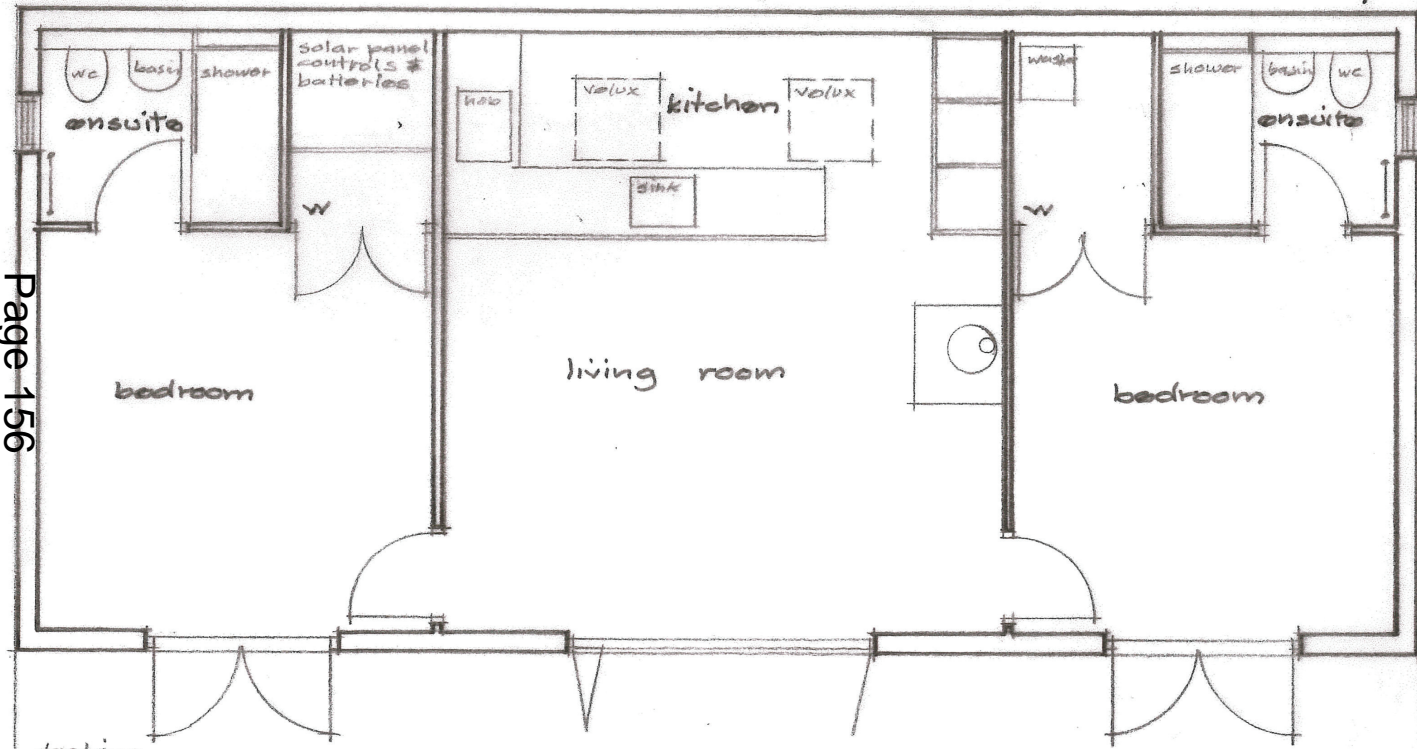
proposed front elevation



proposed side elevation



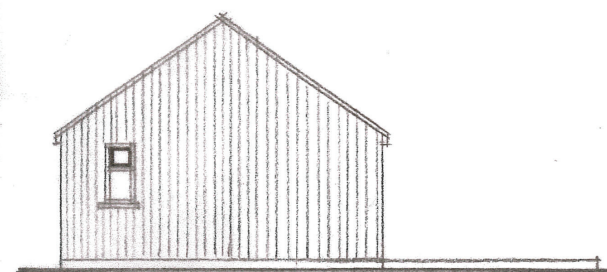
proposed rear elevation



Page 156

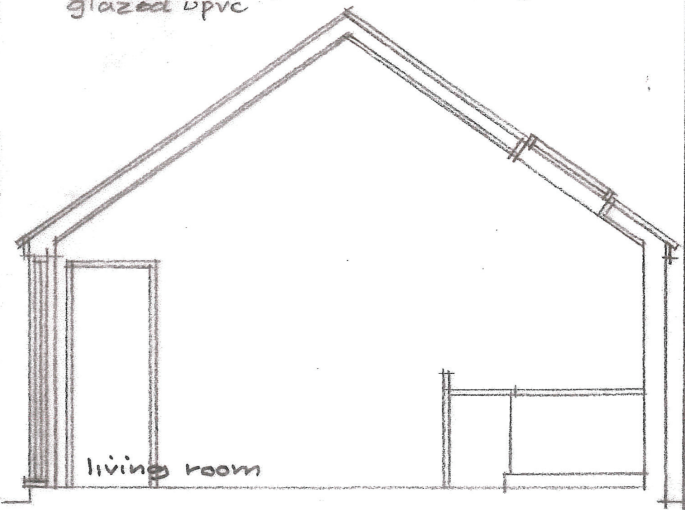


proposed ground floor plan



proposed side elevation

roof - anthracite grey profiled steel sheeting
 external walls - larch vertical boarding
 windows & doors - anthracite grey double glazed upvc



proposed section

proposed holiday lodges, Butterwick Road, Messingham

RECEIVED
 3 0 APR 2021

dwg 030321-03
 scale 1:50 & 1:100

APPLICATION NO	PA/2021/1742
APPLICANT	Mr Abdal Miah
DEVELOPMENT	Planning permission to install an external extraction chimney flue and staircase
LOCATION	Co-op Store, Spruce Lane, Ulceby, DN39 6UL
PARISH	Ulceby
WARD	Ferry
CASE OFFICER	Deborah Oikeh
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Ulceby Parish council

POLICIES

National Planning Policy Framework: 84

North Lincolnshire Local Plan: DS1, DS5, T2, T19

North Lincolnshire Core Strategy: CS1, CS2, CS5, CS17 and CS19

CONSULTATIONS

Highways: No comments or objections.

Drainage (Lead Local Flood Authority): No objections or comments.

Environmental Protection: Pre-commencement condition recommended relating to noise and odour.

PARISH COUNCIL

Object to this application for the following reasons:

- There are no specific specifications for the chimney extractor to provide evidence that the fumes extracted are not going to be detrimental to neighbouring properties and residents.
- There is no evidence that this extractor is going to prevent pollution, noise and smells to neighbouring residents.
- There is no evidence that the extractor/chimney is positioned correctly, in the right direction to cause minimum smells and noise to residents.

- This chimney flue will be detrimental to the quality of life to the neighbouring properties and residents and therefore more detail and evidence of how this chimney will be positioned and is the correct specification so as not to pollute and cause noise and odours to neighbours.

PUBLICITY

Advertised by site notice. Six response have been received: two in support and four objections. Below is a summary:

Support:

- a quality restaurant offering great food, good service and will bring new business and opportunities to the village

Objections:

- parking issues, noise and impact of odour upon nearby dwellings from cooking
- devaluation of homes as a result of the restaurant.

ASSESSMENT

Planning history

PA/2007/1838: Planning permission to install new shop front with roller shutters, erect canopy and 2 refrigeration units in rear yard – approved 19/12/2007

PA/2008/0168: Advertisement consent to display 2 non-illuminated fascia signs and 1 externally illuminated projecting sign – approved 06/03/2008

Proposal and site characteristics

Permission is sought to install an external extraction chimney flue and a staircase at a former Co-op store building on Spruce Lane in Ulceby. The application site is the first of a row of terraced two-storey buildings on Spruce Lane junction. The building is situated at the junction between Abbey Road and Spruce Lane abutting a post office, and is located within the development boundary of Ulceby and flood zone 1.

Site constraints

- The site is within the development boundary of Ulceby according to the HELA DPD 2016.
- The site is within SFRA flood Zone 1.

Main considerations

- impact on character and appearance
- impact on residential amenity.

Principle of development

Ulceby is classed as a rural settlement according to North Lincolnshire Council's settlement hierarchy. Policies CS1 and CS3 of the Core Strategy are primarily concerned with the spatial strategy for North Lincolnshire and how development limits are applied to the settlement hierarchies. Both policies stipulate the use of development limits in rural settlements with the aim of creating vibrant rural areas through the protection and enhancement of local services. Policy CS1 in particular states 'rural settlements will be supported as thriving sustainable communities, with a strong focus on retaining and enhancing existing local services to meet local needs. Development will be limited and should take into account levels of local service provision, infrastructure capacity and accessibility.'

Policy CS2 requires a sequential approach and permits small-scale developments within the defined development limits of rural settlements to meet identified local needs. The policy states that 'All future development in North Lincolnshire will be required to contribute towards achieving sustainable development. Development should be located where it can make the best use of existing transport infrastructure and capacity. A sequential approach will also be applied to ensure that development is, where possible, directed to those areas that have the lowest probability of flooding, taking account of the vulnerability of the type of development proposed, its contribution to creating sustainable communities and achieving the sustainable development objectives of the plan'.

It is worth-noting that this application is not for a change of use given that both the former (shop – Use Class A1) and proposed uses (restaurant – Use Class A3) now fall within the same Use Class E, in accordance with The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020. Therefore, this application relates to planning permission to install a chimney flue and a staircase in the building.

The site is within the development boundary of the settlement, in flood zone 1 and in a sustainable location. The proposal is therefore considered to align with policies CS1, CS2 and CS3 of the North Lincolnshire Core Strategy and is acceptable in principle.

Impact on character and appearance

Policy DS1 states that a 'high standard of design is expected' and proposals will be considered against two criteria:

- (i) the design and external appearance of the proposal should reflect or enhance the character, appearance and setting of the immediate area; and
- (ii) the design and layout should respect, and where possible retain and/or enhance, the existing landform of the site.

Policy CS5 of the Core Strategy is also relevant. It 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' and '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.'

The proposal entails the relocation of stairs and installation of a chimney flue to the rear of the property, as well as internal alterations to form a restaurant. The area is mostly residential, however the shop directly abuts a post office on the ground floor. Next to the

post office is a dwelling, which is the last on the row. The ground floor would be internally altered to create the sitting area, kitchen and utilities. The staircase, though, would be at the rear, overlooking the detached property behind and thus may impact upon neighbour's privacy. However, the impact would not be very significant given the staircase is not a habitable space and would only be used to access the first floor. Whilst the area is mostly residential with few commercial buildings, the introduction of the restaurant should not be at odds with the character of the area, given that it could serve as a replacement for the former Co-op food store.

A separate application for advertisement consent (PA/2021/1663) to erect a non-illuminated fascia sign at the front of the property was initially objected to by residents and the parish council. Consequently, a more sympathetic (non-illuminated and discreet) design was submitted and approved.

Given that the bulk of the alterations to be carried out are either internal or at the rear, with the exception of the advertisement at the front which has been assessed as acceptable, this proposal is considered not to significantly impact the character of the area and hence is in agreement with policy DS1 of the local plan.

Impact on residential amenity

Policy DS1 is partly concerned with impacts upon residential amenity. It states, '...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 main concern regarding this proposal is its impact on neighbours in terms of noise and odour. The initial assessment conducted by the environmental health team (EH) identified some limitations which needed to be addressed by submitting a noise and odour assessment.

The extraction system is proposed to operate between 4.30pm and 10pm Sunday to Thursday and between 4.30pm and 10.30pm Friday to Saturday. The outcome of the noise assessment identified 2 Abbey Road as the nearest noise sensitive receptor (NSR). It is considered that the impact on other receptors in the area is likely to be low due to them being further away or screened from any potential noise. The assessment has identified that the noise impact would be low (4dB increase in background noise level). Whilst an increase in the background noise of 4dB is considered a low impact, the cumulative impact of small increases in noise level could be significant. Therefore, the environmental health team recommended a pre-commencement condition to mitigate the impact of unforeseen cumulative noise.

Similarly, the environmental health team has assessed the reports submitted on odour abatement and have recommended some conditions be attached to any permission to ensure that odour is adequately controlled.

On the premise that the conditions recommended are attached and complied with, the proposal is therefore considered to be acceptable and complies with policy DS1.

Other considerations

Policy T2 of the North Lincolnshire Local Plan states that all development should be served by a satisfactory access. Policy T19 of the local plan is concerned with parking provision as well as general safety and is also considered relevant.

Objections have been raised by residents in relation to parking. This concern has been assessed. However, given the nature of this application, issues to be considered are restricted to the character and amenity of the area, and parking is not a material consideration in this case. Nonetheless, the highways team has been consulted on this application and has raised no objections nor made comments on the proposal. Therefore, the proposal is not considered to conflict with the requirements of policies T2 and T19 of the North Lincolnshire Local Plan, given that the principle of development of this site must have been established through planning permission granted for its use as a shop by previous users.

Conclusion

Whilst this development may impact neighbours' amenity in terms of noise and odour, this should not be at an unacceptable level, given the conditions recommended by the environmental protection team. It is considered the proposal would serve as a replacement for the old Co-op store to create economic benefit, such as employment, for the area. Chapter 6, paragraph 84 of the NPPF encourages 'the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship'. This proposal is within the settlement boundary of Ulceby and is served by existing infrastructure. It is therefore considered that this proposal is acceptable in principle and would not create an unacceptable impact on the character and amenity of the area.

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:

- Site location plan FTYPYM49289274854810 dated 07.06.2021
- Proposed side & rear elevation and ground floor plan, Coop/3001 dated 15.12.2021
- Overall Dimensions of ESP3000, E2 dated 20.01.15
- Details of a Scheme to Control Cooking Odours Site Address: Spruce Lane, Ulceby, DN39 6UL
- Electrostatic Precipitation (ESP) Filter Unit, Technical and Operations Manual.

Reason

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

3.

The external materials to be used in the construction of the development hereby approved shall be as provided in section 7 of the application form.

Reason

In the interest of the visual amenity of the area.

4.

No fixed plant and/or machinery shall come into operation until details of the fixed plant and machinery serving the development hereby permitted, and any mitigation measures to achieve this condition, have been submitted to and approved in writing by the local planning authority. The total cumulative rating level of the noise emitted from the fixed plant shall not exceed existing background levels as determined in report reference: P2021025_01 dated 30 December 2021. The noise levels shall be determined by measurement or calculation at the nearest noise sensitive premises. The measurements and assessment shall be made according to BS4142:2014 + A1:2019.

Reason

To protect residential amenity.

5.

Prior to the occupation of the development, the mitigation measures detailed within document titled 'Details of a Scheme to Control Cooking Odours, Site Address: Spruce Lane, Ulceby, DN39 6UL, written by GDS Group Catering Engineers' shall be installed and maintained thereafter.

Reason

To protect residential amenity.

6.

The extraction chimney flue and all mitigation measures detailed within the document titled 'Details of a Scheme to Control Cooking Odours, Site Address: Spruce Lane, Ulceby, DN39 6UL, written by GDS Group Catering Engineers' shall be operated, serviced and maintained in accordance with the manufacturer's instructions for the lifetime of the development.

Reason

To protect residential amenity.

7.

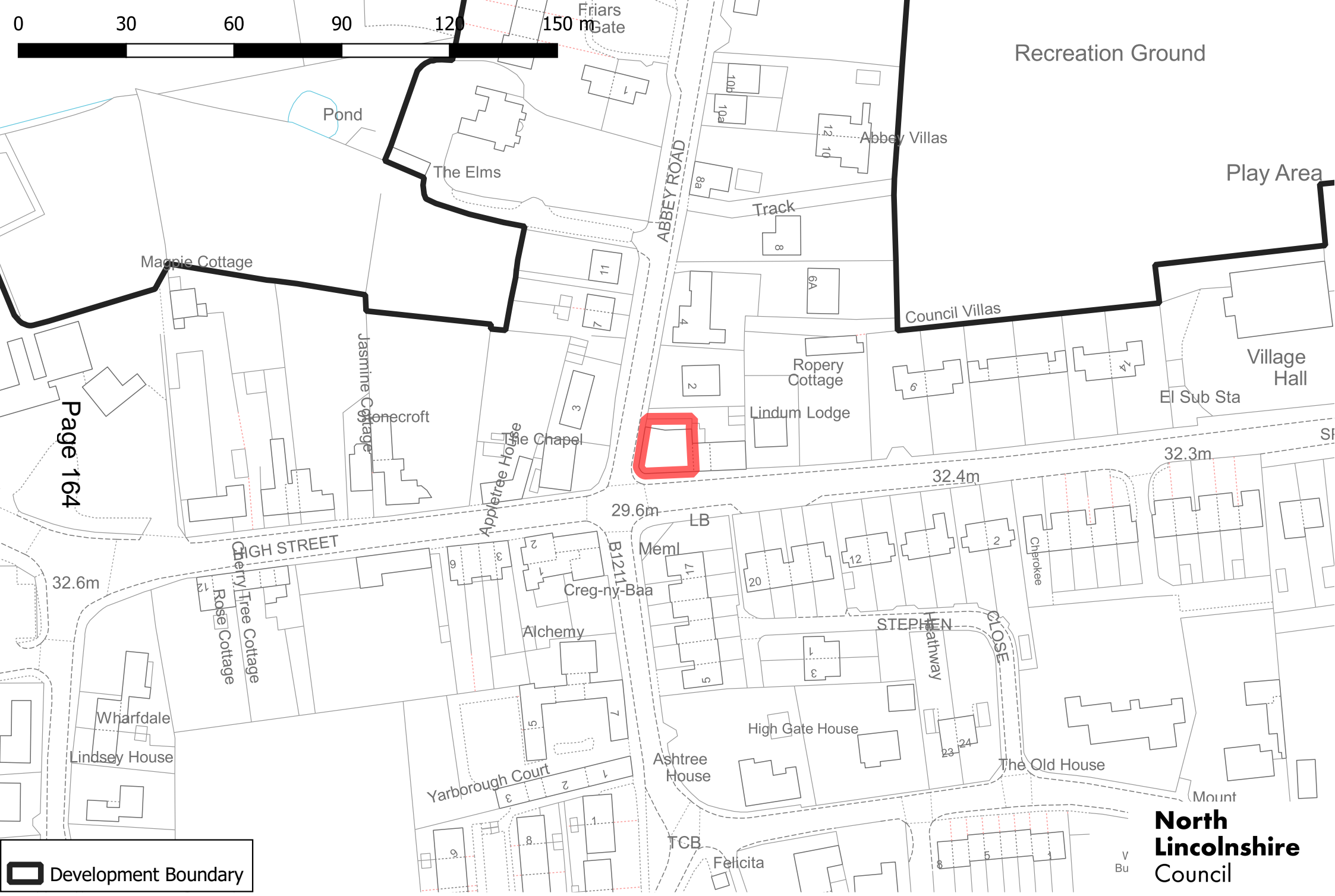
The flue from the extraction chimney shall terminate at a minimum height of 1m above the roof ridge. Details of any changes proposed to the flue shall be submitted to and approved in writing by the local planning authority prior to implementation.

Reason

To protect residential amenity.

Informative

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.



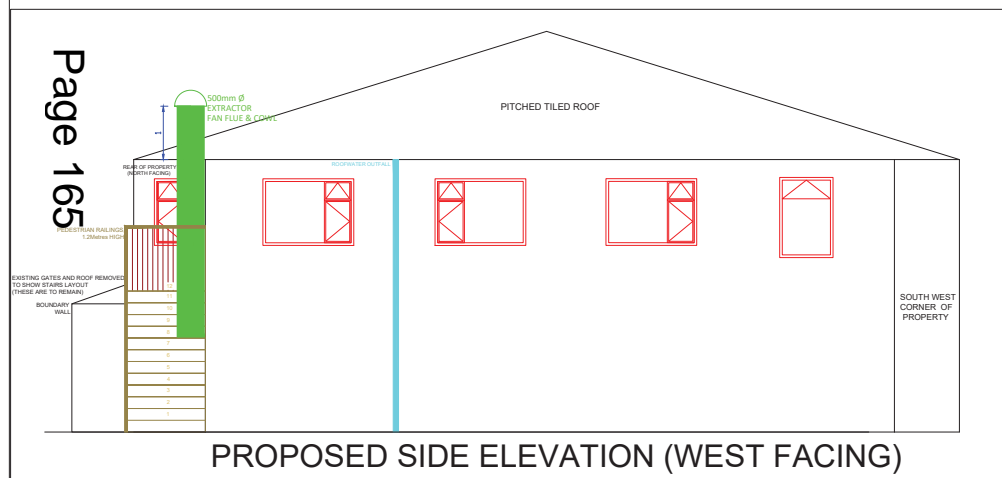
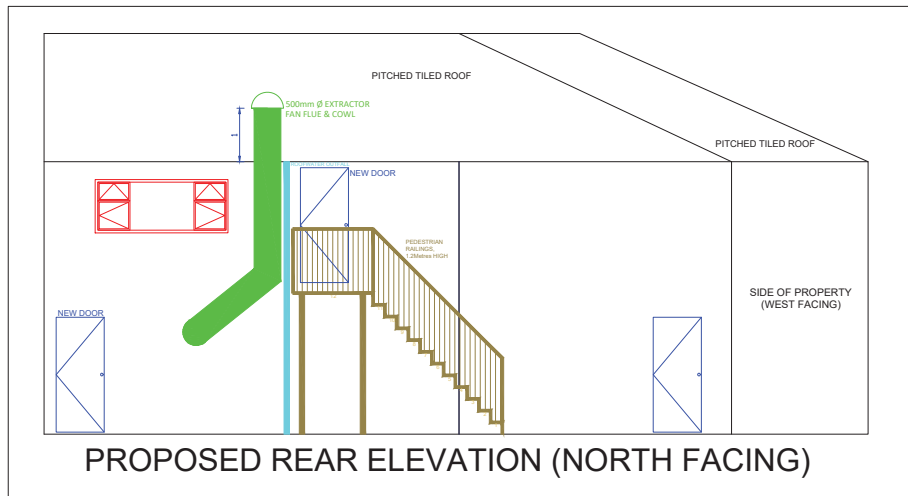
Page 164

 Development Boundary

PA/2021/1742

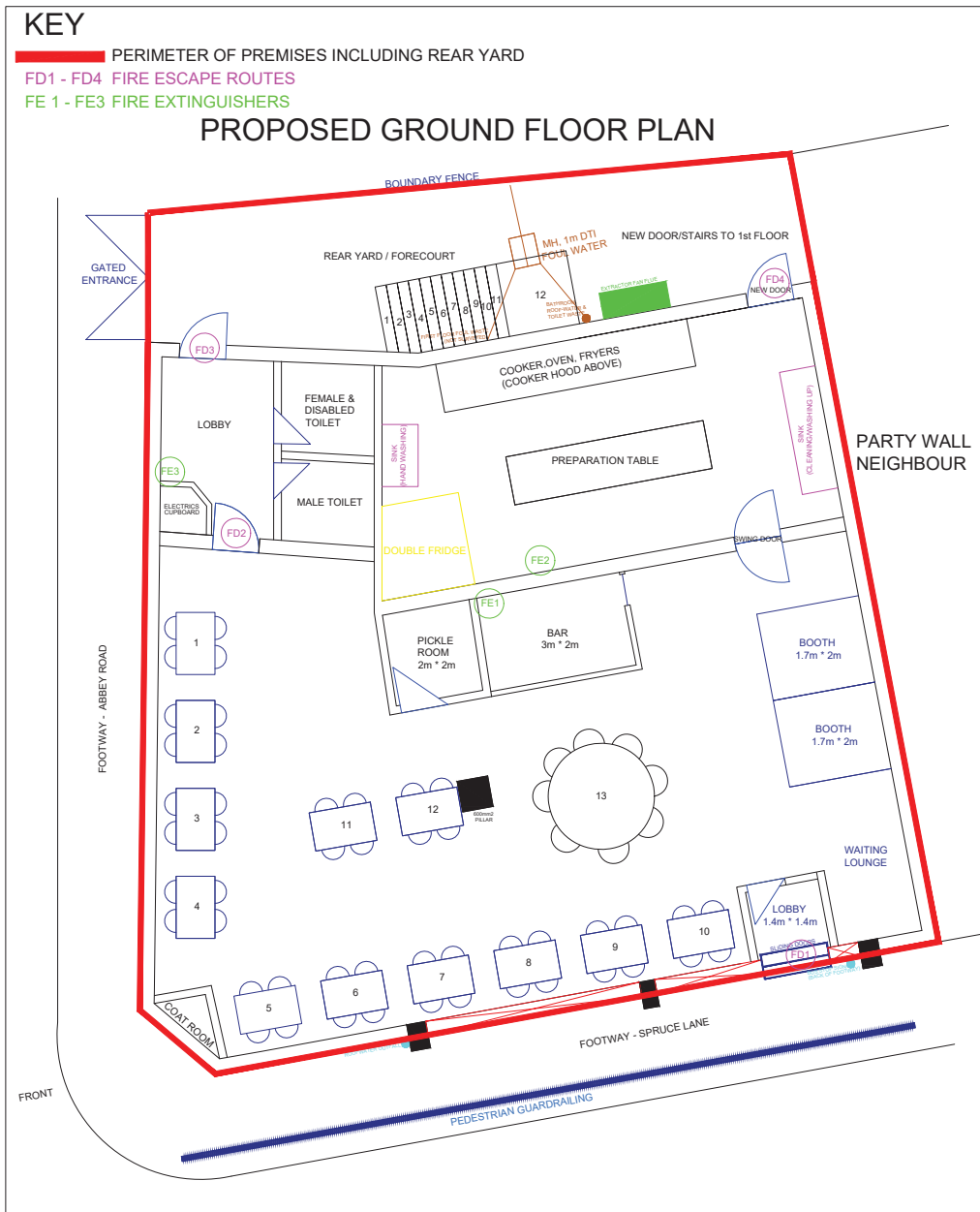
**North
Lincolnshire
Council**

© Crown copyright and database rights 2021. Ordnance Survey 0100023560



AMENDED

NEW EXTRACTOR FLUE & RELOCATION OF STAIRS TO FIRST FLOOR @ REAR OF PROPERTY
INTERNAL KITCHEN LAYOUT SHOWN



ALL DIMENSIONS ARE INTERNALLY MEASURED (TO BE CHECKED AND VERIFIED PRIOR TO BUILDING)

Project FORMER CO OP SITE, SPRUCE LANE ULCEBY NORTH LINCOLNSHIRE				
Drawing Title PROPOSED GROUND FLOOR PLAN AND SIDE & REAR ELEVATIONS				
Drawn By: S. WRIGHT	Scale: 1:100 @ A3	Date: 15/12/2021	Drawing No: CO OP / 3001	Rev:

This page is intentionally left blank

APPLICATION NO	PA/2021/1850
APPLICANT	Mrs Janice Jobson
DEVELOPMENT	Outline planning permission to erect four detached dwellings with appearance, landscaping and access reserved for subsequent consideration (part of access roadway completed)
LOCATION	Elsham House, Brigg Road, Wrawby, DN20 8RH
PARISH	Wrawby
WARD	Brigg and Wolds
CASE OFFICER	Deborah Oikeh
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Wrawby Parish Council Departure from the development plan

POLICIES

National Planning Policy Framework: 78

North Lincolnshire Local Plan: DS1, DS7, DS11, DS14, DS16, H7, H8, T2, T19, RD2, RD10 and LC14

North Lincolnshire Core Strategy: CS1, CS2, CS3, CS5, CS6, CS7, CS17 and CS19

Housing and Employment Land Allocations DPD: Policy PS1 (Presumption in Favour of Sustainable Development)

CONSULTATIONS

Highways: No objections subject to conditions.

Drainage (Lead Local Flood Authority): No objection subject to conditions and informatives.

Ecology: No objection subject to conditions.

Environmental Protection: No objection subject to conditions.

PARISH COUNCIL

Objects on the following grounds:

- concerns about highway safety and visibility from the site onto and from the A18 due to the garage already with permission.

PUBLICITY

Advertised by site notice. One objection has been received on the grounds that the proposal is outside the development boundary of Wrawby.

ASSESSMENT

Planning history

PA/2018/1093: Outline planning permission for the erection of four detached dwellings with all matters reserved for subsequent approval – granted 01/11/2018.

Proposal and site characteristics

Outline planning permission is sought to erect four dwellings, with appearance, landscaping and access reserved for subsequent consideration (part of access roadway completed). The site is just outside the development boundary of Wrawby and within flood zone 1. It comprises grassed land, bordered on either side by trees and sits at the rear (north) of three existing dwellings accessible via a private drive off Brigg Road. It is worth noting that outline planning permission was granted for four residential units on this site in 2018, but has lapsed (PA/2018/1093). Whilst consultees such as ecology, archaeology and drainage have not responded on this application, their responses to the expired application were respectively: biodiversity enhancement, no adverse harm to heritage assets of archaeological importance and pre-commencement conditions.

Site constraints

- The site is outside the development boundary of Wrawby according to the HELADPD 2016.
- The site is within SFRA flood Zone 1.

Main considerations

- **Impact upon character and appearance**
- **Impact upon residential amenity**
- **Impact upon highway safety**
- **Flood risk and drainage**
- **Land contamination**

Principle of development

Wrawby is classed as a 'Rural Settlement' according to North Lincolnshire Council's settlement hierarchy. Policies CS1 and CS3 of the Core Strategy are primarily concerned with the spatial strategy for North Lincolnshire and how development limits are applied to the settlement hierarchies. Both policies stipulate the use of development limits in the urban area, market towns and rural settlements with the aim of creating vibrant rural settlements through the protection and enhancement of local services. Policy CS1 in particular states 'rural settlements will be supported as thriving sustainable communities, with a strong focus

on retaining and enhancing existing local services to meet local needs. Development will be limited and should take into account levels of local service provision, infrastructure capacity and accessibility’.

Policy CS3 states 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 Housing and Employment Land Allocations DPD (HELADPD), and the application site is located outside, but adjoining, the designated development limit for Wrawby.

Policy CS2 requires a sequential approach to be followed with development focused on the Scunthorpe urban area and infill areas, followed by previously developed land within the market towns and infill, and thereafter small-scale developments within the defined development limits of rural settlements to meet identified local needs. The policy further states that ‘All future development in North Lincolnshire will be required to contribute towards achieving sustainable development. Development should be located where it can make the best use of existing transport infrastructure and capacity. A sequential approach will also be applied to ensure that development is, where possible, directed to those areas that have the lowest probability of flooding, taking account the vulnerability of the type of development proposed, its contribution to creating sustainable communities and achieving the sustainable development objectives of the plan’. Policy CS2 also states ‘Any development that takes place outside the defined development limits of settlements or in rural settlements in the countryside will be restricted. Only development which is essential to the functioning of the countryside will be allowed to take place. This might include uses such as those related to agriculture, forestry or other uses which require a countryside location or which will contribute to the sustainable development of the tourist industry.’

Policy RD2 is mainly concerned with development in the open countryside and aims to restrict development in the countryside except in exceptional cases. This essentially includes agricultural or forestry operations, employment-related development, to meet affordable housing need, for re-use/adaptation of existing rural buildings, for the replacement or alteration of existing dwellings, and for the provision of outdoor sport or countryside recreation.

Policy CS7 states ‘Housing development will be required to make efficient use of land but the density of new development should be in keeping with the character of the area and should support the development of sustainable, balanced communities’. The policy allows a net density of 30 to 35 dwellings per hectare within a residential development site of rural settlements and the countryside.

Policy CS8 relates to spatial distribution of housing sites and states, ‘The first priority is to re-use previously developed land and buildings within North Lincolnshire’s built-up areas which will be promoted by setting a target of 30% of the housing provision on such land. Second priority will be given to other suitable infill opportunities in North Lincolnshire’s built-up areas. Flood risk will be taken into account, as this will be a determining factor in the distribution and location of housing.’ Policy CS8 also states ‘In rural settlements in the countryside and in the open countryside outside development limits, housing development will be strictly limited. Consideration will be given to development, which relates to agriculture, forestry or to meet a special need associated with the countryside. All development should not have an adverse impact on the environment or landscape.’

In this case, the proposed site is set outside the development boundary and would not meet any of the needs highlighted in local plan policy RD2 and Core Strategy policies CS2, CS3 and CS8. As a consequence, the proposal is considered to conflict with policies CS2, CS3, CS8 and RD2.

Nevertheless, the NPPF represents a material consideration in the determination of any application. Chapter 11 (Making effective use of land) and Footnote 7 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 and that housing applications should be considered in the context of the presumption in favour of sustainable development. In this case, North Lincolnshire Council published a statement in August 2021 confirming that it can now demonstrate a five-year housing land supply; as such, the development plan is considered up-to-date and the NPPF paragraph 11 'tilted balance' is not applicable to the proposal.

Notwithstanding the above, the assessment of whether the proposed development is considered sustainable remains.

NPPF Chapter 2 (Achieving sustainable development) highlights the three overarching objectives to be considered in decision-making, namely social, economic and environmental objectives.

The North Lincolnshire Sustainable Settlement Survey 2019 states Wrawby is ranked 30 out of 76 settlements, with four out of seven key facilities. Wrawby is therefore considered to be a sustainable settlement that is capable of accommodating an allocation either within or adjoining the settlement.

The site is within walking distance of key local facilities and services including a public house, village hall/church hall, community centre, primary school and other facilities adjacent the development boundary. It is considered that the site is in a sustainable location.

In economic terms it would provide much needed housing, job creation benefits during the construction phase, and money spent in the local economy by future residents.

Allowing additional dwellings at the edge of a settlement would bring social benefits by way of encouraging new social interactions, leading to growing local communities and supporting local services. The development would support local schools and playgroups, as well as other clubs and functions.

It is worth noting that outline planning permission was granted for four dwellings on this site under planning application PA/2018/1093; this established the principle of residential development on this land as being acceptable.

Although the proposal conflicts with policies CS2, CS3 and CS8 of the Core Strategy and RD2 of the local plan, it would provide additional dwellings within a sustainable area. In addition, the area could potentially benefit environmentally from the on-site biodiversity net gain and landscaping schemes appropriate for the site. It is therefore considered that the principle of the development is acceptable subject to the consideration of sustainability and other relevant policies.

Character and appearance

Policy DS1 states that a 'high standard of design is expected' and proposals will be considered against two criteria:

- (i) the design and external appearance of the proposal should reflect or enhance the character, appearance and setting of the immediate area, and
- (ii) the design and layout should respect, and where possible retain and/or enhance, the existing landform of the site.

Policy CS5 of the North Lincolnshire Core Strategy is also relevant. It 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' and '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.'

The site is currently dominated by a grassed area which opens into the countryside. Although the site directly abuts the development boundary, the erection of a few more dwellings along the existing layout of buildings on the site would encroach into the openness of the countryside. Nonetheless, it would not create a significant impact on the character of the area given its linear interrelationship with the structures at the rear of Four Fields to the west and when viewed widely with the layout of dwellings around Russet Lane/Applefields. There would be limited views from the A18 and the view of the landscape from Barton Road would be slightly altered due to existing built form.

The nature of the application means precise design and character impacts are to be determined at a later date if outline planning permission is granted. However, the indicative block plan shows it will be possible to develop this site in a manner sensitive to its prominent edge of village location.

Having established the possibility of some harm to the character of the area and a conflict with the development plan, it is assessed that the extent of harm does not outweigh the sustainability and benefits of this proposal.

Impact on residential amenity

Policy DS1 is partly concerned with impacts upon residential amenity. It states, '...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.'

Policy H5 also seeks to require that proposals do not result in adverse impacts upon neighbouring amenity.

The outline nature of this application means full design details will be provided if outline permission is granted. The proposal would result in four additional dwellings. The proposed indicative layout suggests there should be no significant impact on residential amenity, although the property's final details are reserved for future consideration. However, a suitable scheme that respects neighbours' residential amenity is achievable, subject to appropriate internal layout, daylight assessment, and the direction of window openings.

The proposal is therefore considered to be acceptable in this regard and complies with policies DS1 and H5.

Impact upon highway safety

Policy T2 of the North Lincolnshire Local Plan states that all development should be served by a satisfactory access. Policy T19 is concerned with parking provision, as well as general highway safety.

The parish council has raised concerns regarding difficulty accessing the site and visibility splay due to the approved garage adjacent the boundary wall. The highways department was consulted and have assessed this proposal. Whilst concerns were raised by the department, they mainly related to provisions for on-site parking, turning and refuse collection which can be addressed via recommended conditions and as part of a subsequent reserved matters application. There is an existing access to the site and an indicative access layout to the dwellings proposed in the site location plan.

Here is an excerpt of the response from Highways: *'The traffic generation created by an additional four dwellings would not, in planning terms, represent a significant increase and the proposal includes improvements to the access, which will afford a visibility splay that conforms with the requirements of Manual for Streets'*. Therefore, it is considered the highways department must have considered the potential impact of the proposed garage near the boundary wall as one that would not significantly impact the visibility splay, given the improvements to the access.

Therefore, the proposal is not considered to conflict with the requirements of policies T2 and T19.

Flood risk and drainage

Policy CS19 of the Core Strategy is concerned with flood risk, whilst DS14 and DS16 of the local plan are concerned with flood risk, drainage and foul water. Policy CS19 in particular states 'The council will support development proposals that avoid areas of current or future flood risk, and which do not increase the risk of flooding elsewhere. This will involve a risk-based sequential approach to determine the suitability of land for development that uses the principle of locating development, where possible, on land that has a lower flood risk, and relates land use to its vulnerability to flood'.

The proposed site for residential development is situated within SFRA flood Zone 1 and is therefore acceptable in principle. The LLFA drainage team noted that this development is a re-application for the previously expired approved development PA/2018/1093. This current application does not provide the surface water drainage documentation supplied for PA/2018/1093. The application proposes soakaways but provides inadequate supporting evidence to support this proposal. Notwithstanding this, the LLFA Drainage Team has no objection to the proposed development subject to the imposition of conditions and informative comments. It is therefore assessed that the proposal accords with policies DS14 and DS16 of the local plan and CS19 of the Core Strategy subject to the conditions being met.

Land contamination

Policy DS7 of the local plan relates to contaminated land. It states that permission will only be granted on contaminated sites where a detailed site survey has been submitted, and a

suitable scheme of remedial measures has been agreed to overcome any existing contamination. The historical maps dating from 1885 have shown the site to have been associated with farm buildings and over time more buildings have been erected. However, the applicant did not submit a contaminated land assessment.

The council's Environmental Protection team have recommended some conditions relating to land contamination given that historically the site had been used for agricultural purposes. It is therefore reasonable to attach conditions to mitigate the risk of contamination given that the residential development is a sensitive end use.

Ecology

Policy CS17 is concerned with biodiversity and seeks to ensure the incorporation of ecological net gain.

The council's ecologist has assessed the application and stated that 'Since the 2018 planning application at the same site, Natural England has identified the proposal site as being within an "amber risk zone" for great crested newts'. Therefore, the potential for harm to great crested newts from developing the site needs to be accounted for. Consequently, conditions to mitigate this impact, as well as a condition on biodiversity net gain, are recommended.

Therefore, subject to the aforementioned mitigation, the proposal is in accordance with policy CS17 of the Core Strategy as well as paragraph 170 of the NPPF.

Conclusion

Whilst the proposal would be located outside the settlement boundary, the site is set in a sustainable location served by existing services and infrastructure. The proposal is assessed as having only a minimal detrimental impact upon the character of the area, highway safety, drainage and amenity to neighbouring properties. The site location is adjacent to, but outside, the development limits. Notwithstanding this, visually the proposal would appear as within the settlement and would not result in any appreciable intrusion into the open countryside. As such, on balance, it is considered in this instance that the proposal is sustainable development and is therefore recommended for approval subject to suitable conditions to control the development.

Pre-commencement conditions

Agreement has been sought from the agent on the pre-commencement conditions included in the recommendation, but so far a response has only been received in relation to the contamination condition, which has been agreed.

RECOMMENDATION Grant permission subject to the following conditions:

1. Approval of the details of the appearance of the building(s), the means of access thereto and the landscaping of the site (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 appearance of any buildings to be erected, the means of access to the site and the landscaping of the site, 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.

The development hereby permitted shall be carried out in accordance with the following approved plans:

Location plan GA(OS)001 dated Sept 2021 and site plan GA(PR)001.

Reason

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

6.

No development shall take place until details of:

- (i) the location and layout of the vehicular access; and
- (ii) the number, location and layout of vehicle parking and turning spaces within the curtilage of 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.

7.

Adequate vehicle access and parking facilities serving the existing dwelling shall be retained in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason

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

8.

The existing vehicular access to the site shall be improved within highway limits in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason

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

9.

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 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

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

10.

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.

11.

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.

12.

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

Reason

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

13.

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

- (i) the proposed method of forming access from the highway, including the required visibility splays;
- (ii) the method of constructing/paving the drive;
- (iii) the provision of adequate drainage features;
- (iv) the provision of suitable bin collection facilities adjacent to the highway;
- (v) the provision of suitable lighting arrangements; and
- (vi) the provision of street name plates that shall include the words 'Private Drive';

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

Reason

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

14.

No development shall take place until a construction phase traffic management plan showing details of:

- (i) a pre/post construction condition survey of the carriageway to identify any defects and how they will be rectified;
- (ii) all associated traffic movements, including delivery vehicles and staff/construction movements;
- (iii) any abnormal load movements;
- (iv) contractor parking and welfare facilities;
- (v) storage of materials; and

- (vi) traffic management requirements, including the means of controlling the deposition of mud onto the adjacent highway, along with appropriate methods of cleaning the highway, as may be required;

has been submitted to and approved in writing by the local planning authority. Once approved the plan shall be implemented, reviewed and updated as necessary.

Reason

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

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

A Phase 1 desk study shall be carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk study shall establish a 'conceptual model' of the site and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/Quantitative Risk Assessment (or state if none required). Two full copies of the desk study and a non-technical summary shall be submitted to the local planning authority for approval prior to proceeding to further site investigation.

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the local planning authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the local planning authority. The report of the findings must include:

- (i) a survey of the extent, scale, and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health;
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes;
 - adjoining land;
 - groundwaters and surface waters;
 - ecological systems;

- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and a proposal of the preferred option(s).

This must be conducted in accordance with Environment Agency's Land Contamination Risk Management (LCRM) guidance October 2020.

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

Reason for pre-commencement condition: To ensure the site is safe for future users and construction workers. 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.

The details to be submitted in respect of reserved matters for any phase of development shall include a scheme for the provision of surface water drainage works which shall include the following criteria:

- (a) any proposal to discharge surface water to a watercourse from the redevelopment of a brownfield site should first establish the extent of any existing discharge to that watercourse
- (b) peak run-off from a brownfield site should be attenuated to a minimum of 70% of any existing discharge rate (existing rate taken as 1.4 litres/sec/ha or the established rate whichever is the lesser for the connected impermeable area)
- (c) discharge from greenfield sites taken as 1.4 lit/sec/ha (1:1yr storm)
- (d) no above-ground flooding to occur up to the 100-year plus climate change critical flood event (based on current national guidance)
- (e) a range of durations should be used to establish the worst-case scenario
- (f) the suitability of soakaways, as a means of surface water disposal, should be ascertained in accordance with BRE Digest 365 or other approved methodology
- (g) a scheme for the provision of a positive outlet of surface water from the site
- (h) adoption and maintenance agreements for all surface water and SuDS drainage features.

If a full sustainable urban drainage system (SuDS) scheme is incapable of being delivered, then comprehensive justification of this must be submitted.

Reason

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

17.

The drainage scheme shall be implemented in accordance with the approved submitted details required by condition 16 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 the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation, and future adoption and maintenance, of the sustainable drainage features in accordance with policies DS16 of the North Lincolnshire Local Plan, and CS18 and CS19 of the North Lincolnshire Core Strategy.

18.

No development shall take place until a detailed survey and investigation of adjacent and upstream watercourses and pond have been carried out, including existing outfalls and mitigation measures should these features be breached. This should be submitted to and approved in writing by the local planning authority.

Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation, and future adoption and maintenance, of the sustainable drainage features 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 commence until the local planning authority has been provided with either:

- (a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the specified development to go ahead; or
- (b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.

Reason

To conserve great crested newts in accordance with saved policy LC5 of the North Lincolnshire Local Plan and policy CS17 of the Core Strategy.

20.

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

- (a) details of measures to avoid harm to great crested newts, hedgehogs, bats and nesting birds during demolition, vegetation clearance and construction works;
- (b) details of habitat and hedgerow creation, enhancement and ongoing management measures required to deliver a net gain in biodiversity units of at least 1% in accordance with the Defra Small Sites Metric;
- (c) details of bird nesting and bat roosting features to be installed on the new buildings;
- (d) restrictions on lighting to avoid impacts on bat roosts, bat foraging areas, bird nesting sites and sensitive habitats;
- (e) provision for hedgehogs to pass through any fencing installed between gardens and between areas of grassland;
- (f) prescriptions for the retention, planting and aftercare of trees and shrubs of high biodiversity value;
- (g) proposed timings for the above works in relation to the completion of the building; activity/development will require a licence.

Biodiversity units shall be delivered on site, within the red line and blue line boundaries shown on the submitted Location Plan.

Reason

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

21.

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 fourth 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.

Reason

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

Informative 1

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.

Informative 2

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 3

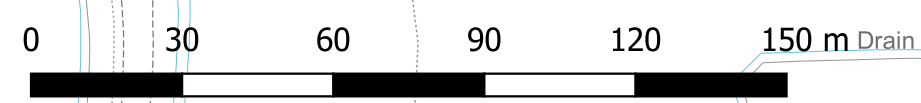
Our records indicate that the proposed development site is bounded by, or has running through it, a pond & watercourse on the western and northern boundaries. Following inspection, the watercourse may need to be cleared, replaced, protected or diverted by the landowner at their expense in accordance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

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

Informative 4

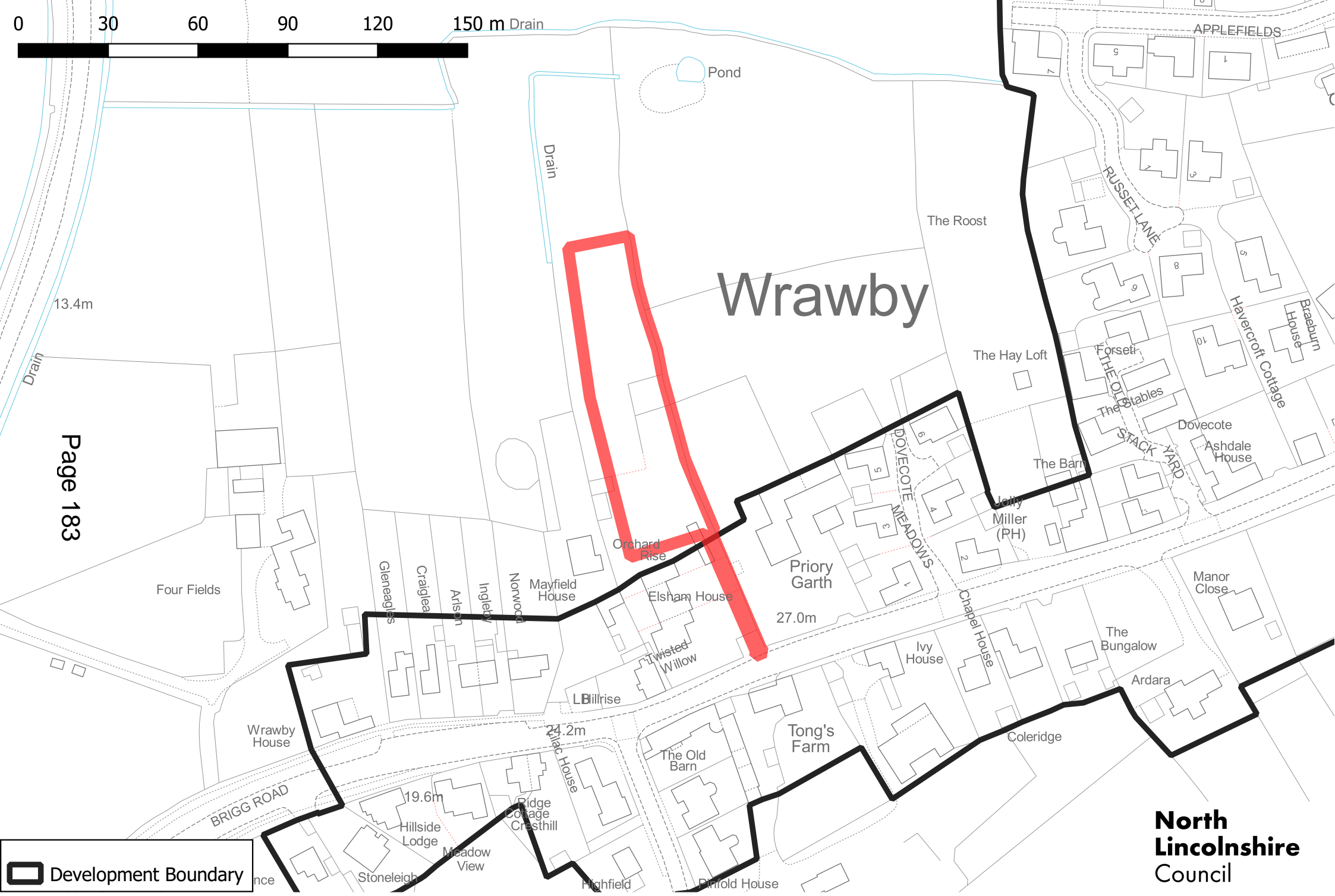
Alterations and/or connections into the watercourse network must be consented by North Lincolnshire Councils LLFA Drainage Team, in their capacity as Lead Local Flood Authority

through an Ordinary Watercourse Consent and appropriate discharge rates must be agreed. Please contact the LLFA Drainage team via email for further details. Compliance with this guidance is to ensure the free flow of surface water is maintained throughout the development.



Page 183

Wrawby



Development Boundary

PA/2021/1850

**North
Lincolnshire
Council**



Copyright, Designs and Patents Act 1988, Section 4(2). This Drawing and Design are copyright and the intellectual property of the author - do not reproduce without written consent.

Note: the clients attention is drawn to the requirements of the Construction, Design and Management Regulations 1996, whereby the appointment of a Planning Supervisor may be required to comply.

No.	Revision	Date

Project
 Replace an Extant Outline Planning Application for Proposed Development at Elsham House, Brigg Road, Wrawby for Mrs J Jobson.

Title
 General Arrangement - Proposed Development of Small Scale Housing.

Drawn	DJK	Date	
Checked		Scale	N/A

Donald Kitching Architect
 Chartered Architect
 MCIoB., BA., Dip. Arch.,
 RIBA., IHBC.
 ARB No. 0587101
 Blacksmith House, Smithy Lane,
 Bigby, Barnetby, North
 Lincolnshire, DN38 6ER
 Tel. 01652 628262
 Mobile. 07932 102847
 email.
 donaldkitchingarchitect@btconnect.com

Sheet Size A3

Drawing No.
 GA(PR)001

Use Figured Dimensions only. Do not scale from drawing. Check all dimensions and levels. Any discrepancies or proposed alterations to be notified to the Architect, and further instructions obtained prior to commencement of work on site. All dimensions and levels to be verified on site.

Crown Copyright. All rights reserved.
 Ordnance Survey Licence to reproduce No. AR 100035314.

APPLICATION NO	PA/2021/1873
APPLICANT	Mr Andrew Bayes
DEVELOPMENT	Planning permission to vary condition 2 of previously approved PA/2020/2012 dated 17/06/2021 to amend house type on plot 2
LOCATION	52 Hunters Lodge, High Street, Haxey, DN9 2HH
PARISH	Haxey
WARD	Axholme South
CASE OFFICER	Mark Niland
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Haxey Parish Council
POLICIES	

National Planning Policy Framework:

Paragraph 130 – Planning policies and decisions should ensure that developments:

- (a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- (b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- (d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- (e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- (f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

North Lincolnshire Local Plan:

Policy RD2 (Development in the Open Countryside)

Policy H5 (New Housing Development)

Policy LC7 (Landscape Protection)

Policy LC12 (Protection of Trees, Woodland and Hedgerows)

Policy LC14 (Area of Special Historic Landscape Interest)

Policy T2 (Access to Development)

Policy T19 (Car Parking Provision and Standards)

Policy DS1 (General Requirements)

North Lincolnshire Core Strategy:

Policy CS2 (Delivering More Sustainable Development)

Policy CS3 (Development Limits)

Policy CS5 (Design)

Policy CS7 (Overall Housing Provision)

CONSULTATIONS

Highways: No comments or objections.

Drainage: No comments or objections.

Environmental Protection: No comments.

Tree Officer: No comments.

Drainage: This application provides no information to enable discharge of surface water drainage conditions for the outline application. However, at this stage we have no objections to the proposed layout alterations. We await information relating to the discharge of drainage conditions for the outline application.

Archaeology: The officer has stated 'No objection subject to standard conditions removing permitted development rights to avoid the unregulated extension of the built environment into the protected historic landscape area at the rear of the dwelling.'

PARISH COUNCIL

Objects because the increase in size constitutes an over-development as amenity space is reduced due to the proposed extension.

PUBLICITY

Advertised by site and press notice – one comment in support has been received.

ASSESSMENT

Planning history

- 2/1975/0365: Renewal of outline to erect dwellings – no decision
- 2/1976/0408: Erect a bungalow including access to the highway – approved 05/11/1976
- 2/1977/0608: Erect a garage and stables – approved 11/11/1977
- PA/1997/0299: Erect four dwellings (outline) – approved 17/12/1997
- PA/2001/1608: Outline planning permission for residential development – refused 05/02/2002
- PA/2017/743: Outline planning permission for four dwellings with all matters reserved – approved 17/01/2018
- PA/2020/2012: Approval of reserved matters (appearance, landscaping, layout and scale) pursuant to outline application PA/2017/743 for four dwellings – 17/06/2021

Site constraints

Open countryside (HELA DPD 2016)

Area of Special Historic Landscape (ASHLI)

Site characteristics

The site is accessed from High Street and represents a wider development for four dwellings that are partly located within the open countryside and partly within the ASHLI. The scheme is largely shielded from making more than a limited impact upon the street scene given it is screened by existing dwellings fronting the High Street.

Proposal

This application seeks to vary the design of the approved house type on plot 2 associated with application PA/2020/2012. The proposal would add rooms to the attic and a single-storey side element. The windows would also be repositioned and altered.

The proposed materials are TBS Farmhouse Antique bricks with red concrete double pantile and antique cream windows. The proposal would not alter the previously approved access arrangement nor reduce the off-street parking provision. The height and position of the dwelling would remain the same. **The following issues are therefore relevant to this proposal:**

- **impact upon the area's character and appearance**
- **impact upon residential amenity rights.**

Character and appearance

In respect of impact on character, policy DS1 states that the design and external appearance of a proposal should reflect or enhance the character, appearance and setting of the immediate area. Policy CS5 of the Core Strategy tasks developers with finding context but does not discount contemporary design. Policy LC14 states that the Isle of Axholme is designated as an area of Special Historic Landscape Interest (ASHLI). Within this area, development will not be permitted which would destroy, damage, or adversely affect the character, appearance or setting of the historic landscape, or any of its features. Policy RD2 is concerned with development in the open countryside and is considered relevant.

The change to the design for plot 2 provides a single-storey, dual-pitched element to the side. There is also a change in fenestration and the loft space has been changed to habitable rooms, the latter necessitating rooflights in the rear pitch. The applicant also proposes solar panels on this pitch.

The scale and massing of the proposal is not overly altered, the height and width of the main body of the dwelling remaining the same. The side extension would add approximately 2.3m. The changes would therefore have limited wider impacts over what has previously been approved. The impacts then would be localised; however, given the screening from the High Street and the modest scale of the side addition, these changes are not unacceptable.

The HER department have made comment that they have no objections subject to the removal of permitted development rights for householder extensions. It is considered that justification for this measure does not exist as no harm has been identified by the department other than a comment on the generic character of the area. Given the location of the dwelling set back from the road and the views toward the dwelling from the rear that are set across the backdrop of Haxey, any development allowed under the General Permitted Development Order 2015 (as amended) would not give rise to unacceptable wider harm. Therefore, the condition is considered unreasonable and will not be attached.

The materials proposed are considered acceptable, as are the changes to the fenestration, the inclusion of rooflights and solar panels. The proposal, when considered against what has been previously approved, is considered to align with the aforementioned planning policies.

Residential amenity

Policy DS1 is partly concerned with impacts upon residential amenity. It states that no unacceptable loss of amenity to neighbouring land uses should result in terms of noise, smell, fumes, dust or other nuisance, or through the effects of overlooking or overshadowing. Policy H7 is concerned with tandem and backland development and is also relevant, along with policy H5 of the local plan.

Given the limited increase in scale through the side extension, it is considered that the net increase in overshadowing and overbearing impacts as a result of the built form are limited. Furthermore, all openings project either to the rear or to the front and over the garaging and off-street parking provision. There is an increase in the number of openings, however they are smaller and would offer views into the same locations as the house type already approved. The parish council have objected on the grounds of reduced amenity area but

the built form only takes an amount of garden land from the side of the property; the rear remains intact. Furthermore, this same footprint could be achieved under permitted development rights. The proposal is therefore considered to align with policies DS1, H5 and H7 of the local plan.

Conclusion

The proposal represents a modest addition in built form to the side of the property. The other alterations to fenestration, materials and the inclusion of solar panels are also acceptable.

RECOMMENDATION Grant permission subject to the following conditions:

1.

The development hereby permitted shall be carried out in accordance with the following approved plans:

Proposed Site Plan P103

Proposed Elevations P102 Rev 1

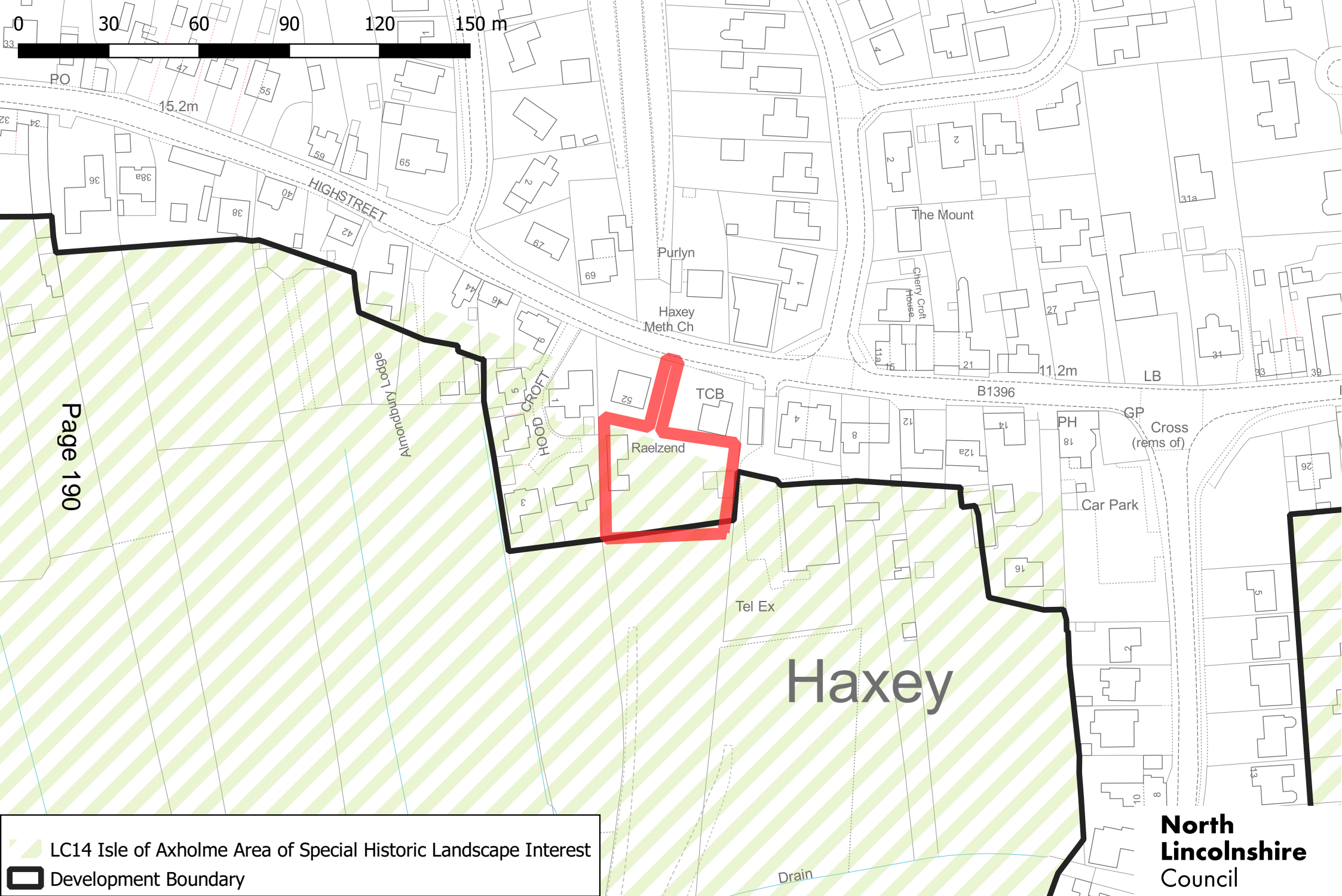
Materials specification contained within the supporting statement.

Reason



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

Informative

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.



Page 190

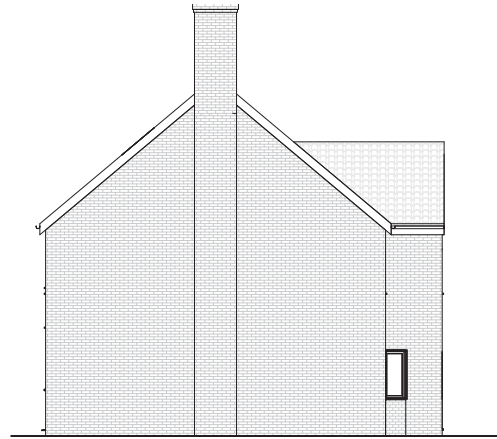
 LC14 Isle of Axholme Area of Special Historic Landscape Interest
 Development Boundary

**North
Lincolnshire
Council**

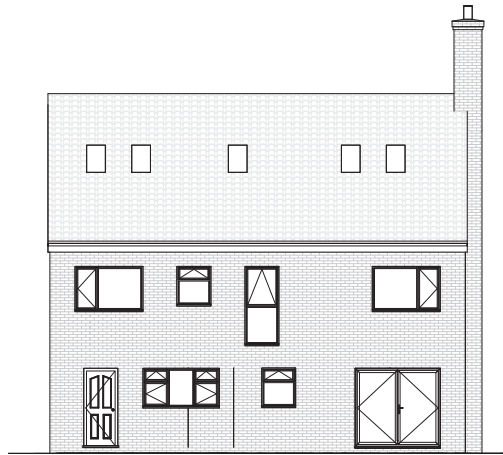
PA/2021/1873 Existing elevations (not to scale)



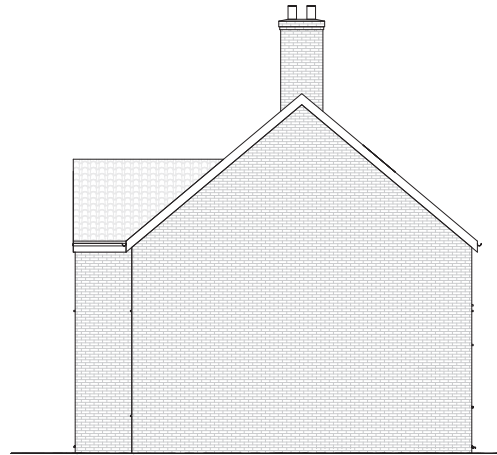
1 Front Elevation
1 : 100



2 Existing Side Elevation
1 : 100

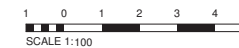


3 Rear Elevation
1 : 100



4 Existing Side Elevation 1
1 : 100

Page 191



Address: Office 1, Askern House,
Askern, Doncaster, DN6 0AA
Email: info@3dppd.co.uk
Telephone: 01302 239000
Web: www.3dppd.co.uk

All dimensions and sizes to be verified by the Contractor on site. Drawings to be read in conjunction with engineers details. The structural engineers details take precedence over the architectural drawings.

No dimensions to be scaled from this drawing. Contractors must work to figured dimensions.

Precision Plan Drawing will have no liability for any errors or inaccuracies.

© This drawing is subject to copyright of Precision Plan Drawing Limited.

CDM REGULATIONS 2015
The client must abide by the Construction Design and Management Regulations 2015. The client must appoint a contractor, if more than one contractor is to be involved, the client will need to appoint (in writing) a principal designer (to plan, manage and coordinate the planning and design work) and a principal contractor (to plan, manage and coordinate the construction and ensure there are arrangements in place for managing and organising the project).

Domestic clients
The domestic client is to appoint a principal designer and a principal contractor when there is more than one contractor, if not your duties will automatically transferred to the contractor or principal contractor.

Further information can be obtained from the HSE following this link: <http://www.hse.gov.uk/construction/cdm/2015/domestic-clients.htm>

No.	Description	Date

PROJECT ADDRESS

Plot 2 land rear of 52 High Street, Haxey, Doncaster DN9 2HH

PROJECT NAME

Substitution of house type Plot 2

SHEET NAME		Elevations	
DRAWN BY	CHECKED BY	DATE	
LO	Checker	13/09/21	
SCALE (@A2)		PROJECT NUMBER	
1 : 100		400	
DRAWING NUMBER			REV
E102			

13/10/2021 09:25:36

PA/2021/1873 Proposed elevations (not to scale)



Address: Office 1, Askern House,
Askern, Doncaster, DN6 0AA
Email: info@3dppd.co.uk
Telephone: 01302 239000
Web: www.3dppd.co.uk

All dimensions and sizes to be verified by the Contractor on site.
Drawings to be read in conjunction with engineers details.
The structural engineers details take precedence over the architectural drawings.

No dimensions to be scaled from this drawing. Contractors must work to figured dimensions.

Precision Plan Drawing will have no liability for any errors or inaccuracies.

© This drawing is subject to copyright of Precision Plan Drawing Limited.

CDM REGULATIONS 2015
The client must abide by the Construction Design and Management Regulations 2015. The client must appoint a contractor, if more than one contractor is to be involved, the client will need to appoint (in writing) a principal designer (to plan, manage and coordinate the planning and design work) and a principal contractor (to plan, manage and coordinate the construction and ensure there are arrangements in place for managing and organising the project).

Domestic clients
The domestic client is to appoint a principal designer and a principal contractor when there is more than one contractor, if not your duties will automatically transferred to the contractor or principal contractor.

Further information can be obtained from the HSE following this link:
<http://www.hse.gov.uk/construction/cdm/2015/domestic-clients.htm>

No.	Description	Date
1	solar panels	11/10/21

PROJECT ADDRESS

Plot 2 land rear of 52 High Street, Haxey, Doncaster DN9 2HH

PROJECT NAME

Substitution of house type Plot 2

SHEET NAME Elevation

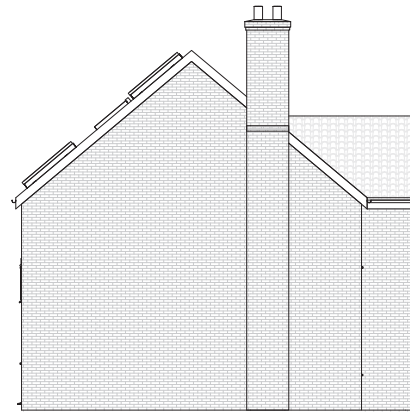
DRAWN BY LO CHECKED BY KO DATE 13/09/21

SCALE (@A2) 1:100 PROJECT NUMBER 400

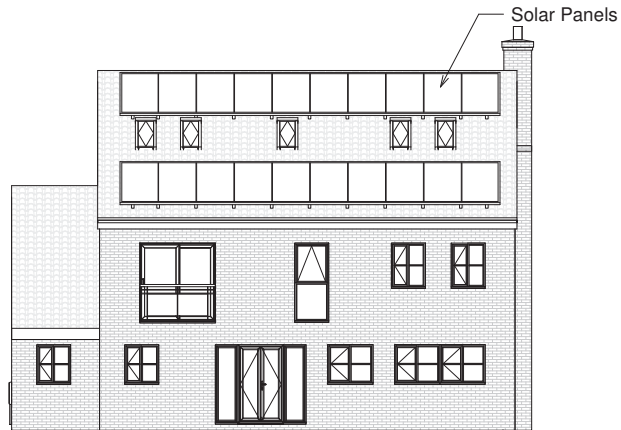
DRAWING NUMBER P102 REV 1



1 Proposed Front Elevation
1 : 100



2 Proposed Side Elevation
1 : 100



3 Proposed Rear Elevation
1 : 100



4 Proposed Side Elevation 1
1 : 100



APPLICATION NO	PA/2021/1889
APPLICANT	Mrs June DeBoer
DEVELOPMENT	Planning application to remove condition 4 of 7/1977/824 to allow for occupation of the dwelling other than by a person solely or mainly employed, or last employed, in agriculture
LOCATION	Amer Rose, Messingham Ings Road, Messingham, DN17 3AW
PARISH	Messingham
WARD	Ridge
CASE OFFICER	Mark Niland
SUMMARY RECOMMENDATION	Grant permission
REASONS FOR REFERENCE TO COMMITTEE	Objection by Messingham Parish Council

POLICIES

National Planning Policy Framework:

Paragraph 47 – Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.

Paragraph 56 – Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Agreeing conditions early is beneficial to all parties involved in the process and can speed up decision-making. Conditions that are required to be discharged before development commences should be avoided, unless there is a clear justification.

North Lincolnshire Local Plan: RD12

CONSULTATIONS

Highways: No comments or objections to make.

Drainage (Lead Local Flood Authority): No comments or objections to make.

PARISH COUNCIL

Objects to planning applications PA/2021/1889 and PA/2021/2150 due to the property being in open countryside and outside the development boundary. Removal of the agricultural restriction would set a precedent for future development outside the development boundary.

PUBLICITY

Advertised by site notice – no comments received.

ASSESSMENT

Planning history

7/1977/0824: Outline planning permission to erect a dwelling in connection with agriculture – granted 23/02/1978.

7/1978/0611: Approval of reserved matters following outline planning permission 7/1977/0824 (siting, design, external appearance and means of access) for a detached two-bedroom bungalow and domestic garage – approved 10/08/1978.

PA/2021/2150: Planning application to remove condition 1 of 7/1978/611 to allow for occupation of the dwelling other than by a person solely or mainly employed, or last employed, in agriculture – pending.

Site characteristics

Amer Rose is located in the open countryside close to Susworth and East Butterwick, within Flood Zone 2/3a in accordance with the North and North East Lincolnshire SFRA 2011.

The property is a detached bungalow formerly associated with a wider agricultural unit; however, most of the land has been now taken on by existing local farmers and is no longer associated with Amer Rose. The property is just north of the River Eau within a cluster of dwellings that front Ings Road. It is made up of a brown facing brick, interlocking concrete roof tiles and white UPVC. It is set in well-manicured gardens.

Outline planning permission was given for the erection of a dwelling in 1977 subject to an agricultural occupancy condition. In 1978 the reserved matters was approved and, in error, the planning department attached an additional occupancy restriction to that approval.

Proposal

The applicant seeks to remove the agricultural occupancy condition from outline planning permission 7/1977/824. The condition restricts the dwelling being lived in by someone who works (or last worked) in the agriculture or forestry industry.

Members will note that there are two parallel applications for the removal of agricultural occupancy conditions on this site. This is due to the condition being attached in error to the reserved matters application.

The key test is whether or not the applicant has demonstrated that the requirements of policy RD12 (Removal of Agricultural Occupancy Conditions) have been complied with, namely:

- **a substantiated reason why there is no longer a justified need for an agriculturally tied dwelling on the holding;**

- **evidence of attempts made to sell the dwelling at a price which reflects the effect of the occupancy condition on the property market for the 12 months prior to the application being made to remove the conditions.**

The applicant has submitted a statement outlining the history of this site, a planning statement justifying conformity with planning policy, a statement from the estate agent confirming failed sales, reduced price and length of time on the market, and a viewing record and sales brochure to reaffirm this.

Planning merits

Policy RD12 of the local plan is the bespoke policy for dealing with such applications. It states that 'the planning authority will only consider the removal of an agricultural occupancy condition if conclusive evidence is submitted by way of an independent report that includes:

- (i) a substantiated reason why there is no longer a justified need for an agriculturally tied dwelling on the holding;

and

- (ii) evidence of attempts made to sell the dwelling at a price which reflects the effect of the occupancy condition on the property market for the 12 months prior to the application being made to remove the condition.

It will be inappropriate to retain an occupancy condition on a dwelling located within a defined development limit.'

Substantiated reason

The applicant has set out a robust reason for the removal of this condition within the planning statement under section 4.0. It sets out a timeline for how the dwelling and associated land was used following the dwelling being habitable. It is clear on the timeline that when the house was built the former occupier ran a buoyant agricultural business, working the associated fields across a large holding. However, by the early 1990s the former occupier, through poor health, entered into retirement. Many of the fields were bought up by local farmers and absorbed into their holdings. During this period it is clear there was a change in the way farming was practiced. The introduction of technological advances in plant and agricultural practice has resulted in holdings being much larger and single farming families having the ability to work larger geographical areas.

The planning statement submitted acknowledged this shift in the industry stating '*Since Mr Day last farmed, agricultural practices have subsequently changed and larger areas can be covered by a single farmer. This is the case as local farmers have absorbed much of this land and brought it into their own holdings. Amer Rose is now left with no land (sufficient to support a farming business) nor the infrastructure that is suitable for modern day farming*'.

In the policy justification associated with RD12, part 'l' states that '...Changes in the scale and character of a farming, forestry or rural business may mean that the addition of an agricultural occupancy is no longer relevant. In such cases the dwelling should not be kept vacant and its present occupant should not have to remain in occupation when the circumstances which led to the condition being attached has changed...'

It is considered that the gradual decline and shrinkage of holding which was brought about by the changes of modern farming, and the ability for the landowner to compete with those changes due to age and health, is a sufficiently substantiated reason to attempt to find another relevant occupier. Mr Day, who built the house to support his farming business 45 years ago, has now sadly passed and the dwelling is left vacant with his daughter diligently trying to keep the property to a high standard to encourage someone to take it on. Circumstances have clearly changed for Amer Rose since the attachment of the conditions and as per part 'I' this property should not have to remain in the occupation of Mr Day's daughter, who has (see section below) attempted to find another occupant who would meet the criteria of the occupancy condition.

Evidence of attempts

The applicant has made attempts to sell the property with the attached agricultural tie and in support has provided the following information:

- a statement from DDM Agriculture
- a table of viewing records
- sales brochure
- applicant's statement.

DDM statement

In the statement the estate agent confirms that the property was marketed at a price reflective of the occupancy condition. The agent states, 'I was instructed to market the property in early spring 2020 at an initial guide price of £275,000, which I suggested to be an appropriate reflection of the agricultural occupancy restriction on the value of this substantial property, which has a gross internal floor area of approximately 220 square metres and sits on a plot which extends to approximately 0.56 acre.'

The agent confirms that the property was marketed for sale on 18 February 2020. At this time a small amount of land still remained with some farm buildings sited on it. The agent states that there was a cross-promotion of the two (the bungalow and the remaining land); however, no offers for the bungalow were made with any of the land. On 12 August 2020 the bungalow was reduced to £260,000 and reduced further to £250,000 from 5 November, a price at which it remains today.

The property was marketed through the DDM, Rightmove and 'On the market' websites. Adverts were also placed in the local press. DDM have stated that '...the marketing process has demonstrated the fact that this property cannot be sold with the agricultural occupancy condition attached...' and suggests that its removal would allow the property to find a new occupant and no longer remain vacant.

Table of viewing records

A document has been submitted detailing the viewing records of Amer Rose since it has been up for sale. One of the viewers actually had an offer accepted but the sale fell through as finance could not be achieved due to the imposition of the occupancy restriction.

This document evidences that the applicant has attempted to sell this property since February 2020 at a price that reflects the agricultural tie. It is the tie that is preventing the sale and the property remains vacant.

The sales brochure and the applicant's statement further affirm that the applicant had the intention of selling both the dwelling and the small amount of remaining land at a price and for a period of time that reflects the occupancy condition. Up to now these attempts have been unsuccessful.

Part 'ii' of policy RD12 requires 'evidence of attempts made to sell the dwelling at a price which reflects the effect of the occupancy condition on the property market for the 12 months prior to the application being made to remove the condition'.

The applicant has demonstrated that the property has been on the market for over 12 months (almost 2 years) at a price reflective of the occupancy tie. It has been marketed across multiple platforms and an offer has also been accepted, but has fallen through for financial lending reasons directly related to the fact that there is an agricultural and forestry restriction placed upon the property.

It is considered that the applicant has satisfied both parts 'i' and 'ii' of policy RD12 and is only seeking removal of the condition as all else has failed. The property is currently left vacant, it does not have a sufficient holding size to warrant a live-in agricultural worker and this is evidenced by the comments left in the viewing record. Furthermore, it is unlikely to again be the residential basis from which to farm given that modern day practices have shaped and changed how the agriculture industry operates and local farmers have larger swathes of land. The majority of Mr Day's land that was associated with the dwelling 45 years ago when approved is now farmed by other locals who work in agriculture.

The parish council has objected on 'precedent'. However any applicant seeking to remove an occupancy condition is subject to the scrutiny and tests of policy RD12 and so each case is unique and judged on its own merits and tested against RD12. It is not a case of if an occupancy condition is removed on a property then there is carte blanche to remove others in the area. There is solid policy in place to protect such dwellings. Only those applications that have altruistically attempted to sell a property with a reflected price, for a suitable time period and demonstrated so would meet with policy tests. Policy RD12 exists for cases such as Amer Rose and it is considered that the applicant has attempted everything required by the policy and the dwelling still remains vacant. The occupancy conditions therefore should be lifted as the applicant has met planning policy requirements and has been left with no choice but to take this route.

Conditions

Outline planning permission was granted under 7/1977/0824 and conditions were attached relating to the timeframe for submitting reserved matters, the reserved matters, parking and turning, the installation of a sufficient surface water drainage strategy and the occupancy condition.

It is considered, as these conditions are met, the dwelling is built and has functioned for 45 years satisfactorily in terms of drainage and highway safety, there is no requirement to re-attach those conditions.

Conclusion

The applicant has provided evidence of attempts to sell the dwelling with the occupancy condition in place. The property has been on the market for almost two years at a price reflective of the restrictive condition, it has been advertised across multiple platforms and has had viewings and a failed offer (due to the occupancy condition and lending regulations). It is worth noting that during this period of time the housing market has had a boom period. The applicant is left with no option other than to attempt to remove the restrictive condition so a new occupant can potentially be found.

RECOMMENDATION Grant permission.

0 30 60 Mean High Water 90 120 150 m

River Trent

Westlands

Mean High Water

4.8m

Amer-Rose

Barlings

Barlings Farm

Track

Track

Sluice

Sluice

SM

River Eau

Barlings Farm Cottage

Sloping masonry

Page 199

EER, Co Const & UA Bdy

North Lincolnshire Council

This page is intentionally left blank

APPLICATION NO	PA/2021/2150
APPLICANT	Mrs June DeBoer
DEVELOPMENT	Planning application to remove condition 1 of 7/1978/611 to allow for occupation of the dwelling other than by a person solely or mainly employed, or last employed, in agriculture
LOCATION	Amer Rose, Messingham Ings Road, Messingham, DN17 3AW
PARISH	Messingham
WARD	Ridge
CASE OFFICER	Mark Niland
SUMMARY RECOMMENDATION	Grant approval
REASONS FOR REFERENCE TO COMMITTEE	Objection by Messingham Parish Council

POLICIES

National Planning Policy Framework:

Paragraph 47 – Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.

Paragraph 56 – Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Agreeing conditions early is beneficial to all parties involved in the process and can speed up decision-making. Conditions that are required to be discharged before development commences should be avoided, unless there is a clear justification.

North Lincolnshire Local Plan: RD12

CONSULTATIONS

Highways: No comments or objections to make.

Drainage (Lead Local Flood Authority): No comments or objections to make.

PARISH COUNCIL

Objects to planning applications PA/2021/1889 and PA/2021/2150 due to the property being in open countryside and outside the development boundary. Removal of the agricultural restriction would set a precedent for future development outside the development boundary.

PUBLICITY

Advertised by site notice – no comments received.

ASSESSMENT

Planning history

7/1977/0824: Outline planning permission to erect a dwelling in connection with agriculture – granted 23/02/1978.

7/1978/0611: Approval of reserved matters following outline planning permission 7/1977/0824 (siting, design, external appearance and means of access) for a detached two-bedroom bungalow and domestic garage – approved 10/08/1978.

PA/2021/1889: Planning application to remove condition 4 of 7/1977/824 to allow for occupation of the dwelling other than by a person solely or mainly employed, or last employed, in agriculture – pending.

Site characteristics

Amer Rose is located in the open countryside close to Susworth and East Butterwick, within Flood Zone 2/3a in accordance with the North and North East Lincolnshire SFRA 2011.

The property is a detached bungalow formerly associated with a wider agricultural unit; however, most of the land has been now taken on by existing local farmers and is no longer associated with Amer Rose. The property is just north of the River Eau within a cluster of dwellings that front Ings Road. It is made up of a brown facing brick, interlocking concrete roof tiles and white UPVC. It is set in well-manicured gardens.

Outline planning permission was given for the erection of a dwelling in 1977 subject to an agricultural occupancy condition. In 1978 the reserved matters was approved and, in error, the planning department attached an additional occupancy restriction to that approval.

Proposal

The applicant seeks to remove the agricultural occupancy condition from reserved matters application 7/1978/611. The condition restricts the dwelling being lived in by someone who works (or last worked) in the agriculture or forestry industry.

Members will note that there are two parallel applications for the removal of agricultural occupancy conditions on this site. This is due to the condition being attached in error to the reserved matters application.

The key test is whether or not the applicant has demonstrated that the requirements of policy RD12 (Removal of Agricultural Occupancy Conditions) have been complied with, namely:

- **a substantiated reason why there is no longer a justified need for an agriculturally tied dwelling on the holding;**

- **evidence of attempts made to sell the dwelling at a price which reflects the effect of the occupancy condition on the property market for the 12 months prior to the application being made to remove the conditions.**

The applicant has submitted a statement outlining the history of this site, a planning statement justifying conformity with planning policy, a statement from the estate agent confirming failed sales, reduced price and length of time on the market, and a viewing record and sales brochure to reaffirm this.

Planning merits

Policy RD12 of the local plan is the bespoke policy for dealing with such applications. It states that 'the planning authority will only consider the removal of an agricultural occupancy condition if conclusive evidence is submitted by way of an independent report that includes:

- (i) a substantiated reason why there is no longer a justified need for an agriculturally tied dwelling on the holding;

and

- (ii) evidence of attempts made to sell the dwelling at a price which reflects the effect of the occupancy condition on the property market for the 12 months prior to the application being made to remove the condition.

It will be inappropriate to retain an occupancy condition on a dwelling located within a defined development limit.'

Substantiated reason

The applicant has set out a robust reason for the removal of this condition within the planning statement under section 4.0. It sets out a timeline for how the dwelling and associated land was used following the dwelling being habitable. It is clear on the timeline that when the house was built the former occupier ran a buoyant agricultural business, working the associated fields across a large holding. However, by the early 1990s the former occupier, through poor health, entered into retirement. Many of the fields were bought up by local farmers and absorbed into their holdings. During this period it is clear there was a change in the way farming was practiced. The introduction of technological advances in plant and agricultural practice has resulted in holdings being much larger and single farming families having the ability to work larger geographical areas.

The planning statement submitted acknowledged this shift in the industry stating '*Since Mr Day last farmed, agricultural practices have subsequently changed and larger areas can be covered by a single farmer. This is the case as local farmers have absorbed much of this land and brought it into their own holdings. Amer Rose is now left with no land (sufficient to support a farming business) nor the infrastructure that is suitable for modern day farming*'.

In the policy justification associated with RD12, part 'l' states that '...Changes in the scale and character of a farming, forestry or rural business may mean that the addition of an agricultural occupancy is no longer relevant. In such cases the dwelling should not be kept vacant and its present occupant should not have to remain in occupation when the circumstances which led to the condition being attached has changed...'

It is considered that the gradual decline and shrinkage of holding which was brought about by the changes of modern farming, and the ability for the landowner to compete with those changes due to age and health, is a sufficiently substantiated reason to attempt to find another relevant occupier. Mr Day, who built the house to support his farming business 45 years ago, has now sadly passed and the dwelling is left vacant with his daughter diligently trying to keep the property to a high standard to encourage someone to take it on. Circumstances have clearly changed for Amer Rose since the attachment of the conditions and as per part 'I' this property should not have to remain in the occupation of Mr Day's daughter, who has (see section below) attempted to find another occupant who would meet the criteria of the occupancy condition.

Evidence of attempts

The applicant has made attempts to sell the property with the attached agricultural tie and in support has provided the following information:

- a statement from DDM Agriculture
- a table of viewing records
- sales brochure
- applicant's statement.

DDM statement

In the statement the estate agent confirms that the property was marketed at a price reflective of the occupancy condition. The agent states, 'I was instructed to market the property in early spring 2020 at an initial guide price of £275,000, which I suggested to be an appropriate reflection of the agricultural occupancy restriction on the value of this substantial property, which has a gross internal floor area of approximately 220 square metres and sits on a plot which extends to approximately 0.56 acre.'

The agent confirms that the property was marketed for sale on 18 February 2020. At this time a small amount of land still remained with some farm buildings sited on it. The agent states that there was a cross-promotion of the two (the bungalow and the remaining land); however, no offers for the bungalow were made with any of the land. On 12 August 2020 the bungalow was reduced to £260,000 and reduced further to £250,000 from 5 November, a price at which it remains today.

The property was marketed through the DDM, Rightmove and 'On the market' websites. Adverts were also placed in the local press. DDM have stated that '...the marketing process has demonstrated the fact that this property cannot be sold with the agricultural occupancy condition attached...' and suggests that its removal would allow the property to find a new occupant and no longer remain vacant.

Table of viewing records

A document has been submitted detailing the viewing records of Amer Rose since it has been up for sale. One of the viewers actually had an offer accepted but the sale fell through as finance could not be achieved due to the imposition of the occupancy restriction.

This documents evidence that the applicant has attempted to sell this property since February 2020 at a price that reflects the agricultural tie. It is the tie that is preventing the sale and the property remains vacant.

The sales brochure and the applicant's statement further affirm that the applicant had the intention of selling both the dwelling and the small amount of remaining land at a price and for a period of time that reflects the occupancy condition. Up to now these attempts have been unsuccessful.

Part 'ii' of policy RD12 requires 'evidence of attempts made to sell the dwelling at a price which reflects the effect of the occupancy condition on the property market for the 12 months prior to the application being made to remove the condition'.

The applicant has demonstrated that the property has been on the market for over 12 months (almost 2 years) at a price reflective of the occupancy tie. It has been marketed across multiple platforms and an offer has also been accepted, but has fallen through for financial lending reasons directly related to the fact that there is an agricultural and forestry restriction placed upon the property.

It is considered that the applicant has satisfied both parts 'i' and 'ii' of policy RD12 and is only seeking removal of the condition as all else has failed. The property is currently left vacant, it does not have a sufficient holding size to warrant a live-in agricultural worker and this is evidenced by the comments left in the viewing record. Furthermore, it is unlikely to again be the residential basis from which to farm given that modern day practices have shaped and changed how the agriculture industry operates and local farmers have larger swathes of land. The majority of Mr Day's land that was associated with the dwelling 45 years ago when approved is now farmed by other locals who work in agriculture.

The parish council has objected on 'precedent'. However any applicant seeking to remove an occupancy condition is subject to the scrutiny and tests of policy RD12 and so each case is unique and judged on its own merits and tested against RD12. It is not a case of if an occupancy condition is removed on a property then there is carte blanche to remove others in the area. There is solid policy in place to protect such dwellings. Only those applications that have altruistically attempted to sell a property with a reflected price, for a suitable time period and demonstrated so would meet with policy tests. Policy RD12 exists for cases such as Amer Rose and it is considered that the applicant has attempted everything required by the policy and the dwelling still remains vacant. The occupancy conditions therefore should be lifted as the applicant has met planning policy requirements and has been left with no choice but to take this route.

Conditions

Reserved matters application 7/1978/0611 was approved (attaching the occupancy condition) with highway and drainage-related conditions. These conditions are satisfied and there is no requirement to re-attach.

It is considered, as these conditions are met, the dwelling is built and has functioned for 45 years satisfactorily in terms of drainage and highway safety, there is no requirement to re-attach those conditions.

Conclusion

The applicant has provided evidence of attempts to sell the dwelling with the occupancy condition in place. The property has been on the market for almost two years at a price reflective of the restrictive condition, it has been advertised across multiple platforms and has had viewings and a failed offer (due to the occupancy condition and lending regulations). It is worth noting that during this period of time the housing market has had a boom period. The applicant is left with no option other than to attempt to remove the restrictive condition so a new occupant can potentially be found.

RECOMMENDATION Grant approval.

0 30 60 Mean High Water 90 120 150 m

River Trent

Westlands

Mean High Water

4.8m

Amer-Rose

Barlings

Barlings Farm

Track

Track

Sluice

Sluice

SM

River Eau

Barlings Farm Cottage

Sloping masonry

Page 207

EER, Co Const & UA Bdy

North Lincolnshire Council

This page is intentionally left blank

APPLICATION NO	PA/2021/2055
APPLICANT	Mr Nick Webster-Henwood
DEVELOPMENT	Planning permission to erect a two-storey entrance/stair core to front of property, window additions and internal reconfiguration of dwelling (including demolition of existing conservatory)
LOCATION	The Game Farm, West End Road, Epworth, DN9 1LB
PARISH	Epworth
WARD	Axholme Central
CASE OFFICER	Scott Jackson
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Epworth Town Council

POLICIES

National Planning Policy Framework: Sections 12 and 16 apply.

North Lincolnshire Local Plan: Policies DS1, DS5, RD2, RD10 and LC14 apply.

North Lincolnshire Core Strategy: Policies CS1, CS2, CS3, CS5 and CS6 apply.

CONSULTATIONS

Highways: No objection or comments.

LLFA Drainage: No objection or comments.

Historic Environment Record (HER): The site is within the Area of Special Historic Landscape Interest of the Isle of Axholme (local plan policy LC14). Given the recent planning history and planning decisions contrary to HER advice, no objection is offered to the current application for these minor alterations to the permitted development. Any permission granted should be subject to a standard condition as attached to PA/2021/391 removing permitted development rights to avoid the unregulated extension of the built environment into the protected historic landscape.

TOWN COUNCIL

Object on the following grounds:

- increase in size, especially height
- impact of the height, materials and design upon the open countryside.

PUBLICITY

A site notice has been displayed; no responses have been received.

ASSESSMENT

The application site consists of a single-storey detached bungalow located to the rear of another property, outside the defined settlement boundary within the countryside. The dwelling is of traditional gable design with a conservatory located to the front and is constructed from a red brick with a dark concrete tile. It is accessed via a single lane track and is located within the Isle of Axholme Area of Special Historic Landscape Interest (policy LC14) and in Flood Zone 1, which is the lowest area of flood risk. Planning permission is sought to erect a two-storey extension to the front of the property, this involves the demolition of the existing conservatory.

The main issues in the determination of this application are the principle of development and the impact of the extension on the character, appearance and setting of the open countryside and the LC14 landscape.

Principle of development

Policy RD2 (Development in the Open Countryside) is considered relevant which states that development in the open countryside will be strictly controlled. Planning permission will only be granted for development which is:

‘(vii) for the replacement, alteration or extension of an existing dwelling.’

Provisions (a) – (f) are also listed.

The proposed extension would relate to an existing dwelling; therefore, the proposal would fall within the scope of policy RD2, section (vii).

Impact on countryside/LC14 land

Planning permission is sought to erect a two-storey extension to the front of this detached bungalow. The dwelling is in the open countryside and policy RD10 of the North Lincolnshire Local Plan therefore applies, which states that proposals to replace, extend or alter dwellings in the open countryside will only be permitted provided that:

- (ii) the volume of the proposed extension or alteration does not exceed that of the original dwelling by 20%, exclusive of the normal permitted development rights, and the original dwelling forms the dominant visual feature of the dwelling as extended;
- (iii) all new construction is of a high standard of design and in particular reflects the architecture of the building and/or vernacular styles in the locality; and
- (iv) the appearance or use of the dwelling as replaced, extended or altered will not adversely affect the amenity of local residents or the appearance of the locality.

The plans show that the extension will be positioned to the front of the dwelling, will be two-storeys in height and constructed from a mix of materials, namely timber cladding with a vertical emphasis and slate roof tiles. It will provide the staircase and entrance area to the dwelling and includes a double-height wrap-around glazed window feature to its south-

western corner; this will provide visual interest to the dwelling in its extended form and emphasises this feature as the new entrance to the dwelling. In terms of floorspace this extension will provide an additional 19.4 square metres to the dwelling across two floors, however the majority of this floorspace accommodates the staircase and the extension represents less than 20% additional volume to the dwelling.

It is noted the extension is constructed from materials which do not assimilate with the appearance of the existing dwelling and the extension is 1.275 metres higher than the ridge line of the existing bungalow. However, it is worth noting the applicant has recently been granted a prior approval under PA/2021/1551 for an additional storey to the bungalow and two single-storey extensions (one to the front and one to the rear) under PA/2021/371; therefore, the extension in its fully extended form will not form the visually dominant design feature to the dwelling and its external materials of construction will be consistent with the appearance of the extended bungalow. To this end the proposed extension is not considered to result in an alien or incongruous form of additional development in the countryside and will reflect the local vernacular in terms of design and appearance. Given the separation distance to the nearest residential properties (35 metres) the extension is not considered to result in any loss of residential amenity in this case.

In terms of impact on the character, appearance and setting of the LC14 land, the proposal would have the effect of extending built development into the rural landscape. However, given the recent additions consisting of the following applications, HER have raised no objection to the proposals in terms of the potential for an adverse impact on the setting of the LC14 landscape. Applications recently permitted on this site:

PA/2021/391: Application for full planning permission to erect single-storey extensions to existing dwelling (dormer storey to one wing) – approved with conditions 17/12/2021

PA/2021/1551: Application for prior approval of a proposed enlargement of a dwellinghouse by construction of additional storeys – approved 19/11/2021

PA/2021/1725: Application to determine if prior approval is required for a proposed larger home extension – prior approval not required 09/11/2021

Based on the number of applications previously permitted for extensions, it is considered this proposal represents a subservient addition to the dwelling (in its future extended form) and therefore, when considered cumulatively, it will not have an adverse impact on the character, appearance and setting of the LC14 landscape.

HER have also advised the removal of householder permitted development rights to avoid the uncontrolled extension and expansion of the dwelling and its residential curtilage into the LC14 landscape. It is worth noting there are no restrictions in place in terms of planning conditions which restrict householder permitted development rights for the applicant and as such it would be unreasonable and unnecessary to remove them under a householder planning application. In addition, the applicant has chosen to exercise much of their permitted development rights under the applications listed above and as such there wouldn't be many options in addition to those listed above available to develop within the site still further.

In conclusion, it is considered the proposed extension will not form an alien or discordant feature in the rural landscape, it is not considered to have an adverse impact on the character, setting and appearance of the LC14 land, it will not impact on highway safety or residential amenity and will provide visual interest to the front of the dwelling in its extended form. The proposal is considered compliant with policies RD2, RD10, DS1 and DS5 of the North Lincolnshire Local Plan, and CS5 and CS6 of the adopted Core Strategy. The proposal is recommended for approval.

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: 2019-ID-37-LOC and 2019-ID-37-PL0001.

Reason

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

Informative 1



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.

Informative 2

Please be advised the changes in external materials to the single-storey extension permitted under PA/2021/1725 cannot be considered under this planning application and as such have not been assessed or approved.



Page 213

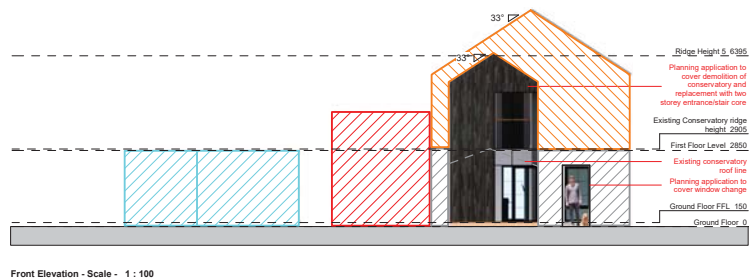
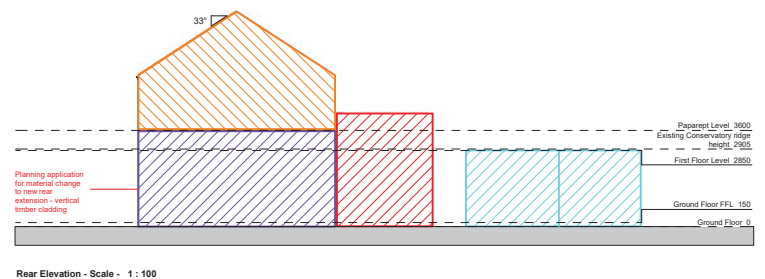
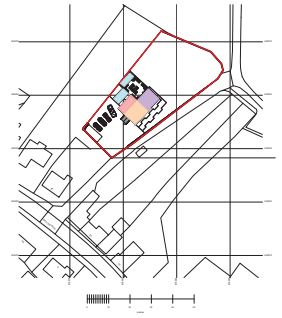
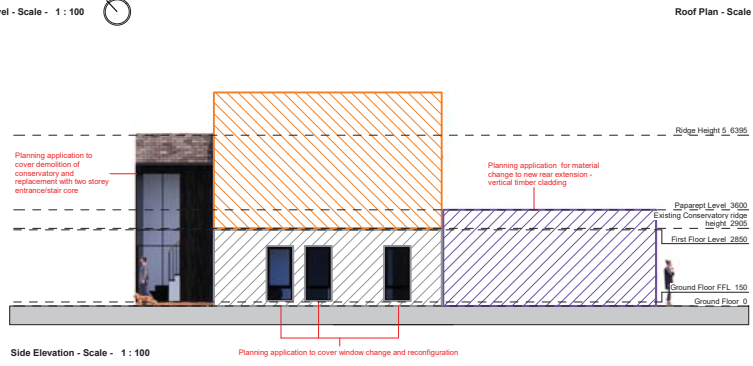
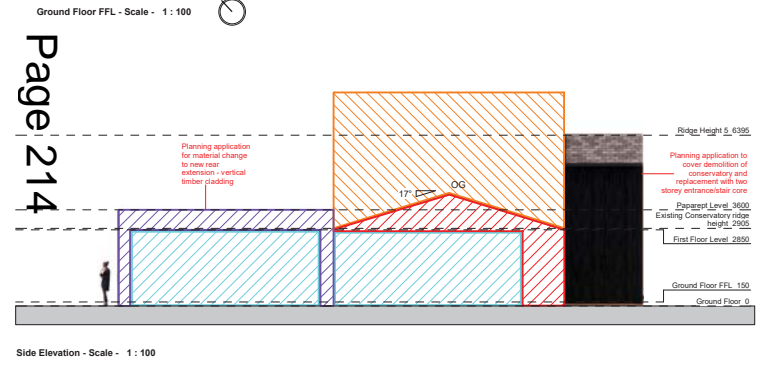
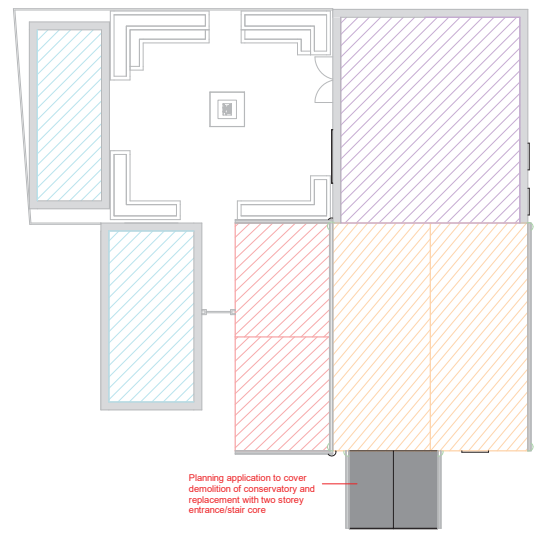
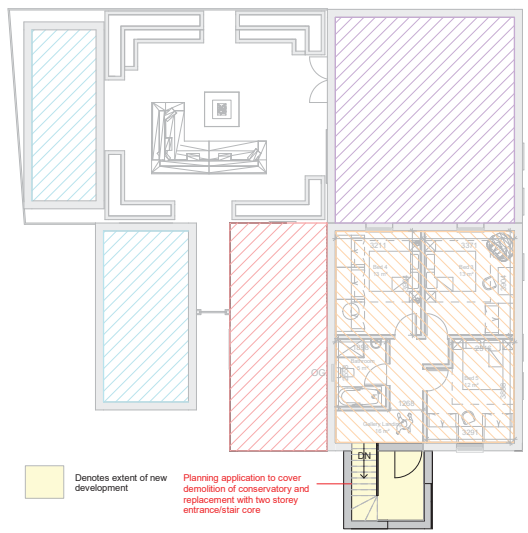
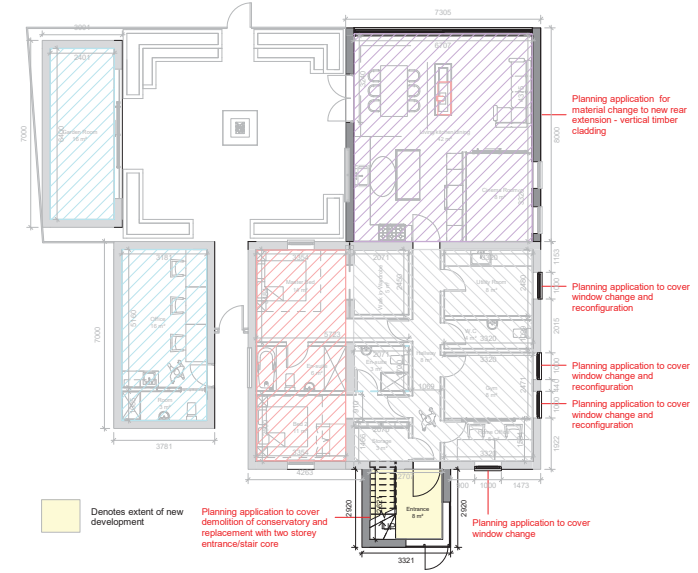
 LC14 Isle of Axholme Area of Special Historic Landscape Interest
 Development Boundary

**North
Lincolnshire
Council**

PA/2021/2055

© Crown copyright and database rights 2021. Ordnance Survey 0100023560

PA/2021/2055 Proposed plans and elevations (not to scale)



- Red diagonal hatching: Addition of a single side extension - Application reference - PDE/2021/58
- Orange diagonal hatching: Addition of a vertical storey - Prior approval application - PA/2021/1551
- Purple diagonal hatching: Larger homes rear extension - Prior approval application - PA/2021/1725
- Light blue diagonal hatching: Application to construct outbuildings under GPDO - application reference - PDE/2021/86
- Grey diagonal hatching: Existing Dwelling

- Material Key**
- Orange Facing Brick to match existing
 - Vertical Charred Larch Cladding
 - Grey Slate roof tile
 - Black RAL 9005 Aluminium window and doorsets

Drawing Scale: As indicated @ A1
 Game Farm, Epworth
 General Arrangements & Elevations
 2019- ID - 37 - **PL001**



PLANNING DRAWING

No. 12 High Street, Epworth, North Lincoln, DN9 1ET
 M: 07917 224561 | T: 01472 671460
 E: info@sleDesign-architecture.com
 CIAT Chartered Membership No: 015569

Page 214

APPLICATION NO	PA/2021/2237
APPLICANT	Mrs Sharon Wright
DEVELOPMENT	Planning permission to erect a replacement dwelling (including demolition of existing dwelling)
LOCATION	Pale Close, Sand Pit Lane, Alkborough, DN15 9JG
PARISH	Alkborough
WARD	Burton upon Stather and Winterton
CASE OFFICER	Martin Evans
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Member 'call in' (Cllr Ogg – significant public interest) Objection by Alkborough and Walcot Parish Council

POLICIES

Statutory test

The statutory test within the Planning (Listed Buildings and Conservation Areas) Act 1990, section 72 states, 'In the exercise, with respect to any buildings or other land in a conservation area, of any [functions under or by virtue of] any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'

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 47 makes clear that 'Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.'

Paragraph 130 states, 'Planning policies and decisions should ensure that developments:

- (a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- (b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

- (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- (d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- (e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- (f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Paragraph 199 – When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 206 – Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

North Lincolnshire Local Plan: DS1, DS7, DS14, H5, H8, HE2, HE3, T2 and T19.

North Lincolnshire Core Strategy: CS1, CS2, CS3, CS5, CS6 and CS17.

Housing and Employment Land Allocations Development Plan Document (DPD)

CONSULTATIONS

Historic Environment Record (Archaeology): The proposal does not adversely affect any heritage assets of archaeological interest or their settings. No further recommendations for archaeology.

Historic Environment Record (Conservation): No objection subject to conditions.

'The overarching policy reflected in national legislation and local policy is whether the proposed development 'preserves and enhances character of the conservation area (see council policy HE2 and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990). The proposed building is a modern contemporary-styled building that replaces a poorly designed modern building that detracts from the character and appearance of the conservation area. The new building has a quality architectural contemporary design that uses traditional materials such as the local limestone, slates and timber boarding to maintain a visual connectivity to the surrounding vernacular. The use of a "live roof" with wildflower planting will soften the appearance of the building and provide additional visual interest. The proposed building is a big improvement on the existing

modern building which is dilapidated and has a plain municipal appearance with two UPVC conservatories. The use of large area of the local limestone on the ground floor of the new dwelling provides a strong visual design relationship to the village. The slate first floor and timber cladding uses traditional materials to further create a traditional finish to the attractive contemporary building. Consideration was given to a contemporary building in the location during the pre-application design process as it replaces a poorly designed modern building and the fact that the building is on the outer edge of the conservation area.

A building of this type would not be appropriate in the heart of the conservation area on a main historic street. Considering the site is tucked away on the periphery of the village and contains a poorly designed modern building, this gives the opportunity to have a new attractive contemporary building with an attractive appearance using traditional building materials to reflect the local surroundings. Considering the quality of design of the new building and the construction materials, which is a vast improvement on the existing building and the site location, there is no objection to the proposal. In order to ensure that the materials are of the appropriate quality it is recommended that samples of the facing materials are deposited at the site for consideration by the council's conservation officer prior to installation.'

Highways: No comment or objections.

Drainage Team (Lead Local Flood Authority): No comment or objections.

Environmental Protection: Finds the recommendations for the Delta-Simons Preliminary Environmental Risk Assessment Ref: 21-2442.01 investigation of the existing dwelling acceptable. A phase 2 report should be submitted prior to determination or alternatively conditioned.

Tree Officer: This site is within the conservation area and therefore this offers protection on trees here. The arboricultural report submitted appears to give accurate information about the trees in this location, and their condition and size. The loss of T4 to T7 to allow for development, as well as T12 due to condition, has been noted. Mitigation replacement green infrastructure would be appreciated and conditioned as a requirement if the local planning authority is minded to approve this application. The protection areas around those trees being retained during the demolition and subsequent rebuilding as laid out within the arboricultural report should also be placed as a requirement and conditioned if the application is given consent.

PARISH COUNCIL

Objects:

'The design of the new property does not reflect the vernacular styles of other properties in the area, and is viewed to produce a detrimental impact on the character of the local area if it goes ahead and is not in keeping with the general character of the conservation area. The Local Development Plan states that a rebuild should not exceed the square footage of the original dwelling by more than 20%; there is no square footage shown on the proposed plans.

The proposal appears to show the removal of protected trees.'

PUBLICITY

A site notice has been displayed.

The Grimsby Area Swift Project, on behalf of the Lincolnshire Bird Club, requests a minimum of three swift bricks per dwelling is conditioned.

ASSESSMENT

Planning history

The site has no relevant planning history.

Site characteristics

The application site comprises a vacant 1960's dwelling set in ample grounds with far reaching views over the confluence of the River Trent, River Ouse and the Humber Estuary. It is within the conservation area and the existing dwelling is within the Alkborough development limit, the boundary of which sits to the rear of the property. To the south-east of the site is a caravan, to the south is an agricultural building and to the south-west is further garden of the existing property, all of which is indicated by the blue line on the site location plan to be within the ownership of the applicant. To the north-west and north-east of the site is open countryside.

Proposal

This is an application for planning permission to demolish the existing dwelling and to erect a replacement dwelling on broadly the same footprint. The proposed dwelling is one and two-storey with a flat roof. External finishing materials include cream sawn stone and timber cladding to the ground floor and fibre cement slate effect cladding to the first floor. Aluminium windows and doors are proposed throughout. A sedum roof and optional solar panels are also proposed. The existing site access would be used with a new resin bound gravel driveway installed. Electric gates are indicated but no further details are provided. Four trees to the front of the existing dwelling are proposed to be removed.

The key issues for this proposal include:

- **the principle of development**
- **design and heritage impacts**
- **the impact upon residential amenity**
- **the impact upon highway safety**
- **land contamination and drainage**
- **biodiversity**
- **trees.**

Principle of development:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. In this instance the development plan consists of the saved policies of the North Lincolnshire Local Plan (NLLP), the North Lincolnshire Core Strategy (NLCS) and the Housing and Employment Land and Allocations Development Plan Document (HELADPD). Material considerations exist in the form of national policy and guidance contained within the National Planning Policy Framework (NPPF) and the suite of documents comprising National Planning Practice Guidance (NPPG).

Central Government places high importance on new homes being delivered throughout the country to address the chronic shortage. Paragraph 11(d) of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. Where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites, relevant policies which guide the supply of housing should not be considered up to date. A recent review of the Five-Year Housing Land Position Statement in August 2021 has identified that North Lincolnshire Council can demonstrate a five-year housing land supply. There is therefore no tilted balance applied through paragraph 11 of the NPPF.

Alkborough is classified as a Rural Settlement in the settlement hierarchy of the Core Strategy.

Policy CS1 sets out the spatial strategy for North Lincolnshire stating, 'The spatial vision and the future development requirements will be delivered through the spatial strategy for North Lincolnshire... The spatial strategy will focus on an urban renaissance for Scunthorpe; supporting the market towns;' and 'Supporting thriving rural communities and a vibrant countryside through the protection and enhancement of local services, creating opportunities for rural economic diversification and the promotion of tourism. Rural settlements will be supported as thriving sustainable communities, with a strong focus on retaining and enhancing existing local services to meet local needs. Development will be limited and should take into account levels of local service provision, infrastructure capacity and accessibility. Any development that takes place should be in keeping with the character and nature of the settlement.' It continues 'All future growth regardless of location should contribute to sustainable development in particular in respect of those criteria set out in policy CS2 as well as the other policies of the plan. All change will be managed in an environmentally sustainable way by avoiding/minimising or mitigating development pressure on the area's natural and built environment, its existing utilities and associated infrastructure and areas at risk of flooding. Where development unavoidably has an environmental impact adequate mitigation measures should be used for the development to be acceptable.'

Policy CS2 sets out that in supporting the delivery of the spatial strategy in policy CS1, as well as determining how future development needs will be met in North Lincolnshire, a sequential approach will be adopted with development firstly focused on the Scunthorpe urban area, then infill within the town, then greenfield urban extensions; secondly within the defined settlement limits of the market towns, then infill within them, then small-scale greenfield extensions to meet local needs. It also requires development to be located to minimise the need to travel.

The principle of demolishing a dwelling within the Alkborough development limit and replacing it with another is in accordance with policies CS1, CS2 and CS3 and the Housing and Employment Land Allocations Development Plan Document (DPD).

Design and heritage impacts

Policy DS1 requires that a 'high standard of design is expected' and states that proposals will be considered against two criteria, these being:

- (i) the design and external appearance of the proposal should reflect or enhance the character, appearance and setting of the immediate area; and
- (ii) the design and layout should respect and where possible retain and/or enhance the existing landform of the site.

Policy CS5 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' and '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.'

The statutory test within the Planning (Listed Buildings and Conservation Areas) Act 1990, section 72 states, 'In the exercise, with respect to any buildings or other land in a conservation area, of any [functions under or by virtue of] any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'

The aforementioned statutory test is reflected in policy HE2. Policy HE3 permits demolition of buildings within the conservation area where it is not of intrinsic architectural, historic or townscape importance and its removal or replacement would enhance the appearance or character of the area.

Policy CS6 states, 'The council will seek to protect, conserve and enhance North Lincolnshire's historic environment, as well as the character and setting of areas of acknowledged importance, including historic buildings, conservation areas, listed buildings (both statutory and locally listed), registered parks and gardens, scheduled ancient monuments and archaeological remains.'

The existing building is identified as a 'Building[s] with Neutral Effect' within the Alkborough Townscape analysis. The Alkborough Conservation Area Supplementary Planning Guidance states, 'Neutral buildings are older buildings which have been altered or modern buildings, the design of which is considered to be reasonably in keeping with the surrounding area.'

The Conservation Officer takes the view the existing building is a poorly designed modern building that detracts from the character and appearance of the conservation area. It is noteworthy that since the suite of conservation area documents were prepared some 18 years ago, the condition of Pale Close has deteriorated somewhat. The existing building is dilapidated and has a plain municipal appearance with two UPVC conservatories.

It is considered the proposed building has a quality architectural contemporary design that uses traditional materials such as the local limestone and timber boarding to maintain a visual connectivity to the surrounding vernacular. The use of large area of the local limestone on the ground floor of the new dwelling provides a strong visual design

relationship to the village. The slate effect first floor and timber cladding uses traditional materials to further create a traditional finish to the attractive contemporary building.

Subject to a condition securing on-site samples of facing materials, it is considered the proposal is well designed and represents an enhancement to the character and appearance of the conservation area, compared to the existing dwelling to be demolished, in accordance with the statutory test, the NPPF and development plan policies. No archaeological requirements arise from the proposal.

There is a divergence of opinion with the parish council in this regard. It refers to a restriction in the increase in floorspace but this does not apply within the development limit. Tree removal is discussed in detail below.

Impact upon residential amenity

Policy DS1 is partly concerned with impacts upon residential amenity. It states, ‘...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’. Policy H5 also requires that ‘development does not result in overlooking or a loss of privacy to existing developments, or any other loss of amenity to existing dwellings’.

The proposed dwelling is approximately 40m from the nearest dwelling in Prospect Farm Lane and is separated from it by a verdant group of trees afforded protection by being within a conservation area. There is a caravan directly south-east of the proposed dwelling that is indicated to be within the ownership of the applicant and does not appear to benefit from planning permission which means it should not be afforded protection.

The proposal would not result in the unacceptable loss of residential amenity. The proposal is therefore considered to be acceptable in this regard with policies DS1 and H5 of the North Lincolnshire Local Plan.

Impact upon highway safety

Policy T2 of the North Lincolnshire Local Plan is concerned with access to development and states that all development should be served by a satisfactory access. Policy T19 is concerned with parking provision as well as general highway safety.

Reusing the existing access and the provision of an area to the front of the property capable of accommodating four or more parking spaces on bound gravel is appropriate. The Highways department raises no objections. The proposed site plan shows electric gates but provides no further detail; therefore, this does not form part of the planning permission, if approved.

As such there is considered to be no conflict with the requirements of policies T2 and T19.

Land contamination and drainage

Policy DS7 relates to contaminated land. Environmental Protection recommend a phase 2 contaminated land assessment as a result of the phase 1 assessment. This is necessary and conditioned accordingly.

Policy DS14 states, 'The council will require satisfactory provision to be made for the disposal of foul and surface water from new development, either by agreeing details before planning permission is granted, or by imposing conditions on a planning permission'. It is proposed foul drainage would be to septic tank and surface water to soakaway. Septic tanks are the least preferred method of foul water disposal. Final details and justification of foul and surface water drainage are secured by condition.

Biodiversity

Policy CS17 requires 'Ensuring development seeks to produce a net gain in biodiversity by designing in wildlife'.

The submitted preliminary ecological appraisal and biodiversity management plan suitably assess the impact upon protected wildlife sites and upon individual protected species. No harm to such sites or species is identified and suitable precautionary working practices and biodiversity net gain measures are proposed. These are secured by condition.

Trees

As noted by the parish council, the submitted Arboricultural Implication Assessment reference EMB0317/5221 details the loss of T4 to T7 to allow for development, as well as T12 due to its condition. The Tree Officer raises no objections to the proposals. Replacement trees are secured by condition. Suitable protective fencing details, ground protection and cellular confinement system details are provided and secured by condition.

Conclusion

Replacing a dwelling that has a neutral impact upon the conservation area with a new well designed dwelling that would enhance it, within the Alkborough development limit, is acceptable in principle and with regard to heritage impacts no harm to residential amenity nor highway safety would arise. Land contamination, drainage, biodiversity and tree matters are acceptable subject to conditions. It is recommended that planning permission is granted subject to conditions.

Pre-commencement condition

The conditions have been agreed by the applicant.

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:

3254-DEN-A-ZZ-DR-A-1001 Rev A
3254-DEN-A-ZZ-DR-A-1000 Rev D

Reason

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

3.

Details of replacement trees for those shown to be removed in the Arboricultural Implication Assessment reference EMB0317 / 5221 shall be submitted to and agreed in writing with the local planning authority prior to occupation of the dwelling hereby permitted. The approved replacement trees shall at the latest be planted in the first available planting season following occupation of the dwelling. If any tree dies or becomes diseased within five years of planting it shall be replaced in the next available planting season.

Reason

In the interests of preserving the character and appearance of the conservation area in pursuance of policy CS6 and ensuring biodiversity net gain in accordance with policy CS17 of the North Lincolnshire Core Strategy.

4.

Tree protection fencing, ground protection and cellular confinement system details shall be installed on the site in accordance with the recommendations contained within the Arboricultural Implication Assessment reference EMB0317 / 5221.

Reason

In the interests of preserving the character and appearance of the conservation area in pursuance of policy CS6 of the North Lincolnshire Core Strategy.

5.

Prior to their use in the development hereby permitted, samples of the facing materials shall be made available for inspection on site and shall be approved in writing by the local planning authority. Development shall proceed in accordance with the approved details.

Reason

In the interests of preserving the character and appearance of the conservation area in pursuance of policy CS6 of the North Lincolnshire Core Strategy.

6.

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 in pursuance of policy DS7 of the North Lincolnshire Local Plan.

7.

Construction of the new dwelling above ground level shall not take place until details of the means of foul and surface water drainage have been submitted to and approved in writing by the local planning authority. Development shall proceed in accordance with the approved details.

Reason

To secure appropriate drainage details to prevent flooding and pollution of the environment in pursuance of policy DS14 of the North Lincolnshire Local Plan.

8.

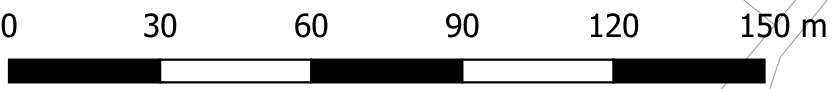
The submitted biodiversity management plan shall be carried out in accordance with the approved details and timings it contains, and the approved features shall be retained thereafter, unless otherwise approved in writing by the local planning authority. Within six months of the occupation of the new dwelling, a report shall be submitted 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 Core Strategy.

Informative

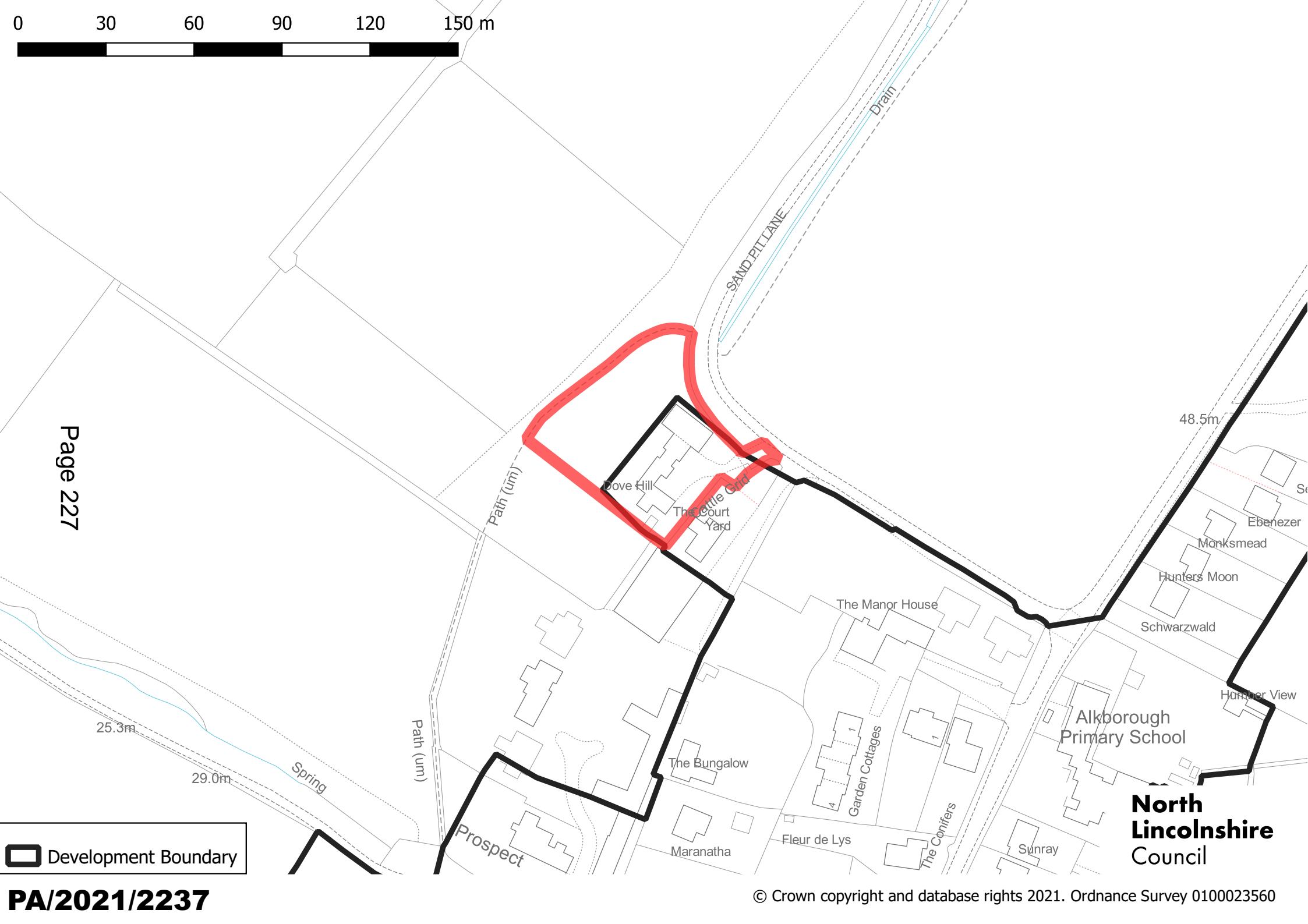
In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



Page 227

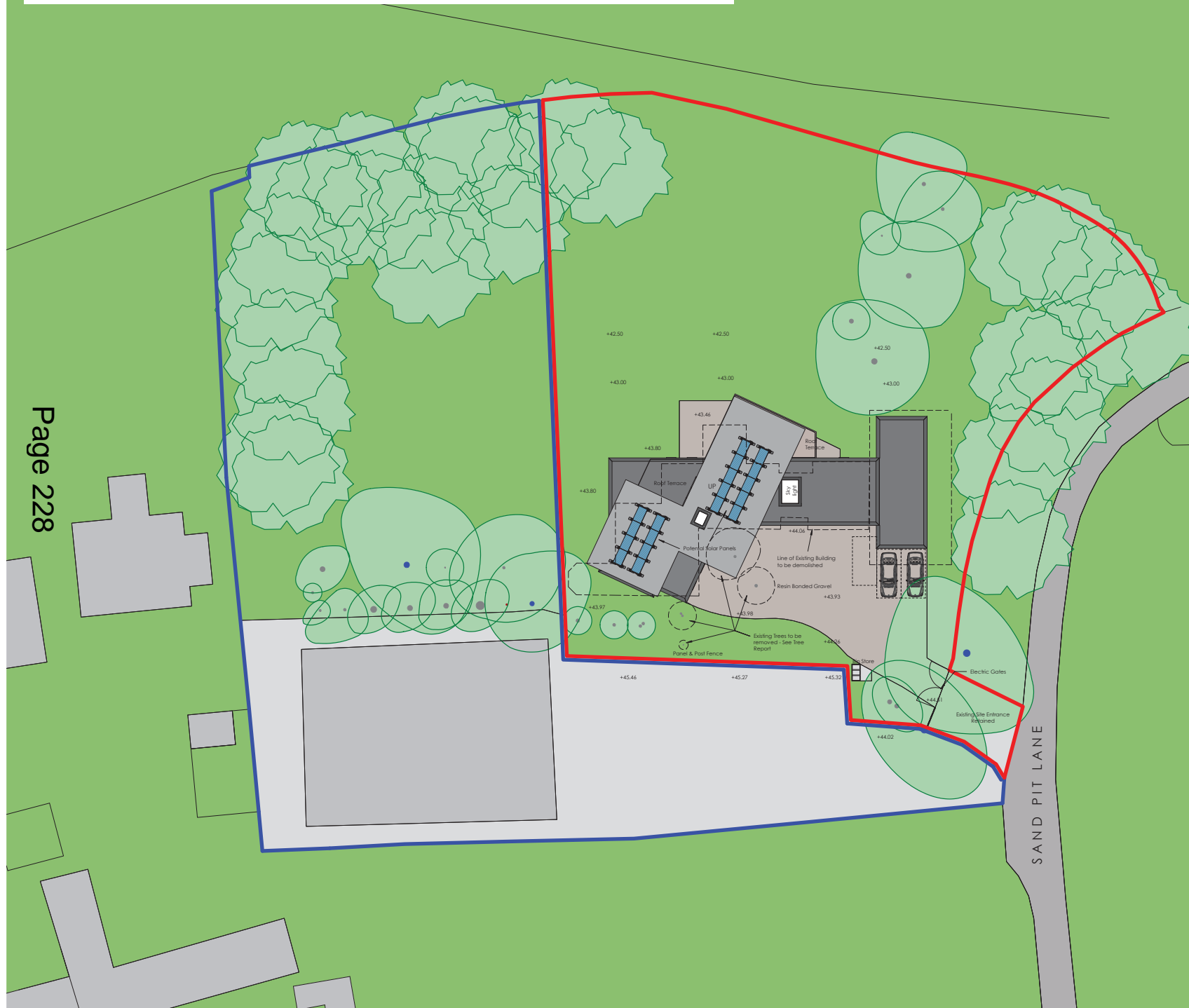
 Development Boundary

PA/2021/2237



PA/2021/2237 Proposed layout (not to scale)

Page 228



C:\Users\jordan\Desktop - Den Architecture Ltd\3254 Sand Pit Lane Alkborough\10.00 - Proposed House - Proposed layout\3254-DR-A-1000.dwg

Copyright of this drawing remains the sole property of Den Architecture Ltd unless otherwise assigned in writing. Do not scale from this drawing. Tolerances are to be worked in all cases with any discrepancies reported to Den Architecture Ltd prior to commencement of any work.

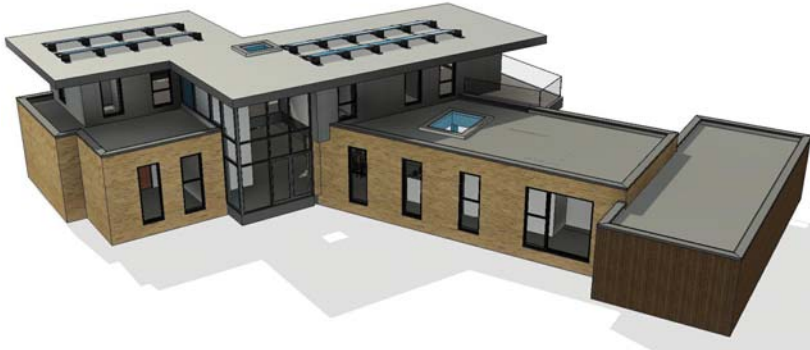
Northpoint:

Rev	Date	Amendments	By	Chkd
A	20/09/21	Layout updated to Client comments	MS	ST
B	20/11/21	Proposed Amended following Client comments	ST	DJR
C	09/11/21	See Store added, See Survey info added.	ST	DJR
D	19/11/21	Plan Amended	ST	DJR

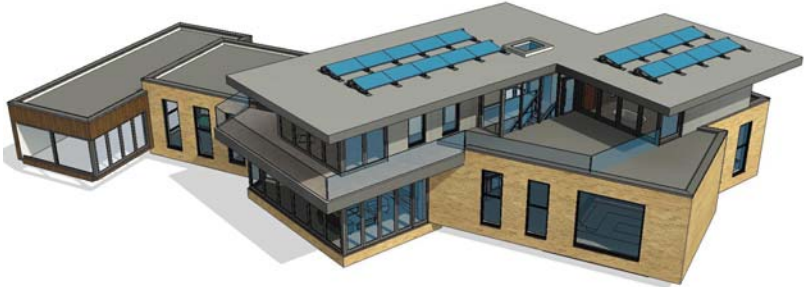
8 Wharf Street, Leeds, LS2 7EQ
17 Grosvenor Street, London, W1K 4GG
T: 0113 244 5038
info@den.uk.com
www.den.uk.com

Project Proposed House, Sand Pit Lane, Alkborough			
Client Sharon Wright			
Draw Title Proposed Site Plan			
Date Aug 2021	Scale 1 : 200	Drawn ST	Checked DJR
Project No 3254	Size A1	Status Planning	
Drawing Number 3254-DEN-A-ZZ-DR-A-1000			Revision D

PA/2021/2237 3D visuals (not to scale)



Aerial View 1



Aerial View 2



View from Driveway




View From Garden

C:\Users\jordan\Desktop - Den Architecture\3254\3254_Plan Case Alkborough\10.00 - Plans\3254-DEN-A-ZZ-DR-A-9000.dwg

Copyright of this drawing remains the sole property of Den Architecture Ltd unless otherwise assigned in writing. Do not scale from this drawing. Ignored dimensions are to be worked in all cases with any discrepancies reported to Den Architecture Ltd prior to commencement of any work.

Northpoint:



Rev	Date	Amendments	By	Chkd
A	20/09/21	Layout updated to Client comments	MS	ST
B	20/11/21	Proposed Amendment following Client comments	ST	ST



8 Wharf Street, Leeds, LS2 7EQ
17 Grosvenor Street, London, W1K 4GG
T: 0113 244 5038



info@den.uk.com
www.den.uk.com

Project			
Proposed House, Sand Pit Lane, Alkborough			
Client			
Sharon Wright			
Dwg Title			
3d Visuals			
Date	Scale	Drawn	Checked
Aug 2021		ST	DJR
Project No	Size	Status	
3254	A1	Planning	
Drawing Number			Revision
3254-DEN-A-ZZ-DR-A-9000			B

This page is intentionally left blank

APPLICATION NO	PA/2021/2255
APPLICANT	Messrs G & N Mattu
DEVELOPMENT	Planning permission to erect 5 detached dwellings
LOCATION	Former Sir Solomon Inn, King Edward Street, Belton, DN9 1QN
PARISH	Belton
WARD	Axholme Central
CASE OFFICER	Scott Jackson
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Member 'call in' (Cllrs Tim Mitchell and David Robinson – significant public interest and no drainage strategy agreed for the site)

POLICIES

National Planning Policy Framework: Sections 5, 12, 14 and 16

North Lincolnshire Local Plan:

Policy DS1 (General Requirements)

Policy DS14 (Foul Sewage and Surface Water Drainage)

Policy DS16 (Flood Risk)

Policy HE9 (Archaeology)

Policy H5 (New Housing Development)

Policy H7 (Backland and Tandem Development)

Policy H8 (Housing Design and Housing Mix)

Policy LC6 (Habitat Creation)

Policy T1 (Location of development)

Policy T2 (Access to Development)

Policy T19 (Car Parking Provision and Standards)

North Lincolnshire Core Strategy:

Policy CS1 (Spatial Strategy for North Lincolnshire)

Policy CS2 (Delivering More Sustainable Development)

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)

CONSULTATIONS

Highways: No objection, recommend conditions.

Historic Environment Record: The west side of the site is within the Area of Special Historic Landscape Interest of the Isle of Axholme (Local Plan Policy LC14). No objection given the past history of the site subject to standard conditions removing permitted development rights to avoid the unregulated extension of the built environment into the protected historic landscape area at the rear of the development.

LLFA Drainage: The development falls within our lower threshold assessment levels (5 to 9 properties) and proposes soakaways but provides no information to support the proposals. There would seem to be no feasible surface water drainage outfall within the vicinity of the development.

For this reason, the LLFA Drainage Team objects to the proposed development.

The applicant has failed to provide an acceptable flood risk assessment and principle drainage strategy. This should outline all sources of flooding and proposals to mitigate this, including preliminary drainage layout plans, topographical survey and outline hydraulic calculations, including an indicative discharge rate for a 1 in 100 year storm event plus climate change which should be based on the current National Guidance and on SuDS principles, including adoption/maintenance proposals.

Consequently, the proposal fails to comply with policy DS16 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the Core Strategy and paragraphs 159 to 169 of the NPPF.

Recycling: Comments made in relation to bin storage, collection, collection points and the number/type of bins.

PARISH COUNCIL

No response received.

PUBLICITY

Two site notices have been displayed. Five letters of objection (two from the same address) and a letter of comment (six representations in total) have been received raising the following issues:

- removal of off-street parking on the former Sir Solomon site

- there are existing issues with on-street parking and congestion along King Edward Street
- potential for significant increases in traffic
- impact on pedestrian safety
- increase in vehicles being parked within the highway due to under provision of off-street parking
- localised flooding issues
- additional landscaping should be considered
- narrow vehicular access
- swift bricks should be incorporated into the development
- proximity to the mini-roundabout
- existing issues with parking provision for the fish and chip shop
- the application fails to take into account the 11 dwellings approved on the site to the north under PA/2018/2416
- impact on local services/amenities
- impact on drainage and flood risk
- provision should be made for parking for the hot food takeaway
- issues with localised parking associated with the school and hot food takeaway.

ASSESSMENT

The application site consists of a vacant site where the Sir Solomon Inn public house formerly stood. It is located to the east of 3 houses and a fish and chip shop takeaway and to the west of a number of detached bungalows. The area is residential in nature and the primary school is located within walking distance to the south-west. The site is located within the settlement boundary as defined in the Housing and Employment Land Allocations Development Plan Document (DPD). The site is located within flood zone 1 and this proposal seeks full planning permission to erect 5 dwellings with associated garden and off-street parking and a new vehicular access from King Edward Street to the south.

The main issues in the determination of this application are the principle of development, impact on the street scene, highway issues and impact upon residential amenity.

Principle

Belton is classed as a rural settlement according to the settlement hierarchy of the Core Strategy. The application site is brownfield land (former public house and associated parking) within the defined settlement boundary for Belton, in a sustainable central location

within easy walking and cycling distance of a range of local facilities, including a primary school, village hall, shops, doctor's surgery and hot food takeaway. In terms of sustainability, it is within walking distance of bus stops.

Policy CS1 states 'rural settlements will be supported as thriving sustainable communities, with a strong focus on retaining and enhancing existing local services to meet local needs. Development will be limited and should take into account levels of local service provision, infrastructure capacity and accessibility.'

The proposal therefore accords with the principles of sustainable development as set out within the policies of the local plan, Core Strategy and the National Planning Policy Framework on delivering residential development in appropriate locations. The Housing and Employment Land Allocations DPD shows that this site is located within the settlement boundary for Belton.

Policy H8 (Housing Design and Housing Mix) applies and states that new residential development will be permitted provided that it incorporates a high standard of layout which maintains, and where possible improves and enhances, the character of the area and protects existing and natural and built features, landmarks or views that contribute to the amenity of the area. This site constitutes developable and previously developed land within the settlement boundary of Belton, in a sustainable location; there is therefore a presumption in favour of residential development.

Policy CS2 of the adopted Core Strategy applies and sets out a sequential approach for new development. In respect of Belton (rural settlement) it states that development should be focused within the defined settlement boundary to meet identified local needs. Policy CS8 states, 'New housing within the rural settlements 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.' The proposal will result in the delivery of 5 new market dwellings within the defined settlement boundary for Belton and will contribute towards delivering housing supply in North Lincolnshire. It is worth noting that outline planning permission was granted for 5 dwellings on this site on 8 February 2017 under planning application PA/2016/1907; this established the principle of residential development on this land as being acceptable.

Design

The development proposals show the erection of 5 detached dwellings, all of which are more than 2 storeys in height and 2 dwellings are proposed along the site frontage (plots 1 and 2) and a further 3 plots to the rear. All of the dwellings have been designed with a balanced appearance to both the front and rear elevations with first-floor windows in vertical alignment with ground-floor openings and a centrally positioned front entrance porch; this provides a sense of symmetry to these elevations and the porch adds visual interest to the street scene. It is noted the dwellings to the east of the site (along King Edward Street) are single-storey detached bungalows, this is slightly at odds with the height of dwellings proposed on the application site, however the building located directly to the west of the site (which contains the fish and chip shop takeaway) are equivalent height to those proposed in this case; therefore, the height of the proposed dwellings is not considered to be at odds with the prevailing height of dwellings in the vicinity of the site. The design and access statement does state it is proposed to use red facing brickwork, painted render and grey smooth profile interlocking tiles for all the dwellings. Whilst the specific details of the external materials have not been provided within the application submission it is considered

that general choice of materials would not be at odds with the character and appearance of the street scene.

The dwellings are proposed to be of a gable design with rooms within the roof space and, with the exception of plot 5, provision is made for an integral garage to the front of the dwellings. Plot 5 is shown to have a detached double garage in its south-eastern corner and the plans show that none of the dwellings, or their respective boundaries, extend into the LC14 land to the north. The site layout shows that the site can accommodate 5 dwellings and associated private amenity space and that a minimum of 2 off-street parking spaces per dwelling can be provided. In addition to this 3 spaces are proposed to serve the hot food takeaway to the west; these are to be provided to the south of plot 3.

There are examples of residential development in Belton where dwellings or groups of dwellings are positioned to the rear of dwellings located along the highway frontage. Outline planning permission was granted in 2015 (PA/2015/0200 and PA/2015/1339) on 2 applications for dwellings on land to the rear of existing dwellings along the southern side of King Edward Street. In addition, outline planning permission has already been granted on this site for 5 dwellings in 2017 with a further 11 dwellings approved on the site to the rear. Whilst the erection of dwellings on land to the rear of proposed houses along the highway frontage is a form of backland development it is not considered to represent a form of development which is at odds with the prevailing character of residential development in this settlement.

Highways

The council's Highway department has raised no objections in principle to the proposed development or to the point of vehicular access shown on the drawings submitted with the planning application. Highways have raised no objection to the proposal on highway and pedestrian safety grounds and there are no known issues in this part of Belton in terms of parking within the highway or highway visibility. In addition, there is a traffic regulation order in place along the section of highway between the site and the mini-roundabout located at the junction of King Edward Street with the A161; this restricts parking within the highway along this section of King Edward Street. In addition, off-street parking to serve the fish and chip shop in the form of 3 parking spaces is shown within the confines of the site (this will reduce the potential for any parking to the front of the site) and in considering the development proposals Highways would be aware of the dwellings approved on the site directly to the north.

A site layout plan submitted in support of this application shows that the width of the proposed vehicular access is 5.5 metres for the initial 7 metres into the site, reducing to 4.5 metres in width for the remainder of the site. These vehicular access widths are considered sufficient to allow one vehicle to safely pass another. The proposal is not considered to generate traffic movements over and above that reasonably expected in a residential area. A condition is recommended in respect of bin storage and collection; this will ensure that bins can be presented and collected adjacent to the public highway on the requisite day.

Residential amenity

A number of existing residential properties are located close to the site; the proposal has the potential to result in loss of amenity to these properties. The submitted layout plan shows that 5 dwellings can clearly be positioned within the site; these dwellings can be

easily positioned at regular intervals with sufficient residual space for the provision of 2 off-street parking spaces per dwelling, 3 spaces to serve the hot food takeaway located to the west and for private amenity space to the and rear of each dwelling. The plan also shows that the position of the dwellings will respect the openness that exists between dwellings along both sides of King Edward Street and there is sufficient separation distance to the dwellings to the west (9 King Edward Street) and to the east (The Bungalow) to ensure there is no loss of residential amenity through the effects of overshadowing or having an overbearing impact. The layout plan also shows that the site can clearly be developed for 5 dwellings and associated parking and garden space without resulting in a cramped form of development, there is sufficient space to the side of each dwelling for pedestrian circulation and the amount of private amenity space provision is considered commensurate to each dwelling. The development has been designed to ensure that overlooking between the proposed dwellings within the site can be sufficiently mitigated.

Other issues

A number of the objectors have raised issues in respect of localised flooding and drainage in this part of Belton. In addition to this the objection from LLFA Drainage is noted. The online surface water drainage maps (Gov.uk) show this site to have low potential for surface water flooding. The site is located in flood zone 1 and there is no formal requirement for a flood risk assessment to be submitted with any planning application for residential development on this site. It is worth noting that LLFA Drainage has raised no objection to the proposals put forward for 5 dwellings on this site nor to the 11 dwellings on the neighbouring site to the north in the past (under PA/2016/1907 and PA/2018/2416 respectively) and the proposal will actually result in a reduction in the amount of hardstanding which formed the site when it was in use as a public house with associated car park. Concerns relating to the method of surface water drainage disposal from LLFA Drainage are noted, however it is considered a condition which recommends details of the method of surface water drainage to be submitted for consideration is appropriate in this case; this would allow the local planning authority to ensure that an acceptable disposal method can be accommodated.

Concerns raised by objectors in relation to the strain on existing services/utilities that would be caused by the development are noted. However, no evidence has been submitted to suggest that the proposed additional dwellings would result in any demonstrable harm being caused to existing services/utilities in Belton. The development falls under the threshold for contributions to be sought under a Section 106 agreement in this case.

Contamination

The site was previously occupied by a public house and its car park; this was demolished following the grant of prior approval in 2014. The development is proposed on the area on which the public house and its car park stood and therefore it is not considered the previous site uses would give rise to the potential for contamination in this case. Whilst no consultation response has been received from Environmental Protection, in this regard a condition is recommended that if any unexpected contamination is found during the development process then it is suitably investigated and a method statement submitted for the treatment and removal of said contamination.

Conclusion

It is considered that the proposal represents sustainable development in the context of the NPPF and Housing and Employment Land Allocations DPD policy PS1, which sets a presumption in favour of sustainable development, particularly as the site is located wholly within the defined settlement boundary for Belton. The proposal would have no demonstrable adverse impact on the LC14 nor on the character of the existing settlement pattern of King Edward Street, and the development proposals are not considered to have a detrimental impact on highway safety or residential amenity. The application is therefore recommended for approval.

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:

C330/A1/401 Rev C
C330/A1/402 Rev B
C330/A1/403 Rev C
C330/A1/404 Rev B
C330/A1/405 Rev B
C300/A1/406 Rev B
C330/A1/407 Rev C
C330/A1/408 Rev C
C330/A1/409 Rev C.

Reason

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

3.

If, during development, any odorous, discoloured or otherwise visually contaminated material is found to be present at the site then no further development shall be carried out until a written method statement detailing how this contamination shall be dealt with has been submitted to and approved in writing by the local planning authority.

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.

4.

No above ground works shall take place until details have been submitted to and approved in writing by the local planning authority of the make, type and colour of all external facing materials for the development and only the approved materials shall be used.

Reason

To ensure that the building is in keeping with its surroundings in the interests of visual amenity, in accordance with policy DS1 of the North Lincolnshire Local Plan.

5.

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

Reason

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

6.

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.

7.

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.

8.

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

- (i) the proposed method of forming access from the highway, including the required visibility splays;
- (ii) the method of constructing/paving the drive;
- (iii) the provision of adequate drainage features;
- (iv) the provision of suitable bin collection facilities adjacent to the highway;

- (v) the provision of suitable lighting arrangements; and
- (vi) the provision of street name plates that shall include the words 'Private Drive';

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

Reason

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

9.

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.

10.

No above ground works shall take place until details of the provision of adequate bin collection facilities have been provided and approved in writing by the local planning authority. No dwelling shall be occupied until the bin collection facilities have been implemented 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.

11.

No above ground works 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 and conversely from the site onto the highway 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.

Reason

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

12.

No above ground works shall take place until a scheme for the disposal of foul and surface water has been submitted to and approved in writing by the local planning authority. The surface water drainage scheme shall consider sustainable urban drainage techniques where appropriate. None of the dwellings shall be occupied until it is connected to the approved drainage system.

Reason

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

Informative 1

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

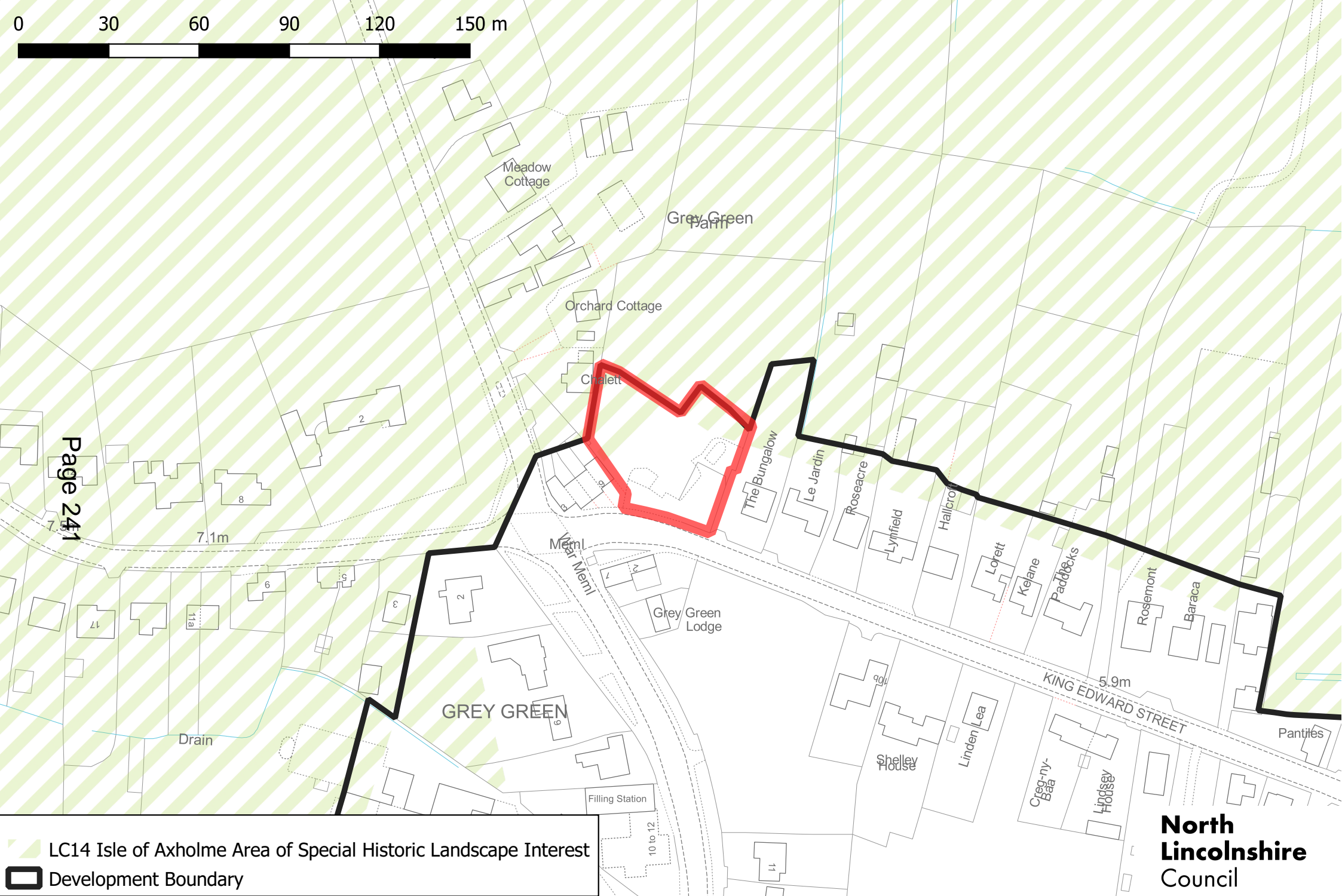
- before ANY construction works take place within the limits of the highway you MUST contact the highway authority on telephone number 01724 297000 to arrange for the relevant permissions/licenses to be issued;
- before ANY service (utility) connections take place within the limits of the highway you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



Page 241



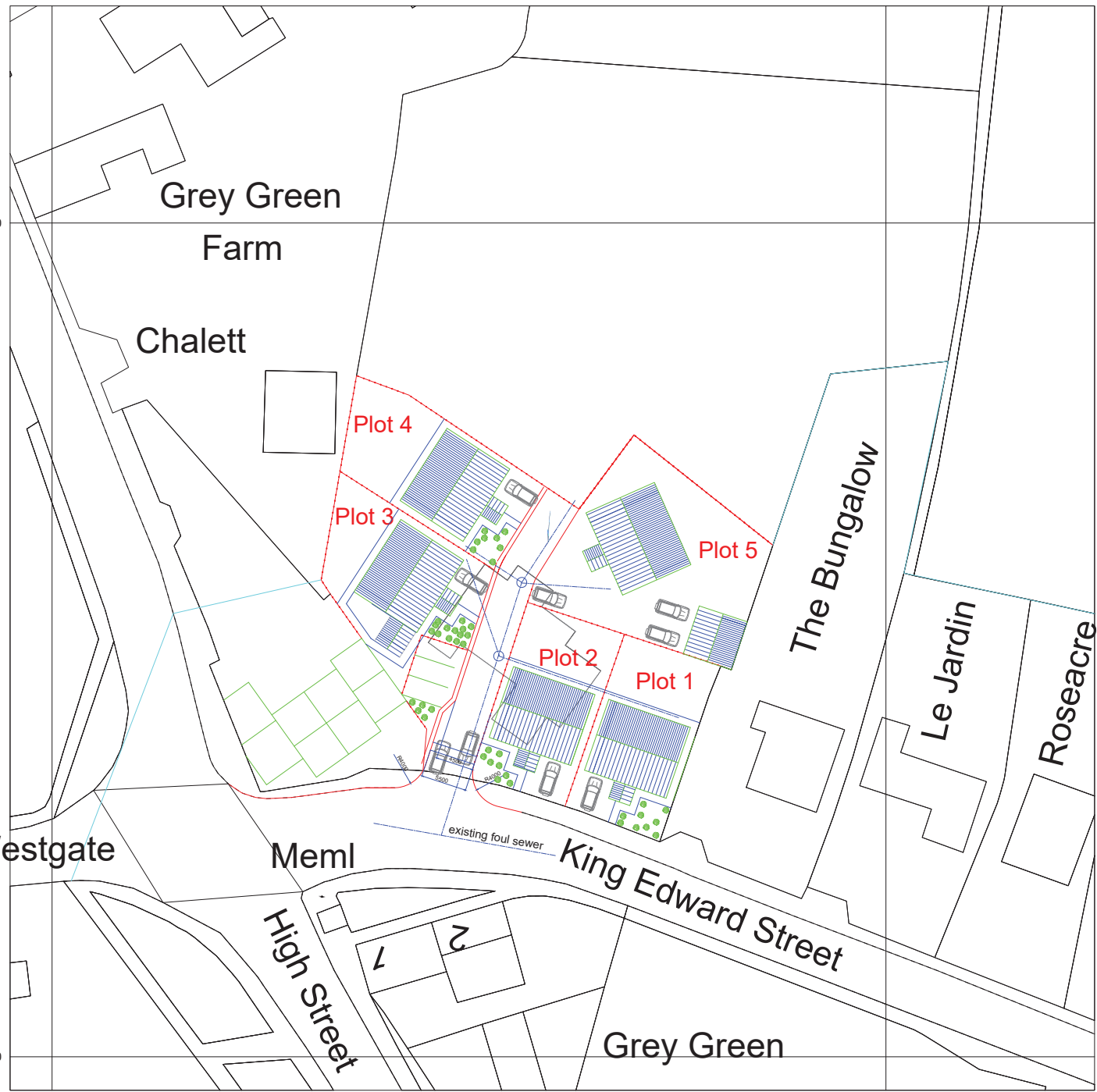
 LC14 Isle of Axholme Area of Special Historic Landscape Interest
 Development Boundary

**North
Lincolnshire
Council**

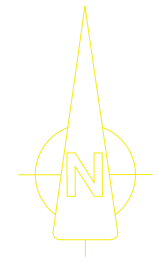
PA/2021/2255 Proposed layout (not to scale)

NOTES
 THIS DRAWING IS FOR BUILDING REGS. & PLANNING PURPOSES ONLY
 ALL DIMENSIONS & DETAILS TO BE CHECKED ON SITE PRIOR TO
 COMMENCEMENT OF WORKS ON SITE
 THIS DRAWING IS THE COPYRIGHT OF SHEPHERD TECHNICAL SERVICES
 THIS DRAWING IS TO BE READ IN CONJUNCTION WITH THE
 FOLLOWING DRG. NO.
 C330A1407 HOUSE TYPE 1 - PROPOSED PLANS
 C330A1402 HOUSE TYPE 1 - PROPOSED ELEVATIONS
 C330A1403 HOUSE TYPE 2 - PROPOSED PLANS
 C330A1404 HOUSE TYPE 2 - PROPOSED ELEVATIONS
 C330A1405 HOUSE TYPE 3 - PROPOSED PLANS
 C330A1406 HOUSE TYPE 3 - PROPOSED ELEVATIONS
 C330A1407 PROPOSED SITE LAYOUT
 C330A1408 LOCATION PLAN
 C330A1409 HOUSE TYPE 3 - GARAGE GA

Page 242



- REVISED DEVELOPMENT BOUNDARY LINE
- - - 300 HIGH GRAVEL BOARD WITH 1500 HIGH LARCH LAP
- SHRUB PLANTING



Rev	Date	Description
C	17.12.21	Issued for Full Planning
B	26.02.20	blue line added Reissued for Approval of Reserved Matters
A	31.01.20	Issued for Approval of Reserved Matters

Issued for : Full Planning
 Client-Scheme
 Mr. G & M. Mattu
 PROPOSED RE-DEVELOPMENT OF SIR SOLOMON PUBLIC HOUSE
 KING EDWARD ST. BELTON NORTH Lincs
 TO PROVIDE SNo. DETACHED HOUSES

Site Layout
 Shepherd Technical Services
 110 Bushfield Road
 Scunthorpe
 North Lincolnshire
 DN16 1NA
 Tel : 01724 330769
 Fax: 01724 330768

SHEPHERD TECHNICAL SERVICES
 Architectural, Civil & Structural Design Consultants
 Date: Jan 20
 Scale: 1:250(A1-1:500@A3)
 Drawn: DS
 Checked:
 C330/ A1 /407 rev C

NORTH LINCOLNSHIRE COUNCIL

PLANNING COMMITTEE

APPLICATIONS FOR APPROVAL OF RESERVED MATTERS FOLLOWING THE GRANT OF OUTLINE PERMISSION FOR DETERMINATION BY THE COMMITTEE

1. OBJECT

- 1.1 To inform the committee about applications for approval of reserved matters which are ready for determination.

2. BACKGROUND

- 2.1 This committee is required under its terms of reference to exercise the functions of the council as local planning authority for the purposes of the control of development, including the determination of applications for planning permission and other applications under the Town and Country Planning Acts, General Development Orders, and any Orders or Regulations made thereunder, and in accordance with the council's planning policies.
- 2.2 In exercising these functions the committee is required to have regard to the National Planning Policy Framework, the development plan for the area and any other material considerations. It will also take account of the duty imposed by section 17 of the Crime and Disorder Act 1998 and the requirements of the Human Rights Act 1998.

3. INFORMATION

- 3.1 Items for determination are listed in the attached schedule.
- 3.2 Outline planning permission has already been granted and the development is therefore agreed in principle. Consideration is required of the layout, scale, external appearance, means of access and landscaping of the development (excluding any of these matters which were expressly approved at the time outline planning permission was granted).
- 3.3 Reports will be updated at the meeting if necessary to take account of additional relevant information received after publication.
- 3.4 Plans included with reports are for identification and/or illustrative purposes only. Applications and supporting documents can be viewed in full on the planning pages of the council's web site.

4. RESOURCE IMPLICATIONS

- 4.1 There are no staffing or financial implications arising from this report.
- 4.2 Environmental considerations are of major importance when considering planning applications and are set out in the individual reports.

5. RECOMMENDATION

- 5.1 That the applications be determined in accordance with the recommendations contained in the schedule.

DEVELOPMENT MANAGEMENT LEAD

Church Square House
30–40 High Street
SCUNTHORPE
DN15 6NL

Ref: CB/JMC/Planning committee 09 February 2022.docx
Date: 31 January 2022

Background papers used in the preparation of this report:

1. The applications including accompanying plans and ancillary correspondence.
2. Statutory and non-statutory consultation letters and responses.
3. Responses from parish and town councils.
4. Representations from other bodies or individuals.
5. Relevant planning policy documents.
6. Previous relevant planning decisions.

(Pursuant to section 100D of the Local Government Act 1972 any document containing 'exempt information' is excluded from this list.)

Statement of publication's purpose

The Ordnance Survey map data included within this publication is provided by North Lincolnshire Council under licence from the Ordnance Survey in order to fulfil its public function to act as a planning authority. Persons viewing this mapping should contact Ordnance Survey copyright for advice where they wish to licence Ordnance Survey map data for their own use.

APPLICATION NO	PA/2021/1240
APPLICANT	Mrs Melanie Thompson
DEVELOPMENT	Application for approval of reserved matters (access, appearance, landscaping, layout and scale) pursuant to outline planning permission PA/2018/792 dated 06/08/2018 for six dwellings
LOCATION	Carr Lane, Redbourne, DN21 4QZ
PARISH	Redbourne
WARD	Ridge
CASE OFFICER	Mark Niland
SUMMARY RECOMMENDATION	Grant approval subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Member 'call in' (Cllr Neil Poole – significant public interest) Objection by Redbourne Parish Council

POLICIES

National Planning Policy Framework:

Paragraph 130 – Planning policies and decisions should ensure that developments:

- (a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- (b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- (d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- (e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- (f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

North Lincolnshire Local Plan: DS1, DS7, DS11, RD2, H5, T2, T19, DS3

North Lincolnshire Core Strategy: CS5, CS17, CS18

CONSULTATIONS

Highways: No objections subject to conditions.

Drainage (Lead Local Flood Authority): The LLFA have assessed the additional information and commented as follows:

'Whilst I note that the block plan does not detail any soakaways proposals for the main section of highway, the supplied information is acceptable with respect to confirm infiltration is feasible for the development and as such we accept the reserved matters application.

We await the detailed surface water drainage design for the whole development for the discharge of conditions for PA/2018/792.'

Archaeology: The proposal does not adversely affect any heritage assets of archaeological interest or their settings.

PARISH COUNCIL

The parish council has raised the following concerns regarding this application.

The level of detail on the application is insufficient to make a decision:

- There are no details of the make, type and colour of all external facing materials for the development – red brick is the only indication on the application form.
- There is no detail of the provision for disposal of surface water on the site.

Due to the proximity to the conservation area, the proposed buildings should be in keeping in terms of height, visual impact and landscaping.

There are concerns around the impact of additional traffic at an already busy junction.

It should be noted that although outline planning permission has been obtained, 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 Redbourne. There are no allocated housing sites within Redbourne.

In addition, it should be noted that in recent months PA/2020/1363 and PA/2020/565 have been refused/dismissed at appeal in part on the grounds of the developments being outside the settlement boundary of Redbourne.

PUBLICITY

Advertised by site and press notices. Six objections have been received which express concerns in relation to character, amenity, flood risk and drainage, ecology, impact upon the historic environment and highway safety.

ASSESSMENT

Planning history

PA/1999/1438: Planning permission to erect seven detached houses and garages – refused 21/02/2000

PA/2001/0062: Outline planning permission to erect three dwellings (means of access not reserved for subsequent approval) – refused 27/04/2001

PA/2018/792: Outline planning permission for residential development with all matters reserved – approved 06/08/2018

Site constraints

Area of Amenity Importance

Close to Redbourne Conservation Area

Small Area of south- east corner in FZ 2/3a.

Site characteristics

The site is located to the north of Redbourne and is accessed from Carr Lane. It comprises grassland in the middle of residential form. To the west are dwellings fronting the High Street, to the east is St Andrew's Close, which is a cul-de-sac, and beyond Little Redbourne, whilst to the south are dwellings that front School Lane.

Redbourne conservation area is to the south of the site. Whilst some of the curtilage area of house 4 is washed over by flood zone 2/3a. The whole area is allocated as an area of amenity importance (LC11) in accordance with the local plan.

Proposal

The applicant has submitted information relating to all outstanding reserved matters pursuant to outline planning permission PA/2018/792. These matters relate to access, layout, scale, appearance and landscaping. The outline application was approved on 6 August 2018 and the reserved matters have been submitted within the three-year time frame (received in July 2021) as required by condition.

The principle of residential development has already been established through the outline permission when 'residential development' was approved. No numbers of dwellings were agreed nor indicative plans submitted as part of the outline application.

The relevant assessment of this application, therefore, is whether or not matters relating to access, layout, scale, appearance and landscaping are appropriate for this site.

Update

Since this item was deferred by members in November 2021 the applicant has submitted the following documents:

- Site Investigation Report (soakaway potential)

- Revised Site Plan (showing drainage details).

The LLFA were consulted on the additional information and have responded by withdrawing their objection stating that it has been demonstrated that infiltration is feasible. They also confirm that sufficient mitigation exists within the conditions associated with the outline planning permission in terms of surface water drainage.

The location(s), scale, appearance, landscaping and access have not been altered in a way that would give rise to the need for a reassessment of the reserved matters. The original assessment below is therefore still valid and up-to-date.

Scale, layout and appearance

Policy RD2 of the North Lincolnshire Local Plan is concerned with development within the open countryside. The policy is in two parts: firstly, it sets out, in principle, those development types that are acceptable; and secondly, it sets out a criteria-based approach to assessing those developments. The second part is of interest here in that it seeks to ensure that the visual amenity of the countryside is not compromised by poor development. Paragraph 'c' of the policy states, '...the development would not be detrimental to the character or appearance of the open countryside or a nearby settlement in terms of siting, scale, massing, design and use of materials;'

Policy CS5 of the North Lincolnshire Core Strategy is also relevant. It 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' and '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 H5 of the local plan, which is concerned with new housing development, is also considered relevant (although parts 'i' and 'ii' are superseded by CS1, the remainder of the policy is intact).

Policy HE2 is concerned with development in conservation areas it states, '...all development proposals in, or which affect the setting of, conservation areas should preserve or enhance the character and appearance of the area and its setting.'

Paragraph 130 of the NPPF states, '...Planning policies and decisions should ensure that developments:

- (a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- (b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- (d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

- (e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- (f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

In support of this proposal the applicant has submitted the following documents:

- Heritage Statement
- Planning Statement
- Plans and elevations.

The area along Carr Lane is characterised by pairs of red brick semi-detached dwellings with plain concrete tiles, side drives, and front and rear curtilage areas. To the east St Andrew's Close is a cul-de-sac with a series of bungalows made up of brown facing brick and interlocking concrete roof tiles. The housing mix broadens along the High Street where there are a mix of bungalows and larger two-storey detached dwellings. For the most part a mix of facing brick and tile inform this area.

The layout of the scheme is reflective of the cul-de-sac St Andrew's Close and all dwellings present into the street. Policy CS7 sets out density requirements but caveats that site constraints should dictate; this scheme on plan responds well to the site area. Sufficient separation distances are created, and proportionate private amenity areas provided.

The land slopes from west to east and the applicant has provided a topographical survey, though no information on finished floor levels is provided. The bungalow properties could be subject to an amount of overshadowing, the level of which is determined by the finished floor levels (FFLs) of the proposed dwellings. On plan form, should the dwellings be set at a similar level to those already existing in the area, then the impact would be at an acceptable level given the separation distance. It is therefore considered that sufficient justification exists under this application to impose a condition that FFLs would be agreed prior to any above-ground works.

On the theme of residential amenity, whilst the position of the dwellings and their separation distance from all other dwellings mitigate unacceptable levels of overshadowing and overbearing impact, the position of openings is also sensitive. In terms of impact upon existing properties the separation distance from rear elevation to rear elevation is sufficient to ensure unacceptable levels of visual intrusion do not exist. Inwardly the scheme works well and whilst there are a series of side openings they are set against other dwellings with blank elevations.

In terms of appearance the dwellings are mostly of two-storey construction with chimneys and intersecting single and 1.5-storey form extending from the main body of the dwelling. This use of shape and a chopping up of massing results in the appearance of less built form and something that is typical of the open countryside. Whilst the form is appropriate, the detail on external materials is not. The applicant states that 'red brick' and 'concrete interlocking tiles' will dress the facades and roof and more information is required to give an

understanding of the appearance of these dwellings. There is also a mix of cladding dotted about on some dwellings and no information has been provided in terms of the framing of openings or rainwater goods (which should always be black in such a location). Despite this, and as the built form is appropriate, a condition controlling all external materials would be attached should approval be granted. This information should include opening frames and rainwater goods, as well as facing brick and roof tile.

It is therefore considered that the proposal would fairly reflect the site constraints providing an interesting mix of architectural forms. However, the palette of materials is not presented in a sufficiently detailed way to understand if they are acceptable. Control of this will be retained through conditions.

Highways (access and road/footway layout)

Policy T2 of the North Lincolnshire Local Plan states that all development should be served by a satisfactory access. Policy T19 is concerned with parking provision as well as general highway safety. Both policies are considered relevant.

Highways have not objected and put forward a list of conditions to be attached to any approval. However, comparing these conditions to those put forward and attached as part of the outline permission, it is clear that all of the mitigation sought under this application has already been applied at outline stage. It would be both unnecessary and unreasonable to reattach conditions at this stage.

It is therefore considered, subject to the aforementioned mitigation, that the proposal would align with policies T2 and T19 of the North Lincolnshire Local Plan.

Landscaping

Policy CS5 is in part concerned with landscaping. It states, ‘...Incorporate appropriate landscaping and planting which enhances biodiversity or geological features whilst contributing to the creation of a network of linked greenspaces across the area. Tree planting and landscaping schemes can also assist in minimising the impacts of carbon emissions upon the environment.’

Paragraph 131 of the NPPF states, ‘...Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users.’

Paragraph 135 of the NPPF states, ‘...Local planning authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).’

Paragraph 174 (b) of the NPPF states that [decisions should contribute by] ‘... recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural

capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.’

Policy LC11 of the local plan is concerned with areas of amenity importance. It states, ‘...Within important amenity areas, development will only be permitted where it would not adversely affect their open character, visual amenity or wildlife value or compromise the gap between conflicting land uses. Where development is permitted, measures shall be taken to minimise their impact or, where necessary, make a positive contribution to such areas.’

The applicant has shown some planting, including hedging and trees. The hard landscaping relates to the road network and the driveways serving it. The mix of both hard and soft landscaping is considered appropriate. Rear gardens and block-paved drives would represent a suitable and in-keeping scheme and the mix of hedges and trees would work to soften the impact of the development.

One point of note is that the applicant proposes a 1.8m high boarded fence fronting the new road; this is poor design in that it creates a harsh interface in a countryside location as well as having implications upon natural surveillance. Therefore, in order to ensure the scheme is not let down by such instances, a condition controlling boundary treatments will be applied to any approval.

Other matters

The LLFA have removed their objections and concerns in relation to the layout and the potential to achieve a suitable drainage strategy.

RECOMMENDATION Grant approval subject to the following conditions:

1.

The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Layout 033471 02 Rev A

Plot 1 033471 03

Plot 2 033471 04

Plot 3 033471 05

Plot 4 033471 06

Plot 5 033471 07

Plot 6 033471 08

Reason

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

2.

Prior to any above-ground works, a plan showing the finished floor levels of all dwellings shall be submitted to and agreed in writing with the local planning authority.

Reason

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

3.

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

Reason

In the interest of character and to accord with policy CS5 of the Core Strategy.

4.

Prior to any above-ground works, a scheme of boundary treatments shall be submitted to and agreed in writing with the local planning authority. Only the agreed scheme shall be implemented and retained thereafter.

Reason

In the interest of character and crime prevention, and to accord with policies CS5 of the Core Strategy and DS3 of the North Lincolnshire Local Plan.

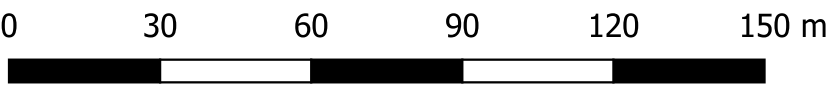
Informative 1

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

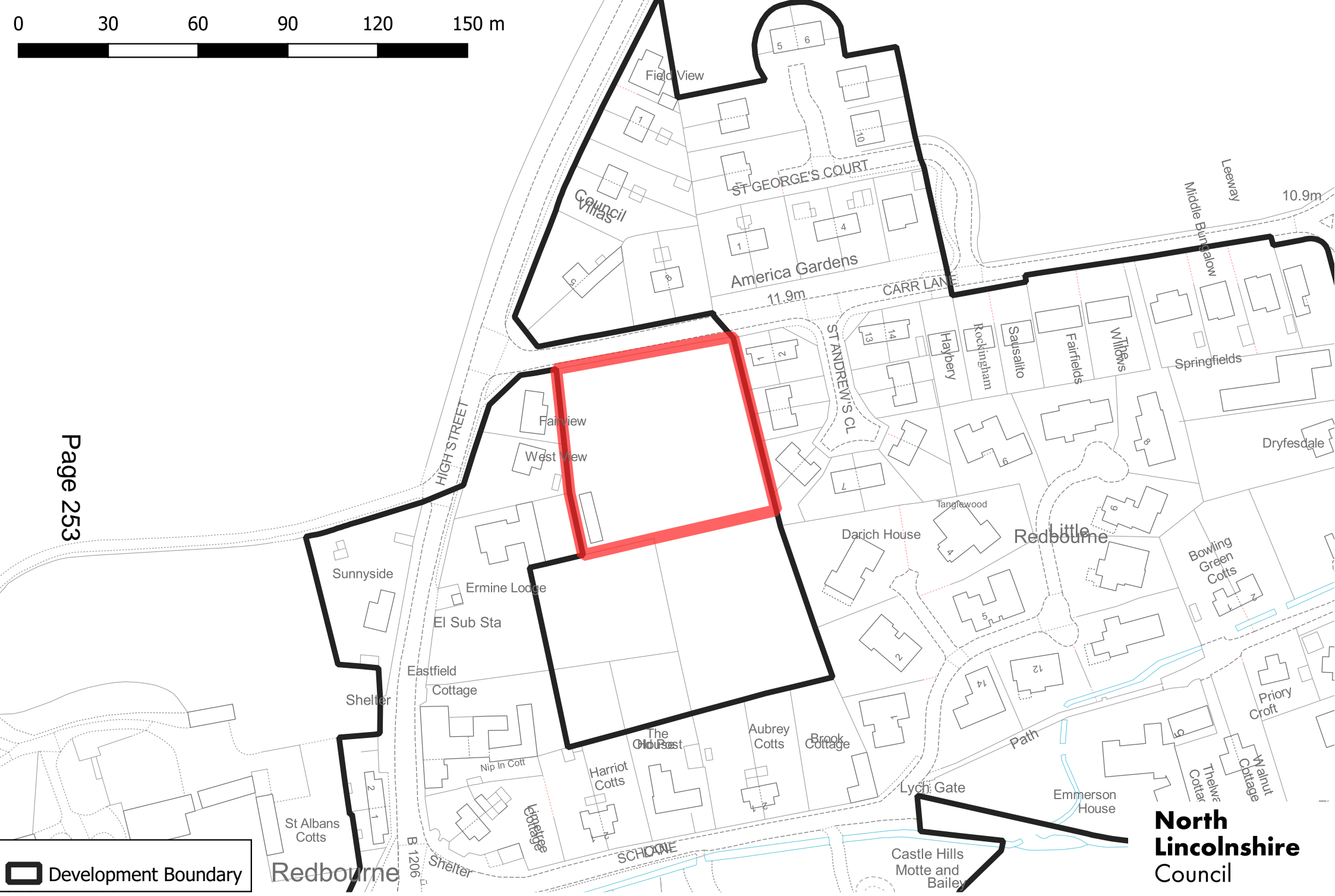
- before ANY construction works take place within the limits of the highway you MUST contact the highway authority on telephone number 01724 297000 to arrange for the relevant permissions/licenses to be issued;
- before ANY service (utility) connections take place within the limits of the highway you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



Page 253



Development Boundary

PA/2021/1240

**North
Lincolnshire
Council**

