

Public Document Pack

NORTH LINCOLNSHIRE COUNCIL

PLANNING COMMITTEE

8 March 2023

Chairman: Councillor Nigel John
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).
3. To take the minutes of the meetings held on 8 February 2023 as a correct record and authorise the chairman to sign. (Pages 1 - 10)
4. Applications deferred from previous meetings for a site visit. (Pages 11 - 12)
 - (a) PA/2022/2019 - Outline planning permission to erect a bungalow with appearance, landscaping, layout and scale reserved for subsequent consideration at 14 Leaburn Road, Messingham, DN17 3SR (site visit time 11.30am). (Pages 13 - 24)
5. Planning and other applications for determination by the committee. (Pages 25 - 26)
 - (a) PA/2021/2053 - Planning permission to erect a replacement dwelling, including larger footprint with detached garage (re-submission of PA/2021/902) at Tetley House, Tetley, Crowle, DN17 4HY. (Pages 27 - 44)
 - (b) PA/2022/535 - Outline planning permission to erect four dwellings with scale, layout, appearance and landscaping reserved for subsequent consideration at Land to the rear of The Jolly Miller, Brigg Road, Wrawby, DN20 8RH. (Pages 45 - 64)

- (c) PA/2022/1149 - Planning permission to erect two, three-bedroom semi-detached dwellings and a three-bedroom detached dwelling, with associated parking and amenity space at 19 Low Cross Street, Crowle, DN17 4NA. (Pages 65 - 84)
 - (d) PA/2022/1315 - Planning permission to retain eight dwellings at Land at Harris View, Epworth, DN9 1GJ. (Pages 85 - 96)
 - (e) PA/2022/1498 - Planning permission to erect a detached dwelling, with garage and new vehicular access at Land adjacent to Swinster House, Swinster Lane, East Halton, DN40 3NR. (Pages 97 - 114)
 - (f) PA/2022/1861 - Planning permission to erect portal-framed commercial units for general light industrial, storage and distribution at Poplar Farm, Ulceby Road, South Killingholme, DN40 3JB. (Pages 115 - 130)
 - (g) PA/2022/1937 - Planning permission to erect a dwelling at Sussex House, 19 Silver Street, Winteringham, DN15 9ND. (Pages 131 - 146)
 - (h) PA/2022/2075 - Planning permission to install ground-mounted solar PV array(s) and associated infrastructure at Hillcrest, 35 Nethergate, Westwoodside, Haxey, DN9 2DL. (Pages 147 - 154)
 - (i) PA/2022/2152 - Planning permission for the retention of 1800mm high timber waney edge fencing, fence posts and gate at Sheffield Arms, High Street, Burton upon Stather, DN15 9BP. (Pages 155 - 164)
6. 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.

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PRESENT: - N Sherwood (Chairman)

N Sherwood (Chairman), C Ross (Vice Chairman), S Bainbridge, J Davison, M Grant, D Southern, D Wells and J Longcake

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

2351 **SUBSTITUTIONS**

Councillor Longcake for Councillor Hannigan.

2352 **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 member declared he had been lobbied:

Councillor Wells – Application PA/2022/1451

2353 **TO TAKE THE MINUTES OF THE MEETINGS HELD ON 11 JANUARY 2023 AS A CORRECT RECORD AND AUTHORISE THE CHAIRMAN TO SIGN.**

Resolved – That the minutes of the meeting held on 11 January, having been printed and circulated amongst the members, be taken as read and correctly recorded and be signed by the chairman.

2354 **APPLICATIONS DEFERRED FROM PREVIOUS MEETINGS FOR A SITE VISIT.**

2355 **PA/2022/1451 PLANNING PERMISSION FOR PARTIAL CHANGE OF USE OF DWELLING FROM RESIDENTIAL TO CHILDMINDING AT KEEDALE, WESTOBY LANE, BARROW UPON HUMBER. DN19 7DJ (SITE VISIT TIME 11.15AM).**

The Head of Planning and Development provided an update to the committee, informing them that due to new additional information coming to light during the site visit with regards to the parking, that the application be deferred to consider the information in more depth.

It was agreed by the committee that they proceed with the application and the information before them.

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An objector who addressed the committee previously reiterated her concerns, and highlighted the business was in an inappropriate location within a residential setting. It was not suitable for a business due to noise from the children and activities during the day. There was safety issues with the parking, and walking the children down to the nearby field proposed for additional parking as there was no footpath.

The applicant stated the business had been running for a number of years with no proven noise concerns, and there would be short scheduled time periods when the children would be playing outside. She indicated they had secured some land for parking as respect to the neighbours, and had exhausted all avenues for all involved. They had strict operation hours and in term-time only.

Cllr J Davison highlighted that the business had been successfully running with six children and no complaints, and was a much needed provision within the area. He was pleased to see additional parking provisions had been sought, and the local support for the proposal was overwhelming. Following the site visit he felt the application should be approved.

Cllr Grant was of the same opinion as the previous speaker following the site visit, and was satisfied with the application.

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

That planning permission be approved with the following conditions –

1.

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

- Site Location Plan Ref. TQRQM22221121543989

- Ground Floor Plan DRWG/PA/2022/1451/01

- Block Plan Ref. TQRQM22221105940283.

Reason

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

2.

Hours of opening shall be restricted to:

- 8am to 4pm Monday to Friday (term time only).

The childminding facility shall remain closed on Saturdays, Sundays and public/bank holidays, and during school holidays.

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3.

In total, no more than 10 children shall be cared for at any one time in connection with the hereby approved child minding business at Keedale, Westoby Lane, Barrow upon Humber, DN19 7DJ, unless further written permission is obtained from the local planning authority.

Reason

For the avoidance of doubt and to protect the residential amenity of surrounding residents in accordance with policies DS1 and DS4 of the North Lincolnshire Local Plan.

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.

Motion Carried.

2356 MAJOR PLANNING APPLICATIONS.

2356a PA/2022/956 PLANNING PERMISSION TO CONSTRUCT AN AGRICULTURAL IRRIGATION RESERVOIR AT LAND NORTH OF RISBY ROAD, APPLEBY.

The Application was withdrawn.

2356b PA/2022/1064 OUTLINE PLANNING PERMISSION FOR A RESIDENTIAL DEVELOPMENT OF 9 DWELLINGS WITH ALL MATTERS RESERVED FOR SUBSEQUENT CONSIDERATION AT CAR SALES AND STORAGE LAND, ENGINE STREET, BRIGG, DN20 8LT.

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

2357 PLANNING AND OTHER APPLICATIONS FOR DETERMINATION BY THE COMMITTEE.

2358 PA/2022/1123 PLANNING PERMISSION TO ERECT THREE FOUR-BEDROOMED DETACHED DWELLINGS WITH ASSOCIATED PARKING AND AMENITY SPACE AT ORCHID HOUSE, HOWE LANE, GOXHILL, DN19 7JD.

Resolved – That planning permission be approved in accordance with the recommendations contained within the Officer's report.

2359 PA/2022/1575 OUTLINE PLANNING PERMISSION WITH ALL MATTERS RESERVED TO ERECT A DWELLING IN CONNECTION WITH AN AGRICULTURAL BUSINESS AT NINEVAH FARM, IDLE BANK,

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EPWORTH, DN9 1LG.

The agent spoke on the application indicating the need for the dwelling for the agricultural business. He stated there was an essential need to have a rural worker to be near the work, and also for security purposes. He highlighted there had been no objections from statutory consultees, the flood zone risk was acceptable, and was part of a sustainable community, playing a significant part of the agricultural community.

Cllr J Davison referred to rural crimes going through the roof in remote locations. Therefore, felt the proposal was acceptable with a need to support the agricultural community, and the location was very remote to sell on.

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

That planning permission be approved with the following conditions –

1.

Approval of the details of the layout, scale and 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 layout, scale and 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

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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 DWG No. 595.01 Rev A
- Site Plan Reference TQRQM22159135925150.

Reason

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

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

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.

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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

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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.

7.

The occupation of the dwelling shall be limited to a person solely or mainly working, or last working, in the locality in agriculture, or a widow or widower of such a person, and to any resident dependants.

Reason

To protect residential amenity.

8.

The development shall be carried out in accordance with the submitted flood risk assessment (August 2022 by Richard Alderson Consulting). In particular, finished floor levels shall be set no lower than 4.1 metres above Ordnance Datum (AOD).

Reason

To reduce the risk of flooding to the proposed development and future occupants in accordance with the North and North East Lincolnshire Strategic Flood Risk Assessment June 2022.

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9.

The dwelling shall not be occupied until the vehicular access to it and the vehicle parking and turning space(s) serving it have been completed and, once provided, the vehicle parking and turning space(s) shall be retained.

Reason

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

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

Meres & Scawcetts East Drain, an open watercourse maintained by Doncaster East Internal Drainage Board, exists to the north of the site, to which byelaws and the Land Drainage Act 1991 apply.

The Board's consent is required for any works that increase the flow or volume of water to any watercourse or culvert within the Board's district (other than directly to a main river for which the consent of the Environment Agency will be required).

The Board's written consent will be required prior to construction of any discharge point from any biotechnical unit/package treatment plant/septic tank into any watercourse or culvert within the Board's district (other than directly to a main river for which the consent of the Environment Agency will be required).

The Board's consent is required irrespective of any permission gained under the Town and Country Planning Act 1990. The Board's consent will only be granted where proposals are not detrimental to the flow or stability of the watercourse/culvert or the Board's machinery access to the watercourse/culvert which is required for annual maintenance, periodic improvement and emergency works.

Informative 3

For minor developments, the LLFA Drainage Team recommends you consider upsizing the pipe network increasing storage around your development to cater for more intense storm conditions. Although this is not a requirement in terms of surface water flood risk compliance it would be good practice on your behalf to ensure an increased level of resilience for the

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development and its future occupiers and we would ask that you fully explore all Source Control SuDS techniques that can store and allow water reuse.

Motion Carried.

- 2360 **PA/2022/1621 PLANNING PERMISSION TO CONVERT EXISTING BARN INTO A DWELLING TO INCLUDE THE REMOVAL OF THE CORRUGATED IRON ROOF OF THE LARGEST BARN TO CREATE AN OPEN COURTYARD SPACE AND CONSTRUCT A BRICK GARAGE WITHIN THE FOOTPRINT OF THE LARGE BARN AT BARN NORTH OF MILL FARM, ACCESS ROAD TO MILL FARM, APPLEBY, DN15 0BZ.**

The agent for the application outlined the proposal to convert the modern barn, and indicated it was just outside the parameters for not requiring permission. He indicated the proposal was to reduce the barn in size, and was the last piece of the puzzle on the site.

Cllr Ross stated that she knew the site and anything would be an improvement so welcomed the proposals.

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

- 2361 **PA/2022/1653 PLANNING PERMISSION TO ERECT A REPLACEMENT DWELLING, CONVERT A BARN TO A DWELLING AND ERECT A NEW CART SHED (INCLUDING DEMOLITION OF EXISTING FARMHOUSE, EXISTING BARN (IN PART) AND OUTBUILDING) AT POND FARM, STATION ROAD, GRAIZELOUND, DN9 2NQ.**

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

- 2362 **PA/2022/1684 PLANNING APPLICATION TO REMOVE CONDITION 2 OF 7/1979/1026 TO ALLOW FOR OCCUPATION OF THE DWELLING OTHER THAN BY A PERSON SOLELY OR MAINLY EMPLOYED, OR LAST EMPLOYED, IN AGRICULTURE AT BRIDGE FARM, BUTTERWICK ROAD, MESSINGHAM, DN17 3PA.**

The applicant addressed the committee and urged them to allow them to remove an agricultural condition from dwelling. She indicated that the officer's had recommended approval as it had not been a farm for years, and they had also tried to sell the property and had failed to do so with the condition attached to it.

Cllr J Davison having read the report felt satisfied and agreed the condition should be removed.

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

- 2363 **PA/2022/2019 OUTLINE PLANNING PERMISSION TO ERECT A BUNGALOW WITH APPEARANCE, LANDSCAPING, LAYOUT AND**

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SCALE RESERVED FOR SUBSEQUENT CONSIDERATION AT 14 LEABURN ROAD, MESSINGHAM, DN17 3SR.

An objector addressed the committee with a number of concerns against the application. He stated that the access was so close to the junction it was a highway safety issue. The parking provision to the front of the property was not adequate. The actual site maps indicate the application would go over the site boundaries. It was not in keeping with the neighbouring properties, and the plot was so much smaller than the others in the area.

Councillor J Davison felt that the committee needed to go visit the site as it looked a very small plot from the plans.

It was moved by Cllr J Davison and seconded by Cllr Grant –

That a site visit be held before a decision is taken, and be brought back to a future meeting.

Motion Carried.

2364 **PA/2022/2064 PLANNING PERMISSION TO ERECT A REAR GROUND-FLOOR EXTENSION AT POPLAR, FERRY ROAD, GRAIZELOUND, DN9 2LY.**

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

2365 **ANY OTHER ITEMS, WHICH THE CHAIRMAN DECIDES ARE URGENT, BY REASONS OF SPECIAL CIRCUMSTANCES, WHICH MUST BE SPECIFIED.**

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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 08 March 2023
Date: 27 February 2023

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

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APPLICATION NO	PA/2022/2019
APPLICANT	Mrs Lisa White
DEVELOPMENT	Outline planning permission to erect a bungalow with appearance, landscaping, layout and scale reserved for subsequent consideration
LOCATION	14 Leaburn Road, Messingham, DN17 3SR
PARISH	Messingham
WARD	Ridge
CASE OFFICER	Emmanuel Hiamey
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Messingham 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 11: Making effective use of land

Chapter 12: Achieving well-designed places

Chapter 14: Meeting the challenge of climate change, flooding, and coastal change

North Lincolnshire Local Plan:

Policy H1: Housing Development Hierarchy

Policy H5: New Housing Development

Policy H8: Housing Design and Housing Mix

Policy T2: Access to Development

Policy T19: Car Parking Provision and Standards

Policy DS1: General Requirements

Policy DS14: Foul Sewage and Surface Water Drainage

Policy DS16: Flood Risk

North Lincolnshire Core Strategy:

Policy CS1: Spatial Strategy for North Lincolnshire

Policy CS2: Delivering more Sustainable Development

Policy CS3: Development Limits

Policy CS5: Design

Policy CS7: Overall Housing Provision

Policy CS8: Spatial Distribution of housing sites

Policy CS19: Flood risk

New North Lincolnshire Local Plan Submission: The new North Lincolnshire Local Plan was submitted for public examination to the Planning Inspectorate on 11 November 2022. Examination of the Plan has therefore commenced, although public hearing sessions are not anticipated until early in 2023. The Submitted North Lincolnshire Local Plan can be given some weight as a material planning consideration in the determination of planning applications. The relevant policies that apply to this application are:

Policy SS1: Presumption in Favour of Sustainable Development

Policy SS2: A Spatial Strategy for North Lincolnshire

Policy SS3: Development Principles

Policy SS5: Overall Housing Provision

Policy SS11: Development Limits

Policy RD1: Supporting Sustainable Development in the Countryside

Policy DQE5: Managing Flood Risk

Policy DQE6: Sustainable Drainage Systems

CONSULTATIONS

Environmental Protection: No objection subject to conditions.

LLFA Drainage: No objection subject to conditions and informative comments.

Highways: No objection subject to conditions.

PARISH COUNCIL

Objects to the application for the following reasons:

- the visual impact of the street scene due to over-development of the site

- the loss of residential amenity of the neighbouring property due to the proposed development overlooking and the proximity.

PUBLICITY

A site notice has been posted. One letter of comment has been received raising the following concerns:

- shared access
- the location and size of the proposed plot
- the impact on the character of the area
- the position of the development within the plot
- parking provision
- vehicular traffic
- public safety
- loss of amenity and privacy
- overshadowing and overbearing impact.

ASSESSMENT

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

Constraints

- Development boundary
- SFRA flood zone 1

Relevant planning history

None.

Description of site and proposal

Outline planning permission is sought to erect a bungalow at 14 Leaburn Road, Messingham with appearance, landscaping, layout and scale reserved for subsequent consideration.

The site is within the development boundary of Messingham. It fronts Leaburn Road and is bounded by 12 Leaburn Road to the south and 2 Hall Rise to the east.

It is proposed to subdivide the garden of 14 Leaburn Road, which is screened by a close-boarded timber fence, to erect the bungalow and an indicative location plan/drawing has been submitted.

Key issues

The key issues to be considered in the assessment of this application are:

- principle of development;
- impact on local highways;
- impact on site drainage and flooding; and
- impact on residential amenity.

Principle of the development

Section 38(6) of the Planning and Compensation Act 1991 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for North Lincolnshire comprises three parts: the policies of the North Lincolnshire Local Plan (2003), the North Lincolnshire Core Strategy DPD (2011), and the Housing and Employment Land Allocations DPD (2016) (HELAP).

Policy CS1 of the Core Strategy sets out the principle elements that make up the overall spatial strategy, policy CS2 sets out how this will be implemented using a sequential approach to the location of future development that is based on the settlement hierarchy and considering other sustainability criteria. This meets national and regional planning policy requirements to deliver development in the most appropriate places.

Policy CS2: Delivering more Sustainable Development determines how future development needs will be met in North Lincolnshire – a sequential approach will be adopted. It states that development should be focused on:

1. previously developed land and buildings within the Scunthorpe urban area, followed by other suitable infill opportunities within the town, then by appropriate greenfield urban extensions;
2. previously developed land and buildings within the defined development limits of North Lincolnshire's Market Towns, followed by other suitable infill opportunities then appropriate small-scale greenfield extensions to meet identified local needs;
3. small-scale developments within the defined development limits of rural settlements to meet identified local needs.

Any development that takes place outside the defined development limits of settlements or in rural settlements in the countryside will be restricted.

In this case, the site is within the development boundary of Messingham and therefore is supported by policy.

Policy CS8 relates to the spatial distribution of housing sites. The policy indicates, among others, that 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. Consequently, the policy permits development for the infilling of a small gap within the development boundary.

Policy H5: New Housing Development, part 2, supports all new housing development that is well related to existing infrastructure, including education, community and health facilities, roads, footpaths and cycleways, public transport services, water supply and other utilities. As this proposal is within the development boundary of Messingham, it meets the above criteria.

Overall, the location of the site within the Messingham development boundary represents a sustainable location for residential development in terms of policies CS1, CS2, CS7 and CS8 of the Core Strategy, policy H5 of the North Lincolnshire Local Plan and the requirements in the National Planning Policy Framework.

The principle of the development is therefore acceptable subject to compliance with other relevant policies.

Layout, siting and design

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 if it is appropriate for its location and is informed by its surrounding context. A 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 DS1: General Requirements expects a high standard of design in all developments in both built-up areas and the countryside and proposals for poorly designed development will be refused. All proposals will be considered against the criteria of design quality, amenity impact and conservation, among other standards.

The applicant has submitted an indicative location plan and layout drawing. These drawings have been submitted to demonstrate that a dwelling can fit in well with the site and are for indicative purposes only. The indicative layout proposes a bungalow, which is not out of character with the local area, which is predominantly bungalows and demonstrates similar layouts and siting. In this case, the indicative layout is not viewed as overdevelopment; however, as this is an indicative plan and not the final plan, a full assessment would be carried out at the reserved matters stage.

There is a mixture of property types within the area, though most are detached single-storey dwellings (as is the proposed dwelling). The detailed design should reflect the character of its surroundings, including materials used on other properties within the area. These matters would be considered through the determination of the reserved matters application.

A further application would be submitted to fully access the block plan and the design of the proposal. Accordingly, the block plan and the design are currently not under consideration.

Impact on residential amenity

Policies DS1 of the local plan and CS5 of the Core Strategy expect a high standard of design in all developments in both built-up areas and the countryside, and proposals for poorly designed development will be refused. They require 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.

As this is an outline application, the indicative plan is not judged as the final design. Considering the indicative plan, the layout proposes a bungalow which, due to its single-storey nature, would not result in an unacceptable loss of amenity to neighbouring land uses in terms of the effects of overlooking or overshadowing. The finish for the walls and the roof covering would fit in well with the character of the area.

There are, however, suitable separation distances between the plot and surrounding properties and it is considered that the plot is of sufficient size to accommodate a dwelling that would not have an overbearing or overshadowing impact. There is capacity within the site to feature a dwelling that incorporates a design that will have an acceptable impact on the residential amenity of neighbouring properties. As indicated previously, this application is for outline planning permission and therefore a full assessment of the layout and design would be carried out at the reserved matters stage. The reserved matters application will need to ensure that the proposal accords with the requirements of policy DS1.

Drainage and flooding

The site is within SFRA flood zone 1, an area with a low potential for flooding. Policy CS19 of the Core Strategy is concerned with flood risk and policy DS14 of the local plan is concerned with foul sewage and surface water drainage.

The LLFA Drainage team has no objection to the proposed development subject to conditions and informative comments. These would be applied to any permission granted.

In general, the proposal is considered to comply with policies DS16 of the North Lincolnshire Local Plan, CS19 of the Core Strategy and the National Planning Policy Framework in terms of flood risk.

Highways and access

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. The indicative site layout shows that the proposed access would be taken from Leaburn Road, with the creation of two off-road car parking spaces at the front of the new bungalow. The existing dropped crossing serving 12 Leaburn Road will need to be widened to accommodate the new vehicular entrance.

It is considered that there is sufficient room for parking within the site, though the layout will be secured through the reserved matters application.

Highways have been consulted on the application and have no objection subject to conditions. These would be applied to any permission granted.

Overall, it is considered, subject to the aforementioned conditions, that the proposal would align with policies T2 and T19 of the North Lincolnshire Local Plan and the National Planning Policy Framework.

Environmental Protection

The council's Environmental Protection team has reviewed the submitted contaminated land screening assessment form and commented on potential land contamination. Following a review of historical maps, the team has not identified a former land use that would give rise to contamination. The team therefore has no objection to the application subject to conditions.

Regarding the matters of noise, light, odour and air quality, the team has no comments to make.

Letter of comment

One letter of comment has been received. The concerns regarding access, parking provision, vehicular traffic and public safety on the road have been reviewed by Highways and they have not objected to the application subject to conditions.

Regarding concerns about the location and size of the proposed plot, the character of the area, the position of the development within the plot, loss of amenity and privacy, as well as overshadowing and overbearing impact, these would be reviewed at the reserved matters stage.

Parish council objection

The concerns about the visual impact of the development on the street scene and over-development of the site, and the loss of residential amenity of the neighbouring property due to overlooking and proximity, would be reviewed at the reserved matters stage since the appearance, landscaping, layout and scale of the proposal have been reserved for subsequent consideration.

Conclusion

The principle of the development is supported as the site is within the development boundary where a dwelling is normally supported.

Due to comments from the LLFA Drainage officer and Highways, it is believed the proposal would be unlikely to raise an issue of flooding and a safe and visually acceptable access and parking provision can potentially be achieved to ensure public safety respectively.

As this is an outline application, the design and appearance of the dwelling would be fully considered during the reserved matters stage.

Overall, the proposal follows all relevant policies of the North Lincolnshire Local Plan, the Core Strategy and the NPPF, and it is recommended for approval.

Pre-commencement conditions

The pre-commencement conditions have been agreed with the applicant.

RECOMMENDATION Grant permission subject to the following conditions:

1.
Approval of the details of the layout, 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 layout, 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 latter.

Reason

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

5.
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.

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.

The dwelling shall not be occupied until the vehicular access to it and the vehicle parking space(s) serving it have been completed and once provided, the parking space(s) shall thereafter be so retained.

Reason

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

8.

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 protect human health.

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 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 paragraphs 159 to 169 of the National Planning Policy Framework.

10.

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.

Informative 1

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

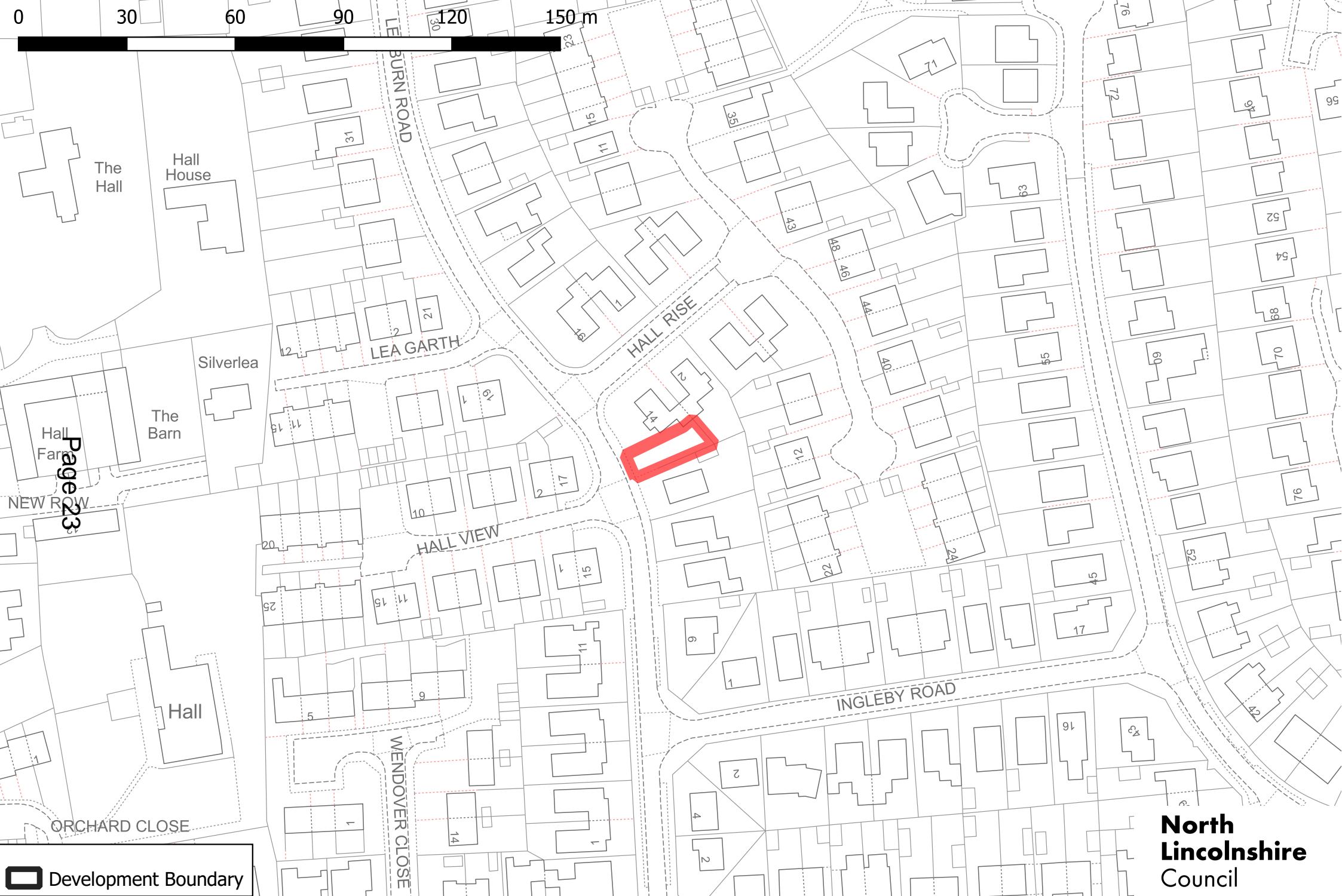
- before ANY construction works take place within the limits of the highway you MUST contact the highway authority on telephone number 01724 297000 to arrange for the relevant permissions/licenses to be issued;
- before ANY service (utility) connections take place within the limits of the highway you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

Informative 2

For minor developments, the LLFA suggests you consider upsizing the pipe network increasing storage around your development to cater for more intense storm conditions. Although this is not a requirement in terms of surface water flood risk compliance it would be good practice on your behalf to ensure an increased level of resilience for the development and its future occupiers and they ask that you fully explore all source control SuDS techniques that can store and allow water reuse.

Informative 3

In determining this application, the council, as a 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.



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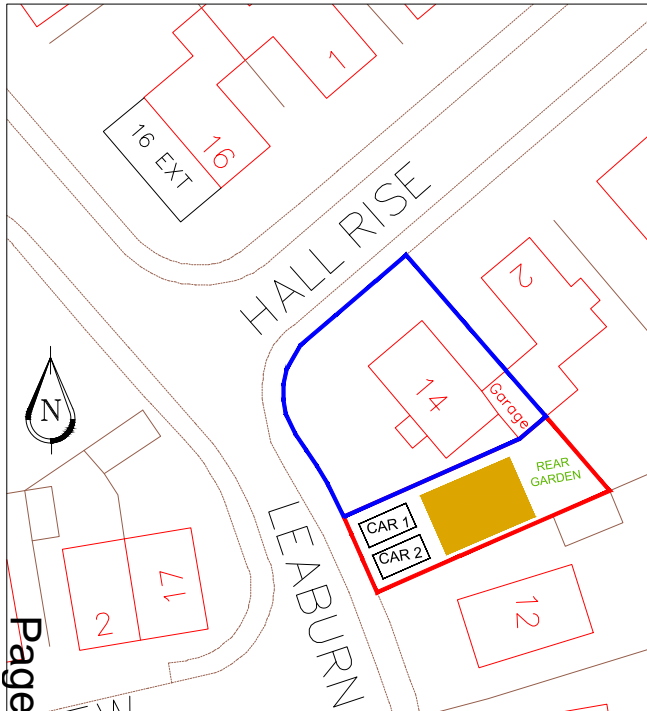
 Development Boundary

**North
Lincolnshire
Council**

PA/2022/2019

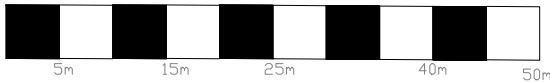
© Crown copyright and database rights 2021. Ordnance Survey 0100023560

PA/2022/2019 Indicative layout and front elevation (not to scale)

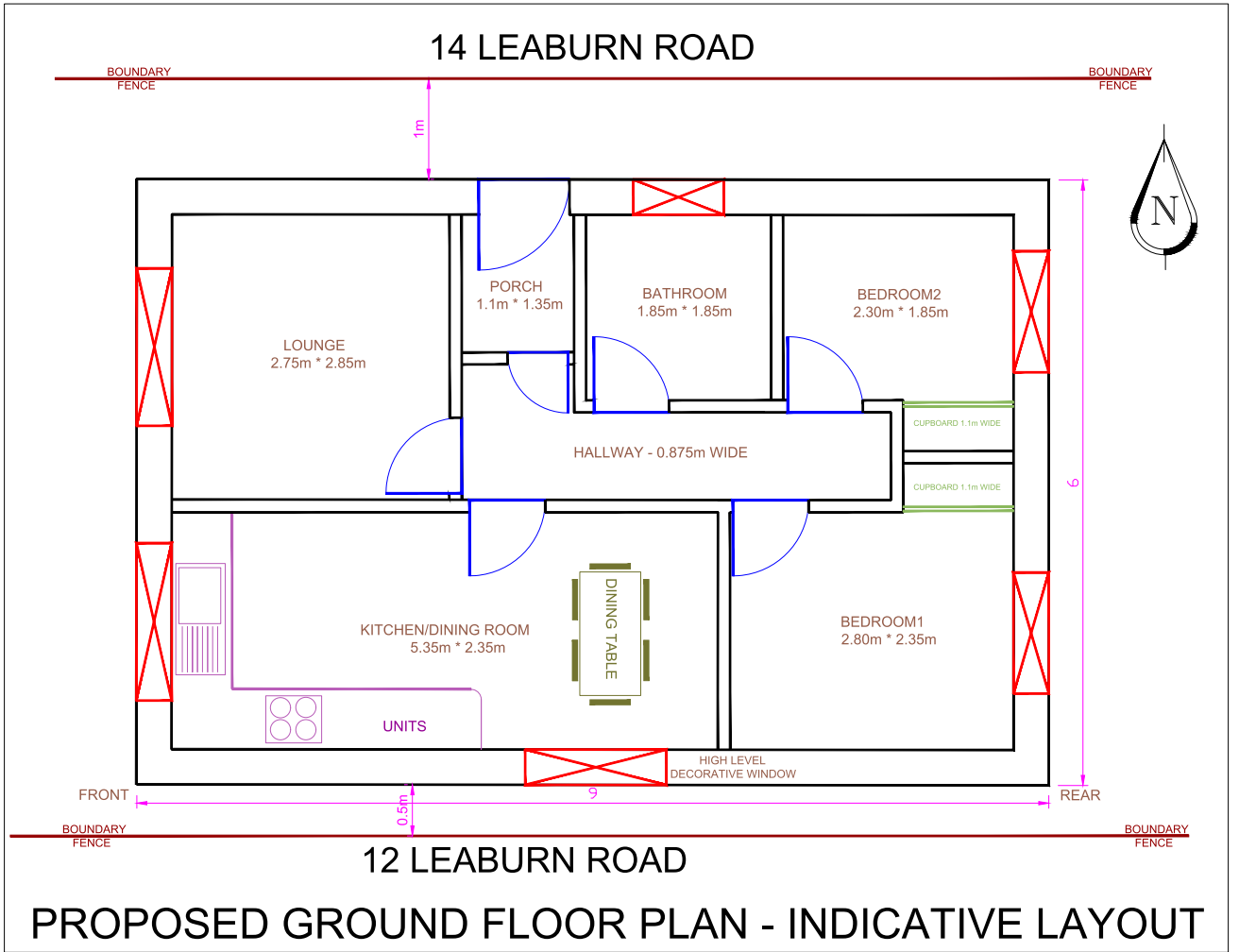


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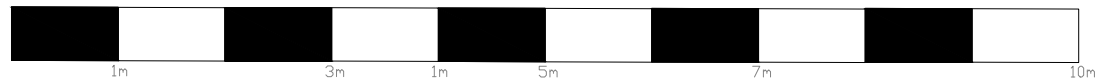
BLOCK PLAN



SCALE: 1:250 @ A1



PROPOSED GROUND FLOOR PLAN - INDICATIVE LAYOUT



SCALE: 1:25 @ A1

KEY

- APPLICATION BOUNDARY
201m² (0.02HA)
- LAND & PROPERTY OWNED
BY APPLICANT (320m²)
- OUTLINE OF NEW BUILD
BUNGALOW WITH PITCHED
TILED ROOF (9m * 6m)
- CAR1 CAR PARKING BAYS
4.8m * 2.4m (2No)

ReQuestAPlan
Map number: [HR64691275634790 A](#)
 Title: NEW PLOT AT REAR OF No14 LEABURN ROAD
 MESSINGHAM, NORTH LINCOLNSHIRE
 Map Produced for: MS LISA WHITE
 OS Licence number: 05482489671
 Date of Purchase: 29-10-2022
 1 Years subscription from 29-10-2022 for 1 workstation.



30° PLANNING RULE TO DETERMINE ALLOWABLE HEIGHT OF BUILDING
 PROPOSED FRONT ELEVATION (WEST FACING)
 INDICATIVE LAYOUT



SCALE: 1:100 @ A1

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 08 March 2023

Date: 27 February 2023

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

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APPLICATION NO	PA/2021/2053
APPLICANT	Carl Shaw
DEVELOPMENT	Planning permission to erect a replacement dwelling, including larger footprint with detached garage (re-submission of PA/2021/902)
LOCATION	Tetley House, Tetley, Crowle, DN17 4HY
PARISH	Crowle
WARD	Axholme North
CASE OFFICER	Scott Jackson
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Crowle Town Council

POLICIES

National Planning Policy Framework: Sections 5, 12, 14, 15 and 16

North Lincolnshire Local Plan: DS1, DS7, DS11, DS16, LC5, HE5, T2, T19, DS14, RD2, RD10, H5

North Lincolnshire Core Strategy: CS1, CS2, CS3, CS5, CS6, CS17, CS18, CS19

New North Lincolnshire Local Plan Submission: The new North Lincolnshire Local Plan was submitted for public examination to the Planning Inspectorate on 11 November 2022. Examination of the Plan has therefore commenced, although public hearing sessions are not anticipated until early in 2023. The Submitted North Lincolnshire Local Plan can be given some weight as a material planning consideration in the determination of planning applications. The relevant policies regarding this application include: SS1, SS2, SS3, SS6, SS11, DQE3, DQE5 and HE1.

CONSULTATIONS

Highways: No objection, but recommend conditions.

Environment Agency: No objection – support the recommendation that the finished floor levels should be raised to 4.4 metres above Ordnance Datum.

LLFA Drainage: No objection, but recommend conditions.

Doncaster Internal Drainage Board: Make comments in relation to surface water drainage, the suitability of soakaways and the consent of the Board is required for any increase in the flow to any watercourse or culvert within the Board's undertaking.

Environmental Protection: No objection, but recommend a condition.

Archaeology: No objection, but recommends the conditions imposed on PA/2019/930 are repeated for this planning permission, if granted.

Conservation: Objects, but also recommends design changes, and conditions if the plans are amended.

Ecology: No objection, but recommends a condition.

TOWN COUNCIL

Objects on the following grounds:

- the footprint is increased considerably and should not be extended beyond the footprint of the original dwelling
- the new build is up to roof height already, so the application is retrospective
- impact on the grade II listed building (Tetley Hall).

PUBLICITY

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

ASSESSMENT

Planning history

PA/2019/930: Planning permission to erect a replacement dwelling and two detached dwellings – approved 23/10/2020

PA/2021/902: Planning permission to erect replacement dwelling (resubmission of PA/2019/930) – refused 16/08/2021

PA/2019/1028: Listed building consent to repair and refurbish carriage house and stable/dovecote – approved 04/08/2022

PA/2021/2061 Planning permission to remove condition 13 of PA/2019/930 relating to ecology and biodiversity – approved 09/06/2022.

The application site consists of an area of land to the south of Tetley Hall, to the south-west and west of the Stable/Dovecote and Carriage House which are all grade II listed buildings. It is outside the defined settlement boundary for Crowle, to the north-west of Seven Lakes Country Park, and within flood zone 2/3a. There are two modern dwellings to the west of the site. The house which was formerly on the application site (known as Tetley House) has been demolished and the proposed dwelling had been constructed to eaves level when the case officer visited the site. Planning permission is sought to erect a replacement dwelling; this is a resubmission of PA/2021/902.

The main issues in determining this planning application are the principle of development, impact on the setting of heritage assets, impact on residential amenity and flood risk.

Principle

Planning permission is sought to erect a replacement dwelling on the site following the demolition of Tetley House; this was granted planning permission under PA/2019/930 alongside two additional dwellings to the south which were approved as enabling development associated with the repair and refurbishment of the listed stable/dovecote and carriage house on the site. Therefore, the principle of a residential property on this site (as a replacement dwelling) has been established. This application seeks a larger dwelling than that which was approved under the 2019 planning application; however, the plans show the footprint of the proposed dwelling does overlap the area of the site where Tetley House formerly stood.

It is worth noting that a planning application was submitted to remove a condition from the 2019 planning permission, which was approved under PA/2021/2061 and related to biodiversity and ecology matters for the site as the farmhouse had been demolished. Therefore, the applicant has a fall-back position in that they are able to erect a replacement dwelling approved under PA/2019/930. This application seeks a larger dwelling but one which overlaps with the position of the former farmhouse. Therefore, in planning terms, it meets the criteria set out in part of policy RD10 of the North Lincolnshire Local Plan in that it respects the siting and layout of the dwelling it is proposed to replace.

Policy RD2 of the North Lincolnshire Local Plan is concerned with development in the open countryside and states:

‘Development in the open countryside will be strictly controlled. Planning permission will only be granted for development which is: ...for the replacement, alteration or extension of an existing dwelling;’

Policy RD10 of the local plan offers an even more specific approach to replacement dwellings in the open countryside and states:

‘Proposals to replace, extend or alter dwellings in the open countryside will only be permitted provided that:

- (i) the replacement dwelling would not exceed the volume of the original dwelling, which it is to replace, by more than 20%, exclusive of the normal permitted development rights, and would not be substantially higher in elevation;...
- (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.’

Whilst policy CS1 sets out the overarching spatial strategy for North Lincolnshire, it is considered that the policies above represent a more appropriate approach to this assessment. Given the content of policies RD2 and RD10, the proposal to replace the dwelling is therefore considered acceptable in principle. The text pertinent to policy RD10 will be assessed in more detail in subsequent sections of this report.

Heritage assets

Policy CS6 of the Core Strategy 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. 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 HE5 of the North Lincolnshire Local Plan is concerned with listed buildings and is also considered relevant.

Paragraph 203 of the NPPF is concerned with non-designated heritage assets and states, 'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'

Paragraph 200 of the NPPF states, '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. Substantial harm to or loss of:

- (a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;'

Tetley Hall, the Stable (and Dovecote) and the Carriage House are all grade II listed buildings. The Hall is north of where Tetley House stood and north-west of the Stable and Carriage House. Tetley Farm House was not listed, nor was it a building of townscape merit, despite it dating back to the same period as the Stable and Carriage House, but was considered a non-designated heritage asset and was read along with the group of listed buildings nearby. Since the application for the replacement dwelling was refused under PA/2019/902 the applicant has removed the 1.5 storey link from the side of the dwelling and ensured the garage is now detached from the dwelling itself. The built form, design, proportions and height of the proposed replacement dwelling is now consistent with the dwelling approved under the 2019 planning application and draws direct comparisons with the farmhouse which is now demolished (Tetley House).

The built form of the proposed dwelling is considered to resemble the asset that it seeks to replace and whilst a replacement dwelling has previously been approved it was subject to design scrutiny and on the basis that the dwelling would reflect Tetley House as closely as possible. Careful consideration of the replacement was made under PA/2019/930 where amended plans were sought to reduce the amount of built form proposed. The previous application was approved on the basis that it reflected the existing house: this application does that and repeats some of its design features which include stone cills and headers to all windows, a chimney stack to the eastern and western extremities of the roof slope, a centrally positioned door with header above, a hipped roof and all first floor windows in vertical alignment with ground floor openings, and reflects the balanced and legible appearance of the now demolished farmhouse.

This proposal pays due regard to the building now demolished, and the removal of the side extension forms something that both resembles Tetley House and is consistent with the design of the dwelling approved under the 2019 planning application. Therefore, it is considered the proposal is based on the context of the site (what it is replacing) and the

sensitivities of the surrounding environment (the listed buildings and the setting therein). In addition, the plans show the dwelling to be sited where its built footprint overlaps part of the footprint on which Tetley House stood (thereby not encroaching any further northwards into the setting of the listed buildings), the replacement dwelling has a similar ridge height and includes the wall to the rear; this is consistent with the wall which was located to the rear of the farmhouse and is considered to comply with policy RD10 in that regard. The plans also show the garage is a subservient outbuilding to the west of the dwelling, it doesn't extend any further northwards than the proposed replacement dwelling and is consistent with the amount of built form which adorned the site prior to Tetley House being demolished.

The conservation officer has been consulted and has recommended refusal on the basis that the rear wall approved as part of the 2019 planning application should be included within this application and recommends this design change be adopted. The applicant has considered this comment and amended the plans to show the inclusion of the wall to the north (to the rear of the dwelling); this formed enclosure to Tetley House and provided visual separation between the previous house and the listed buildings within the curtilage of Tetley Hall. Whilst the conservation officer has not updated their previous comments (i.e. their objection), the applicant has revised the plans in line with the recommended design changes. It is considered that the proposals now align with those recommendations and the inclusion of the wall provides sufficient enclosure to the site. A verbal update on the conservation officer's comments on the amended scheme will be provided at committee. The applicant has also submitted details of the external materials for the replacement dwelling (which is currently under construction). The conservation officer has previously confirmed these are acceptable and therefore no pre-commencement condition is needed requiring details of the external materials to be submitted for future consideration.

The design, siting, height and proportions of the proposed replacement dwelling and its detached garage are considered to represent an appropriate replacement of the non-designated asset (Tetley House) and are not considered to have a harmful impact upon the settings of nearby listed buildings. The proposal therefore complies with policies HE5 of the local plan, CS6 of the Core Strategy and paragraphs 200 and 203 of the NPPF.

The applicant has submitted a heritage statement and, having reviewed the information, the council's archaeologist has stated that the archaeological mitigation strategy and historic building recording implemented under the 2019 planning application requires completion, and a condition is recommended in that regard. Given the historic sensitivity of the area and the work already undertaken, the recommended condition is considered appropriate and will be attached to any forthcoming permission. Therefore, subject to the works being completed in accordance with the archaeological mitigation strategy, the proposal is considered to accord with policies CS6 of the Core Strategy and HE9 of the North Lincolnshire Local Plan.

Residential amenity

Policy CS5 of the Core Strategy is concerned with raising design standards in North Lincolnshire, whilst policy H5 of the local plan is concerned with new housing developments; both are considered relevant. Policy RD2 seeks to protect the open countryside and is also relevant, whilst DS1 is partly concerned with the protection of residential amenity.

Due to the separation distances from other properties, including those approved on the two plots to the south, the proposed replacement dwelling, by virtue of its siting, is not

considered to result in unacceptable overshadowing, overlooking or overbearing impact upon existing or future residents. The plot also provides proportionate amenity space and sufficient space for off-street parking and pedestrian circulation, and no issues are therefore raised in relation to potential loss of residential amenity in this case.

Flood risk

Policy CS19 of the Core Strategy is concerned with flood risk, and states that development in areas of high flood risk will only be permitted where it meets the following criteria:

1. It can be demonstrated that the development provides wider sustainability benefits to the community and the area that outweigh flood risk.
2. The development should be on previously used land. If not, there must be no reasonable alternative developable sites on previously developed land.
3. A flood risk assessment has demonstrated that the development will be safe, without increasing flood risk elsewhere, by integrating water management methods into the development.

The site is within flood zone 2/3a within the North Lincolnshire SFRA 2022. The proposal is for a 'more vulnerable' use within a high flood risk zone and the applicant is therefore required to submit a flood risk assessment (FRA), as well as pass both the sequential and exceptions tests, given the move to a more vulnerable flood risk classification. The Environment Agency has considered the contents of the FRA submitted with the planning application and raises no objections on flood risk grounds, but a condition is recommended in respect of finished floor levels.

Sequential test

The proposal represents a replacement dwelling and a sequential test is not required.

Exceptions test

The applicant has provided an FRA and some resilience measures are proposed within the document; however, there is no justification as to why the proposed development would outweigh the risk from flooding. Notwithstanding this, the site is considered to be in a sustainable location within walking and cycling distance (380 metres) of the settlement boundary for Crowle with its local services and access to sustainable modes of travel. The development will deliver a market dwelling which will contribute towards housing delivery figures, provide short-term employment for local tradespeople, and support local services and amenities.

To pass the exceptions test a development must meet the following criteria:

Essentially, the two parts to the test require proposed development to show that it will provide wider sustainability benefits to the community that outweigh flood risk, and that it will be safe for its lifetime, without increasing flood risk elsewhere and where possible reduce flood risk overall.

It is considered that the revised FRA satisfactorily demonstrates that the development will be safe without increasing flood risk elsewhere. In addition, it is considered the proposal will deliver sustainable development in this part of Crowle and will be of wider community

benefit, in that it will support existing services within the defined market town of Crowle. Therefore, the proposal is considered to provide wider sustainability benefits which outweigh flood risk. Subsequently, the exception test is passed in this case and the proposal is considered to comply with policies DS16 of the North Lincolnshire Local Plan, CS19 of the Core Strategy and the National Planning Policy Framework in terms of flood risk.

The Shire Group, Environment Agency and LLFA Drainage have all been consulted and have no objections to the scheme, subject to conditions, one of which requires a survey of the existing pond and watercourse to be undertaken to assess its impact on the proposed development. It is considered that this mitigation would make the scheme safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and where possible reducing flood risk overall. The online surface water drainage maps on the Gov.uk website show the site to be at very low risk from surface water flooding and as this application is for a replacement dwelling only, such a condition requiring the submission of a drainage strategy for the development (recommended by LLFA Drainage) is considered neither reasonable nor necessary in this case.

Other issues

Highways

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 of the local plan is concerned with parking provision as well as general safety and is also considered relevant.

The applicant has shown on plan an acceptable access arrangement as well as sufficient off-street parking provision, together with a turning area. The council's Highways Development Control team has been consulted and has no objection subject to conditions relating to the laying of hard paved areas prior to occupation. Subject to the aforementioned mitigation, the proposal would accord with policies T2 and T19 of the North Lincolnshire Local Plan.

Ecology

Policy CS17 is concerned with biodiversity and sets out principles for the management of schemes in order to achieve a net gain for wildlife habitat networks. Policy LC5 of the local plan is concerned with protected species. They are reinforced by paragraph 180 of the NPPF. All are considered relevant. The application site, although not formally designated, has importance for nature conservation with, potentially, habitat available for bats within existing redundant structures such as the existing listed buildings surrounding the development site, though it should be noted that some of the structures adjacent to the site are quite open.

Tetley House has been demolished and therefore mitigation for any biodiversity that may have been lost as a result of that needs to be considered in the context of the replacement dwelling proposals. The applicant has submitted a biodiversity net gain assessment to demonstrate the impact of the development proposals on existing biodiversity resources within the development site and to determine the extent of net loss or net gain from the development. The conclusions of this report are that the proposals for the development site will result in a 25.59% net gain of biodiversity units for habitats and a 100% net gain in the

number of hedgerow units. The supporting information has been considered by the council's ecologist and conditions are recommended for the submission and subsequent implementation of a biodiversity management plan; this will ensure sufficient biodiversity net gain from the development proposals is achieved.

Contaminated land

As stated in previous sections of this report, the site formerly contained a farmhouse (Tetley House), a residential property which had fallen into decline and was in a bad state of repair. Environmental Health has commented that, given the application is for a sensitive end use, a contaminated land investigation is required as the site has potential for metals, hydrocarbons and asbestos which are harmful to human health. In line with the previous application, the applicant has submitted a Phase 2 Ground Investigation Report and an Asbestos Survey to formally discharge the contaminated land condition. Given that Environmental Health has not formally discharged the contaminated land condition, it is considered both reasonable and necessary to impose a similar condition if planning permission is granted to ensure the ground conditions are suitable for residential use and determine whether any remediation of the site is required.

Conclusion

The proposed scheme for a replacement dwelling is considered to be reflective of the non-designated heritage asset it seeks to replace. The architectural form of the now demolished farmhouse would be replicated and thus would contextually relate in its building form, design, proportions and siting. In addition, its design would not lead to irreversible harm and is not considered to have a harmful impact upon the setting of nearby listed buildings. The proposal is considered to comply with policies HE5 of the North Lincolnshire Local Plan, CS6 of the Core Strategy and guidance within the NPPF. The application is therefore recommended for approval.

Pre-commencement conditions

The pre-commencement conditions included in the recommendation have been agreed with the applicant's agent.

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:001, 002, 003 and 1045 1 of 1.

Reason

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

3.

The dwelling shall not be occupied until the vehicular access to it and the vehicle parking and turning space(s) serving it have been completed and, once provided, the vehicle parking and turning space(s) 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.

Unless otherwise agreed by the local planning authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts 1 to 4 below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the local planning authority in writing until part 4 has been complied with in relation to that contamination.

Part 1: Site Characteristics

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

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

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Part 2: Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the

natural and historical environment must be prepared, and is subject to the approval in writing of the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Part 3: Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the local planning authority. The local planning authority must be given two weeks' written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the local planning authority.

Part 4: Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Part 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Part 2, which is subject to the approval in writing of the local planning authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the local planning authority in accordance with Part 3.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy DS7 of the North Lincolnshire Local Plan.

5.

No additional development shall take place until a detailed survey of the existing pond and watercourse network surrounding the proposed development has been submitted to and agreed in writing with the local planning authority. This should include all incoming/outgoing connections and its possible conflict with the proposed developments.

Reason

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

6.

No additional development shall take place until scaled drawings (at a scale of 1:10 or 1:20) of the proposed windows and doors to be used in the development hereby permitted have been submitted to and agreed in writing by the local planning authority. The details shall include opening details, materials of construction, glazing bars and the colour of the windows and doors to be installed. The development shall take place in accordance with the agreed details and once installed they shall thereafter be retained.

Reason

In the interest of the historic environment and to accord with policies CS6 of the North Lincolnshire Core Strategy and HE2 of the North Lincolnshire Local Plan.

7.

The external materials to be used in the construction of the dwelling hereby approved shall be those outlined in the email from Adam Shaw dated 6 February 2022 and, once constructed, shall thereafter be retained.

Reason

In the interest of the historic environment and to accord with policies CS6 of the North Lincolnshire Core Strategy and HE2 of the North Lincolnshire Local Plan.

8.

Development shall take place in accordance with the approved archaeological mitigation strategy 'Archaeological Mitigation Strategy, Tetley House, Tetley, Crowle, Caroline Atkins, November 2020'. A copy of any analysis, reporting, publication or archiving required as part of the archaeological mitigation strategy shall be deposited at the North Lincolnshire Historic Environment Record and the archive at the North Lincolnshire Museum within six months of the date of this permission or such other period as may be agreed in writing by 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 preserve archaeological evidence by means of a comprehensive record and the creation of a permanent archive, to advance public understanding of the heritage assets affected.

9.

Within three months of the date of works recommencing on site, the applicant or their successor in title shall submit a biodiversity management plan to the local planning authority for approval in writing. The document shall include:

- details at least two permanent bat boxes or bat bricks to be installed;
- details of three permanent swift boxes to be installed to the north-western elevation of the dwelling;
- restrictions on lighting to avoid impacts on bat roosts, bat foraging areas, bird nesting sites and sensitive habitats;
- provision for hedgehogs to pass through any fencing installed between gardens and between areas of grassland;

- prescriptions for the planting and aftercare of native hedgerows, trees and shrubs of high biodiversity value;
- proposed timings for the above works in relation to the completion of the dwellings.

Reason

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

10.

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 dwelling hereby approved, the applicant or their successor in title shall submit a report to the local planning authority, providing evidence of compliance with the biodiversity management plan.

Reason

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

11.

The development shall be carried out in accordance with the submitted flood risk assessment (ref 20 May 2019 by Howard J Wroot) and the following mitigation measures it details:

- finished floor levels to be set no lower than 4.4 metres above Ordnance Datum (AOD)
- additional flood proofing measures as set out in section 5.1.

These mitigation measures shall be fully implemented prior to occupation of the dwelling and shall subsequently remain in place.

Reason

To reduce the risk of flooding to the proposed development and future occupants.

12.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), no development normally allowed under Part 1, A–E of Schedule 2 shall be permitted to the replacement dwelling, nor within the area outlined in red on drawing 001, without planning permission from the local planning authority in that specific regard.

Reason

To define the terms of the permission and to allow the local planning authority the opportunity to assess the impact of future development upon the setting of the listed buildings.

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.

Informative 3

Please be advised that any conditions formally discharged against PA/2019/930 are also considered to be discharged under this planning permission.

Informative 4

Our records indicate that the proposed development site is bounded by, or has running through it, a watercourse (surface water pipe/culvert, pond 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. 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.



Informative 5

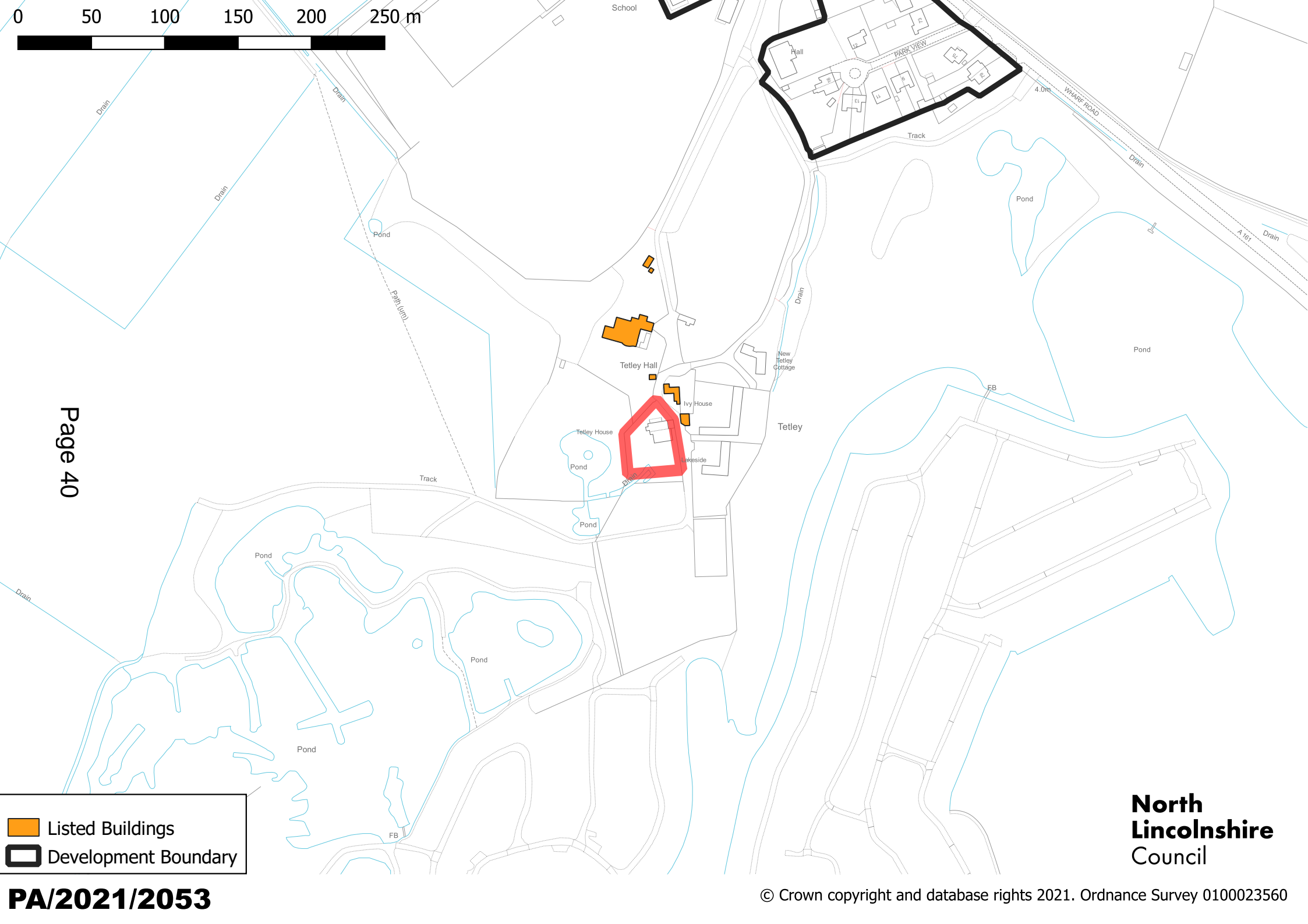
Alterations and/or connections into the watercourse must be consented by the local Internal drainage board through an ordinary watercourse consent and appropriate discharge rates must be agreed. Please contact the LLFA Drainage Team on 01724 297522 or via email for further details. Compliance with this guidance is to ensure the free flow of surface water is maintained throughout the development.

Informative 6

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

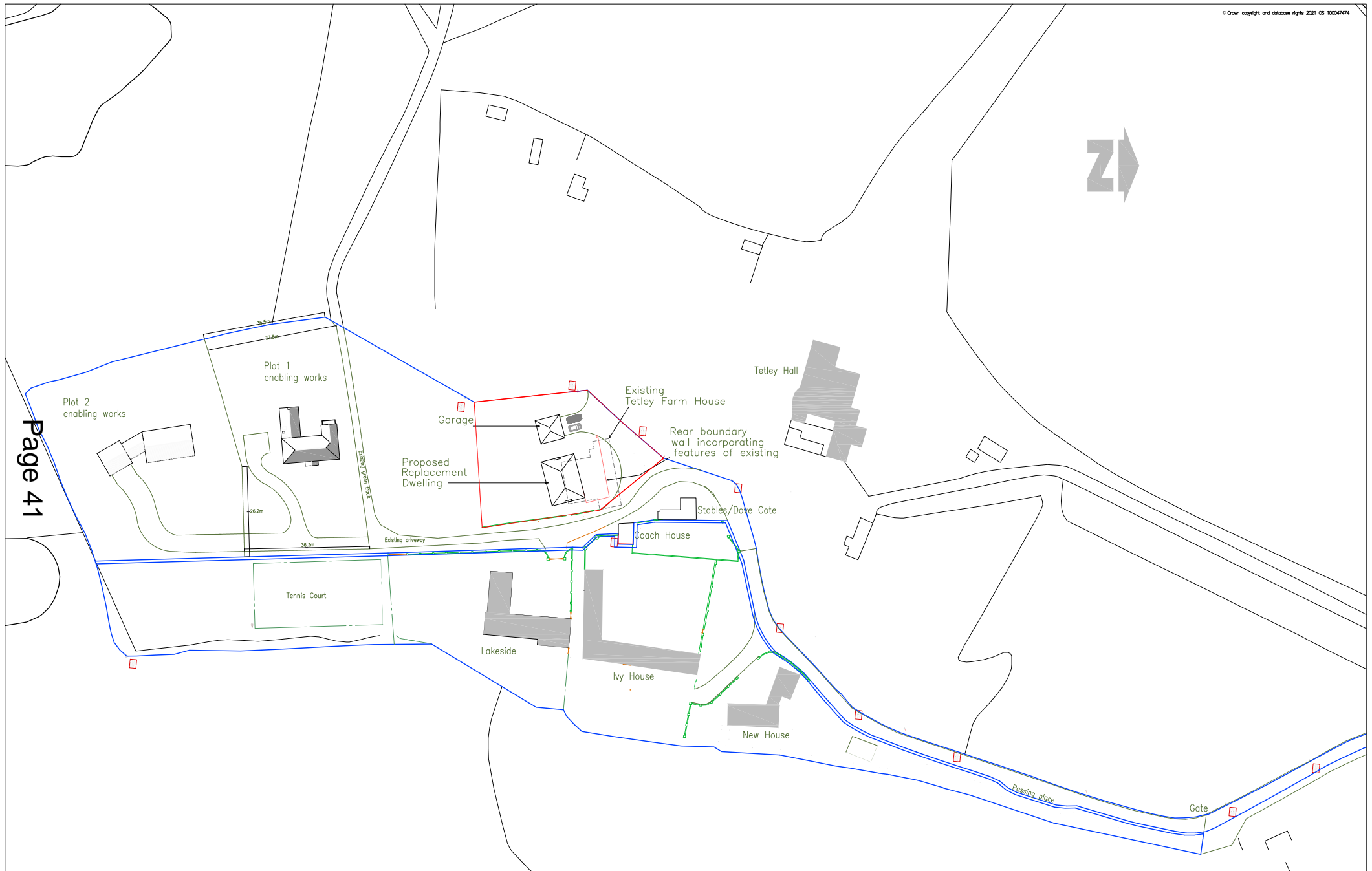


 Listed Buildings
 Development Boundary



PA/2021/2053 Proposed layout (not to scale)

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PROPOSED SITE PLAN
SCALE 1:500

TITLE Replacement Dwelling Tetley Farm House
TETLEY, CROWLE - DN17 4HY

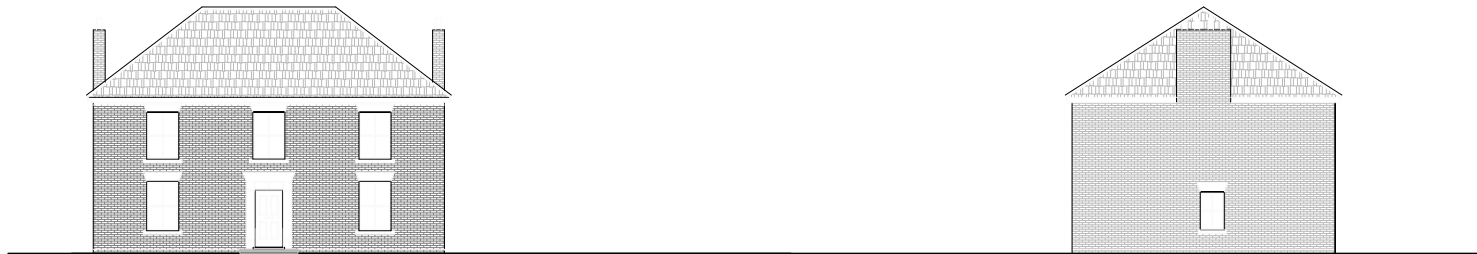
SITE LAYOUT

DRAWN BY CH	DATE NOV 2021	REV A
SCALE AS SHOWN	DRAWING No. 001	

CENTRELINE
DESIGN CONSULTING LTD.

Telephone: 01724 410150
Mobile: 07834915720
Email: info@centrelinedesigns.co.uk
Website: www.centrelinedesigns.co.uk

PA/2021/2053 Proposed elevations (not to scale)



FRONT ELEVATION

**HOUSE
ELEVATIONS**

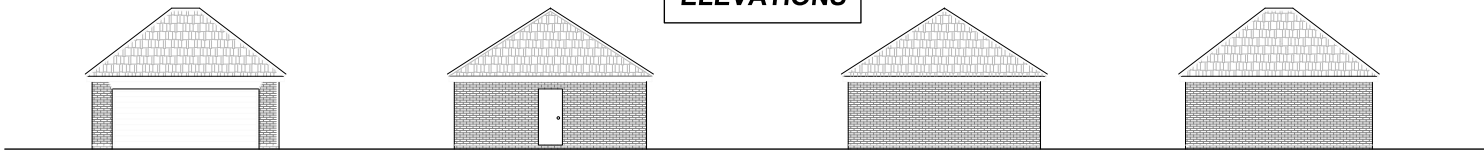
SIDE ELEVATION



REAR ELEVATION

SIDE ELEVATION

**GARAGE
ELEVATIONS**



FRONT ELEVATION

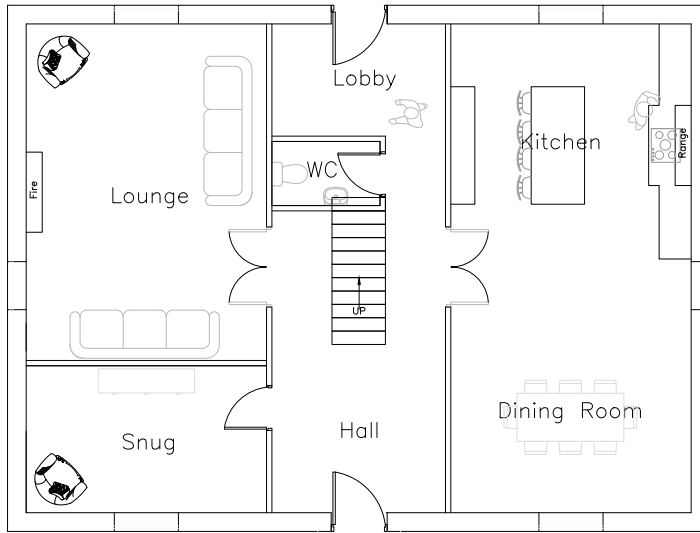
SIDE ELEVATION

SIDE ELEVATION

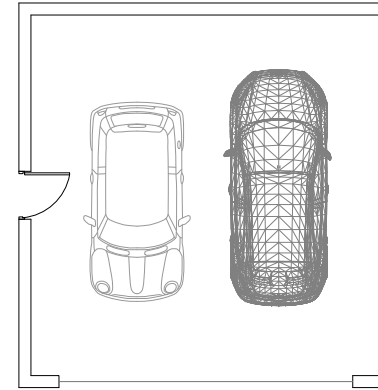
REAR ELEVATION

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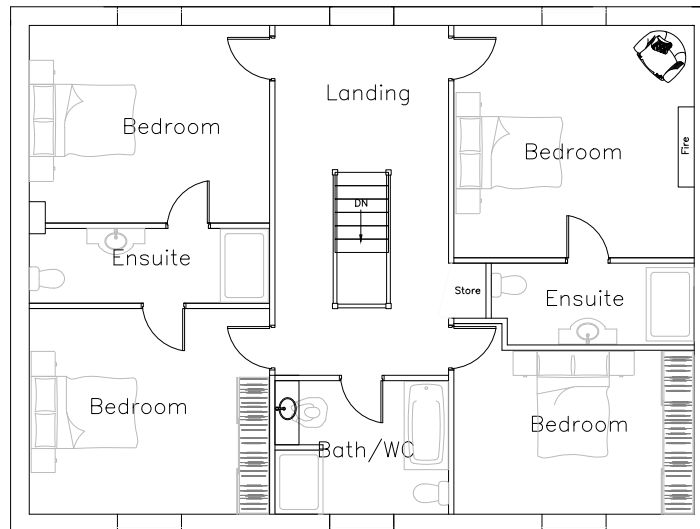
PA/2021/2053 Proposed floor plans (not to scale)



PROPOSED GROUND FLOOR PLAN



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PROPOSED FIRST FLOOR PLAN

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APPLICATION NO	PA/2022/535
APPLICANT	Jemma Godfrey-East
DEVELOPMENT	Outline planning permission to erect four dwellings with scale, layout, appearance and landscaping reserved for subsequent consideration
LOCATION	Land to the rear of The Jolly Miller, Brigg Road, Wrawby, DN20 8RH
PARISH	Wrawby
WARD	Brigg and Wolds
CASE OFFICER	Scott Jackson
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:

Section 5 (Delivering a sufficient supply of homes)

Section 12 (Achieving well-designed places)

Section 15 (Conserving and enhancing the natural environment)

Section 16 (Conserving and enhancing the historic environment)

North Lincolnshire Local Plan: Policies DS1, DS5, H5, RD2

North Lincolnshire Core Strategy: Policies CS1, CS2, CS3, CS5, CS7, CS8, CS17

New North Lincolnshire Local Plan Submission: The new North Lincolnshire Local Plan was submitted for public examination to the Planning Inspectorate on 11 November 2022. Examination of the Plan has therefore commenced, although public hearing sessions are not anticipated until early in 2023. The Submitted North Lincolnshire Local Plan can be given some weight as a material planning consideration in the determination of planning applications. The relevant policies regarding this application include:

Policy SS1: Presumption in Favour of Sustainable Development

Policy SS2: A Spatial Strategy for North Lincolnshire

Policy SS3: Development Principles

Policy SS5: Overall Housing Provision

Policy SS6: Spatial Distribution of Housing Sites

Policy SS11: Development Limits

Policy RD1: Supporting Sustainable Development in the Countryside

Policy DQE3: Biodiversity and Geodiversity

CONSULTATIONS

Highways: No objection, but recommend conditions.

Recycling/Waste Officer: Sets out relevant guidance for refuse storage requirements and standards.

LLFA Drainage: No objection, but recommend conditions.

Tree Officer: The arboricultural report submitted appears to be accurate in the location, size, condition and retention values of trees on and adjacent to the site. It needs to be noted that T9 of the report, an Ash, does appear to be protected and identified as being T10 of Tree Preservation (Applefields, off Vicarage Road, Wrawby) Order 2002.

The loss of the Lombardy poplar T6 of the arboricultural report and Group 5 has been noted. Trees removed from Group 5 will need to be undertaken with care due to them being very close to and within the root protection areas of T7.

The locations of the protection fencing on the site has been noted, and if development is given consent and does take place, this tree protection would need to be secured by condition.

Historic Environment Record: Further to correspondence dated 10 May, the applicant has submitted a written scheme of investigation (WSI) to record any archaeological remains that may be encountered during construction works. The scope and methodology for archaeological monitoring and recording set out in the WSI are satisfactory. Where the planning authority is minded to grant consent, the implementation of the scheme of investigation should be secured by planning conditions.

Ecology: A signed Impact Assessment and Conservation Payment Certificate (IAPC) has been received from Natural England. Japanese knotweed treatment is required. There has not been a biodiversity metric assessment. There is a risk that it may not be possible to deliver a net gain in biodiversity on site. If permission is ultimately granted, a net gain in biodiversity will need to be secured in accordance with policy CS17, the National Planning Policy Framework and the Defra Small Sites metric.

Environmental Protection: Following receipt of a noise impact assessment, conditions are recommended requiring the development to be undertaken in accordance with the mitigation measures in the document. Also recommend a condition in respect of contaminated land investigation.

PARISH COUNCIL

Object to the application on the following grounds:

- It is outside the development line.
- There would be a reduction in parking spaces at the Jolly Miller pub which would either push vehicles out on to the busy road causing a highway safety issue or deter customers from visiting the local community venue.
- The bin lorry would not be able to turn around within the development which would mean bins left on the pavement outside the development blocking pedestrian access.

PUBLICITY

Advertised by site and press notice. Three letters of objection have been received raising the following issues:

- outside the settlement boundary
- it would result in future housing development (set a precedent)
- impact on local services and amenities
- the settlement has lost its feel as a village due to housing growth
- there is no shop in Wrawby
- no additional houses needed in Wrawby
- new housing should be focused in brigg
- the Black Horse offers an alternative site for housing
- reduction in parking for the public house
- it would result in vehicles being parked on the A18
- the proposed access is very narrow.

In addition, 10 letters have been received supporting the development for the following reasons:

- new housing is welcomed
- the village needs new homes
- it is better building new houses around existing homes rather than on the edge of Wrawby
- the land may be used for other purposes
- it would benefit the public house and tidy up the site
- investment in the local community
- makes good use of a brownfield site

- it is a better use of the site than for touring caravans
- the development is infill only
- the scale of development is in keeping with the area
- the access is sufficient
- it doesn't affect neighbours
- it increases the choice and type of dwellings available in Wrawby
- new housing development in this location should be encouraged
- the land has a negative visual impact and could attract fly tipping and vermin
- the access is already in place.

ASSESSMENT

Site location and context

The site comprises a parcel of land to the rear of the Jolly Miller public house in Wrawby.

The majority of the site is outside the defined development limits of Wrawby, except for part of the vehicular access. The site extends to 4000 square metres in area and was previously used as a touring caravan site. The site is bordered by residential development on its eastern and northern sides and is within flood zone 1 as defined by the North Lincolnshire Strategic Flood Risk Assessment 2022.

Planning history

- 7/1977/0298: Erect extensions to a public house – approved 24 June 1977
- 7/1979/0844: Site a residential mobile home – approved 23 October 1979
- 7/1987/0089: Construct an extension to form a kitchen entrance doorway and porch – approved 6 March 1987
- PA/1997/0759: Change of use of a pool room, store and servery into two bedrooms and erect a detached garage – approved 1 August 1997
- PA/2004/1737: Planning permission for change of use of land to a caravan site to accommodate 12 tourer vans – approved 31 March 2005
- PA/2011/1128: Outline planning permission to erect three four-bedroom detached dwellings – refused 14 November 2011
- PA/2016/2031: Planning permission to provide a revised layout and include the provision of a permanent disability compliant mobile home and ramp – approved 16 March 2017.

Designations/constraints

The site is not within a conservation area and there are no listed buildings on or adjacent to the site.

There is a tree preservation order (TPO) along the eastern boundary of the site (Applefields, Off Vicarage Road, Wrawby Order 2002) (T10 – ash tree).

There are no public rights of way on or adjacent to the site.

Proposal

Outline planning permission is sought to erect four dwellings with means of vehicular access to be considered at this outline stage. The detailed design of the dwellings (scale, landscaping, layout and appearance) is to be secured through the submission of a separate reserved matters application.

The main considerations of relevance in assessing this application include:

- **principle of development**
- **access and highway safety**
- **residential amenity**
- **trees**
- **ecology**
- **archaeology**
- **flood risk and drainage.**

Principle of development

The majority of the site is outside the development limits of Wrawby. Only the front part of the site, where the access is proposed, is within the development limits.

Wrawby is defined as a 'rural settlement' in the spatial hierarchy for North Lincolnshire in the Core Strategy.

Policy CS1 (Spatial Strategy for North Lincolnshire) supports limited development in rural settlements such as Wrawby provided it is in keeping with the character and nature of the settlement.

Policy CS2 (Delivering more Sustainable Development) allows for small-scale development within the defined development limits of rural settlements.

Policy CS3 (Development Limits) allows for appropriate development within defined development limits, provided the proposed development responds to the context of the area and the settlement has capacity to accommodate the proposed development based on existing and proposed infrastructure.

Policy CS8 (Spatial Distribution of Housing Sites) allows for new housing within rural settlements, including small-scale infill development, that maintains the viability of the settlement and meets identified local needs without increasing the need to travel.

Policy RD2 (Development in the Open Countryside) requires that development in the open countryside is strictly controlled.

The site is within the countryside in policy terms, though it is adjacent to the development limits of Wrawby and relates closely to the existing pattern of development.

The assessment of the application also needs to take into account the NPPF, which represents a material consideration in the determination of any application.

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 were most important to determining the application should not be considered up-to-date.

In a recent appeal decision dated 20 July 2022 (PA/2020/554) the inspector concluded that the council does not currently have a five-year housing land supply of deliverable sites. The council's Five-Year Housing Land Supply Position Statement is awaiting an update and as such any decisions made by the planning authority will take account of the presumption in favour of sustainable development as set out in paragraph 11 of the NPPF. The current local policies which are most important for determining the application will carry reduced weight during this period.

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

Given the current five-year land supply deficit, it is considered that there is a clear and demonstrable need for housing development in the area. Accordingly the 'tilted balance' in paragraph 11 of the NPPF is triggered, whereby there is a presumption in favour of sustainable development and development proposals should be approved 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.

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

The site is within walking distance of key local facilities and services including a public house, a village hall, a primary school, a church and other facilities. The North Lincolnshire Sustainable Settlement Survey 2019 ranks Wrawby as 30 out of 76 settlements in terms of its sustainability, with 4 out of 7 key facilities. Wrawby is therefore considered to be a sustainable settlement and the site is in a sustainable location. There are local facilities within easy reach of the site on foot and a wide range of further services accessible by bicycle, with a direct cycle lane leading to the nearby market town of Brigg, and public

transport readily available. Therefore, the proposal accords with the need to site development in locations with accessible local services. These matters weigh heavily in favour of the proposal in terms of the economic and social dimensions of sustainability.

In economic terms the development would provide much needed housing, and employment during the construction phase, and the local economy could benefit from money spent in the future by residents (towards local businesses).

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 site consists of land which was formerly used as a touring caravan park and is located to the north of the Jolly Miller public house. The proposed development, through the introduction of housing, could alter the character and appearance of the countryside. However, that would apply to any greenfield site, including those allocated for housing development in the Housing and Employment Land Allocations DPD, and would be an inevitable consequence of the authority striving to meet housing need. Given that the site is proposed to accommodate four dwellings and doesn't extend in a northerly direction any further than existing built development in Wrawby (on Applefields and Russet Lane), that the site lies directly adjacent to the defined development boundary and existing built development, and that the site is well contained with existing mature trees along the northern and western boundaries shown to be retained, it is considered that the landscape impact would be limited in this instance. Furthermore, any built development on this site would be viewed against the built framework of existing housing in Wrawby to the north and east and not as an isolated form of residential development in the rural landscape. In addition, the impact of any built development upon this part of the rural landscape could be further mitigated at the reserved matters stage when the layout, scale and landscaping of the proposal is considered.

Overall, the site is considered to be of low environmental sensitivity and the magnitude of change to the character of the landscape and public views will be minor (there are no public views of the site other than from the public highway to the south and users of the public house). Although there would be some limited harm to the character and appearance of the area and a conflict with the development plan in this respect, the extent of harm does not weigh heavily in the balance and the environmental dimension of sustainable development would therefore be achieved.

Whilst the restrictive policies of the development plan (CS2, CS3 and CS8) do still apply, the lack of a five-year supply of housing land and the scale of the shortfall limit the weight which can be attributed to these policies. Restricting development to land within development limits, if strictly applied, would severely affect the ability of the authority to address the need for housing. In determining the sustainability of the proposed development, an assessment not only relies upon planning principle but also whether the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or if any adverse impacts exist that would significantly and demonstrably outweigh the benefits of the proposal.

Access and highway safety

Policies T2 (Access to Development) and T19 (Car Parking Provision and Standards) require that proposals do not adversely impact upon highway safety and provide suitable parking for the development.

The application is in outline form only, with all matters reserved except for access.

The proposed access will be taken from Brigg Road, in the south-western corner of the site. It will extend from Brigg Road along the western boundary of the site, which means the proposed housing will be accessed independently to the public house. This will require reconfiguration of the parking spaces within the Jolly Miller pub car park.

There are currently 24 parking spaces within the car park and the proposed development will provide 27 spaces within the car park. As such there is considered to be a suitable level of parking for the car park, and a marginal increase in the number of spaces currently available to patrons, along with space for bin storage and retention of the outdoor smoking area.

The council's Highways team have reviewed the proposals and confirmed they have no objections subject to conditions.

It is considered there is sufficient room for parking and turning spaces within the site for four dwellings, though the layout will be secured through the reserved matters application for the site. It has also been demonstrated that the proposed vehicular access to serve the residential development is of sufficient width to allow for the safe access and egress of cars and to accommodate larger vehicles such as refuse wagons.

The site has the capacity for a safe access and for suitable parking arrangements and therefore the proposals accord with policies T2 and T19.

Residential amenity

Policy DS1 (General Requirements) requires proposals to be designed so as not to result in an unacceptable loss of amenity to neighbouring land uses in terms of noise, smell, fumes, dust or other nuisance, or through the effects of overlooking or overshadowing.

The application seeks outline consent, with all matters reserved except for access. The proposed layout and orientation of the dwellings is therefore not yet confirmed; however, the potentially affected dwellings around the site (measured from the nearest building lines) are:

- 6 Dovecote Meadows – approximately 18m to the south-west of Dwelling 1.
- The Hay Loft – approximately 12m to the south-east of Dwelling 1.
- 6 Russett Lane and Forseti – approximately 25m to the east of Dwelling 1
- 4 Russett Lane – approximately 14m to the east of Dwelling 3
- 2 Russett Lane – approximately 13m to the north-east of Dwelling 4.

There is some screening between the site and surrounding properties in the form of existing trees and vegetation.

It is therefore considered that the site has the capacity to feature dwellings that would have suitable separation distances and could be accommodated without having an acceptable impact on surrounding properties.

At this stage, the proposals are not expected to result in an adverse impact on residential amenity and as such are expected to accord with policy DS1.

Trees

Policy LC12 sets out that proposals for all new development will, wherever possible, ensure the retention of trees, woodland and hedgerows.

The site features hedgerows and trees, including a protected tree along the eastern boundary of the site (Applefields, Off Vicarage Road, Wrawby Order 2002) (T10 – ash tree). The trees and hedgerows have been assessed within the submitted Tree Survey (01 September 2022).

To facilitate the proposed development, Tree T6 (mature Lombardy poplar) and the group of trees G5 (semi-mature multi-stemmed ash and Lawson's cypress) are proposed to be removed.

The council's Tree Officer has reviewed the proposals and confirmed they have no objections subject to a condition requiring protective fencing to be in place to protect trees during construction works.

The proposed development therefore accords with policy LC12.

Ecology

Policy CS17 (Biodiversity) requires proposals to give appropriate consideration to important habitats and species and seeks to secure a net gain in biodiversity. An Extended Ecology Appraisal has been submitted with the planning application, which was undertaken at the correct time of year and confirms the potential on the site for nesting birds, badgers, bats, amphibians and hedgehogs. The appraisal has been considered by the council's ecologist and no objections have been received in that regard. However, in a previous consultation response the ecologist highlighted the requirement for the applicant to make a great crested newt District Level Licensing enquiry (DLL) (given the potential for the development to have an impact on newt foraging habitat) and the application should not be determined until such time as it has been made and subsequently considered.

The ecologist went on to state that if the enquiry were made and the planning authority were to receive a signed Impact Assessment and Conservation Payment Certificate (IAPC) from Natural England then it would confirm the development:

- is suitable for district level licensing;
- meets the 'favourable conservation status' (FCS) test in the Habitats Regulations 2019; and
- will compensate for any impacts on great crested newts by a conservation payment.

It is worth noting that a signed IAPC has been received from Natural England and the council's ecologist has updated their response – this still requires the planning authority to consider if the development meets the:

- 'no satisfactory alternative' test; and
- 'imperative reasons of overriding public interest' (IROPI) test.

In terms of the 'no satisfactory alternative', it should be noted that there are always going to be alternatives to a proposal and there should be some exploration of alternative means of achieving the development whilst minimising the impact on the European Protected Species (EPS), which in this case is foraging habitat for great crested newts. The 'do nothing' approach would result in this brownfield site (having previously been used as a touring caravan site) being left undeveloped and issues relating to untidy land and dereliction may result. In addition, the only feasible alternative use of the site would be for something which would diversify the income stream of the public house or to extend the facilities of the public house (such as a beer garden, car park or an extension to the public house) which could have potential impacts on the EPS. In terms of an alternative approach, it would be unreasonable not to allow an existing business to extend or expand and this would be the only area of the site in which this could be accommodated. It is worth noting that there are areas within the defined settlement boundary for Wrawby and adjoining the settlement boundary which are within the amber zone for potential impact on EPS; if the 'no satisfactory alternative' test was rigidly applied then this could potentially restrict future growth.

A proportionate approach is adopted in considering the feasibility of alternative solutions relative to the degree of likely impact. The greater the impact of the proposal on the species, the more evidence Natural England would expect to see from the applicant in order to be able to satisfy itself that there is no satisfactory alternative to the one being proposed. In this case the impact of the development proposals upon the ECN foraging habitat for great crested newts is negligible and so it is considered that no additional evidence is required from the applicant to demonstrate there is no satisfactory alternative. In addition, Natural England will seek evidence from licence applicants that a specific need is being addressed. In this case the planning authority cannot demonstrate a five-year housing land supply and the development proposals, whilst outside and adjoining the settlement boundary, would deliver four market dwellings which in turn would contribute to the housing delivery figures in North Lincolnshire, and support the local community and services within Wrawby.

Natural England also expects the applicant to demonstrate they have taken reasonable steps to minimise the impacts of a development upon an EPS. In this case it is considered the impact is minimised and compensated for by the applicant agreeing to make a payment to Natural England through the IAPC for off-site ponds.

In terms of an overriding public interest, it is considered the provision of four market dwellings adjoining a settlement boundary is necessary as it will contribute towards the housing supply figures in North Lincolnshire, particularly given the existing situation whereby the planning authority cannot demonstrate a five-year housing land supply. In addition, the site layout, whilst indicative, shows that the trees along the northern side of the site will be retained and this will provide an additional natural buffer between the site and the pond on the adjacent site (the foraging area for the great crested newts). In addition, there is scope to secure biodiversity enhancements by way of bat boxes, nesting boxes for

birds, planting of trees/hedgerows and eradication of Japanese knotweed within the site, and to achieve a biodiversity net gain of at least 1% using the Defra Small Sites Metric. The establishment of these biodiversity enhancement measures can be secured via a planning condition and subject to this condition it is considered that the proposal will result in favourable conservation status and pass this test as far as EPS licensing is concerned.

Archaeology

Policy HE9 (Archaeological Evaluation) requires proposals which are likely to affect sites of known or suspected archaeological importance to be accompanied by an archaeological assessment.

A Written Scheme of Investigation for Archaeological Monitoring and Recording has been submitted and has been agreed by the Historic Environment Record team. Conditions are recommended to ensure the timely implementation of the archaeological investigation of the site.

As such the proposals accord with policy HE9 and are acceptable in terms of archaeological investigation.

Flood risk and drainage

Policies CS19 (Flood Risk) and DS16 (Flood Risk) require proposals to be assessed appropriately and ensure that suitable drainage strategies are secured for developments.

The site is within Flood Zone 1, which is considered to be at a low risk of flooding.

The council's drainage team has reviewed the proposals and confirmed they have no objections to the proposals subject to conditions.

The proposals are therefore acceptable in flood risk and drainage terms and accord with policies CS19 and DS16.

Conclusion

It is considered, given the assessment above, that no adverse impacts related to the development exist that would significantly and demonstrably outweigh the benefits that would follow from a well-executed residential scheme in this location. Overall, 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.

Pre-commencement conditions

A pre-commencement condition relating to contaminated land investigation has been agreed with the applicant's agent.

RECOMMENDATION Grant permission subject to the following conditions:

1.

Approval of the details of the layout, scale and external appearance of the dwelling(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 layout, scale and external 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.

Development shall proceed in accordance with the following approved drawing: Site Location Plan (LDC3683-PL-01A).

Reason

For the sake of clarity and in the interests of proper planning.

6.

No above-ground works shall take place until details showing the driveway to be 5 metres wide for a distance of 10 metres from the junction with Brigg Road, and thereafter a minimum of 4.1 metres wide, have been submitted to and approved in writing by the local planning authority.

Reason

In the interest of highway safety and policy T2 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 to the satisfaction of 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 interest of highway safety and policy T19 of the North Lincolnshire Local Plan.

8.

Nothing shall at any time, whether permitted by the town and Country Planning (General Permitted Development) Order or not, 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 2m from the highway boundary across the site frontage.

Reason

To ensure the provision/retention of adequate parking commensurate with the nature of the proposed development and to comply with policy T2 of the North Lincolnshire Local Plan.

9.

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

Reason

In the interest of highway safety and to comply with policies T2 and 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
- (v) 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 policy T2 of the North Lincolnshire Local Plan.

11.

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 policy T2 of the North Lincolnshire Local Plan.

12.

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 policy T2 of the North Lincolnshire Local Plan.

13.

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 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.

14.

No above-ground works 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.

15.

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

Reason

To ensure appropriate measures and mitigation are in place to accord with policies LC12 of the North Lincolnshire Local Plan and CS16 of the Core Strategy.

16.

No development shall take place 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 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 protect residential amenity.

17.

Development shall take place in accordance with the 'Written Scheme of Investigation: Archaeological Monitoring and Recording, Land to the rear of The Jolly Miller, Brigg Road, Wrawby, North Lincolnshire' prepared by PCAS Archaeology Ltd, dated June 2022, and the approved details and timings. No variation shall take place without the prior written consent 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 because the site potentially contains archaeologically significant remains that the development would otherwise destroy; the archaeological scheme of investigation is required in order to preserve archaeological evidence by means of a comprehensive record and creation of a permanent archive, to advance public understanding.

18.

The final dwelling shall not be occupied until the post investigation assessment has been completed in accordance with the programme set out in the approved written scheme of investigation, and provision made for analysis, publication and dissemination of results and archive deposition has been secured.

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 potentially contains archaeologically significant remains that the development would otherwise destroy; the archaeological scheme of investigation is required in order to

preserve archaeological evidence by means of a comprehensive record and creation of a permanent archive, to advance public understanding.

19.

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

Reason

To comply with paragraph 205 of the NPPF, policy CS6 of the Core Strategy and policy HE9 of the North Lincolnshire Local Plan because the site potentially contains archaeologically significant remains that the development would otherwise destroy; the archaeological scheme of investigation is required in order to preserve archaeological evidence by means of a comprehensive record and creation of a permanent archive, to advance public understanding.

20.

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

21.

Prior to 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 the submitted Habitat Plan (Figure 3 of the submitted Extended Phase 1 Habitat Survey report);
- (b) details of measures required to provide at least 1% biodiversity net gain in accordance with the Defra Small Sites metric;
- (c) details of measures to avoid harm to bats, badgers, hedgehogs and nesting birds during vegetation clearance and construction works;
- (d) details of bat boxes and nest boxes to be installed;
- (e) restrictions on lighting to avoid impacts on bat roosts, bat foraging areas, bird nesting sites and sensitive habitats;
- (f) provision for hedgehogs to pass through any fencing installed between gardens and between areas of grassland;
- (g) prescriptions for the eradication of Japanese knotweed;

- (h) prescriptions for the planting and aftercare of hedgerows, trees and shrubs of high biodiversity value;
- (i) proposed timings for the above works in relation to the completion of the dwellings;
- (j) details of tree protection measures for existing trees and hedgerows during the construction of the development.

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.

22.

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 third 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.

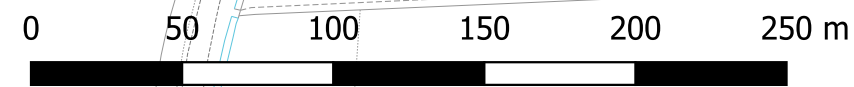
Informative 1

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.

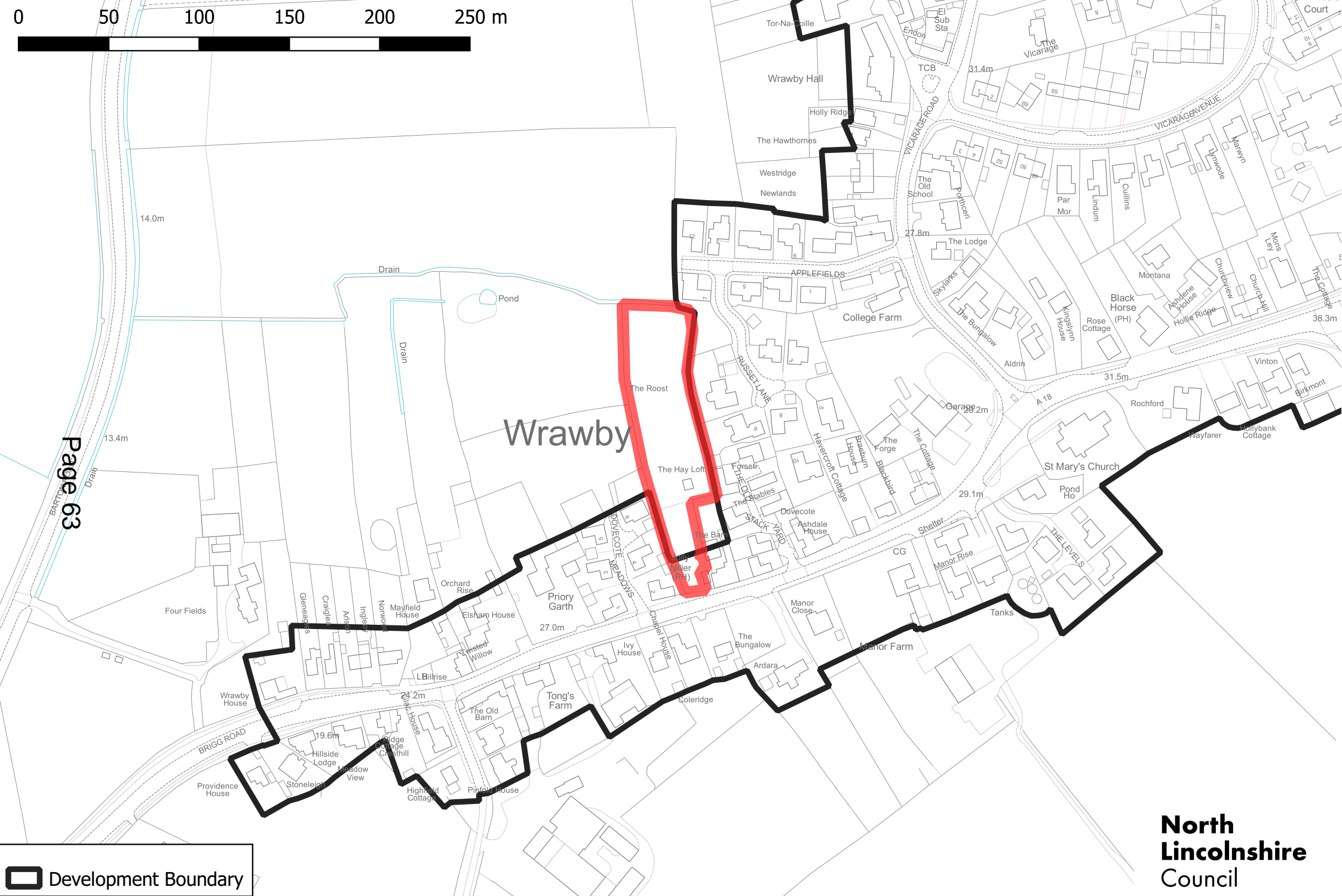
Informative 2

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.



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 Development Boundary

**North
Lincolnshire
Council**

PA/2022/535

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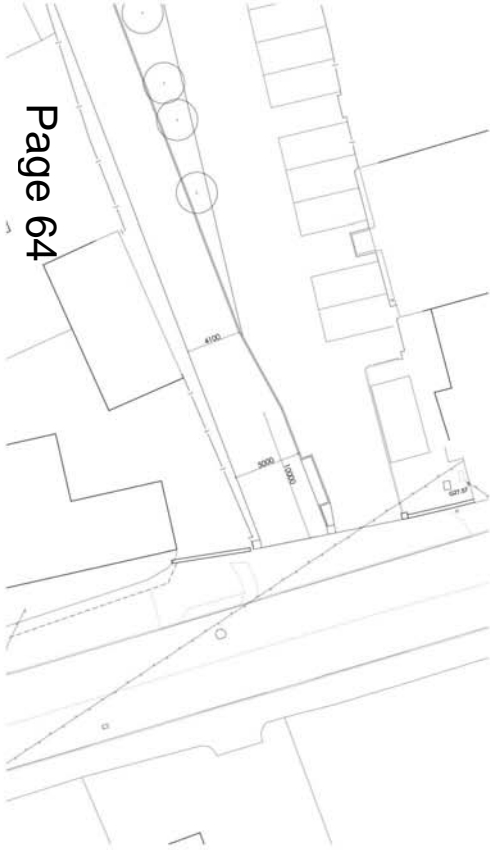
PA/2022/535 Indicative layout (not to scale)



Proposed Site Section

scale 1:200

Page 64



Proposed Access Plan

scale 1:200



Proposed Site Plan

scale 1:500

REV A ACCESSORIAL ACCESS DRAWING DATES AND SERVICES 14.08.2022



PROJECT Residential Development
Land to the rear of the Jolly Miller, Wrawby

DATE August 2021
SITE PROPOSED

SCALE As shown
ORIGINAL SIZE A1

DRAWING NUMBER LDC3683-PL-02A

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APPLICATION NO	PA/2022/1149
APPLICANT	Mr S Laister, Eboracum Contracting Solutions Ltd
DEVELOPMENT	Planning permission to erect two, three-bedroom semi-detached dwellings and a three-bedroom detached dwelling, with associated parking and amenity space
LOCATION	19 Low Cross Street, Crowle, DN17 4NA
PARISH	Crowle
WARD	Axholme North
CASE OFFICER	Emmanuel Hiamey
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Member 'call in' (Cllr John Briggs – 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

North Lincolnshire Local Plan:

Policy DS1: General Requirements

Policy DS7: Contaminated Land

Policy DS14: Foul Sewage and Surface Water Drainage

Policy DS16: Flood Risk

Policy H5: New Housing Development

Policy H8: Housing Design and Housing Mix

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 CS3: Development Limits

Policy CS5: Delivering Quality Design in North Lincolnshire

Policy CS7: Overall Housing Provision

Policy CS8: Spatial Distribution of Housing Sites

Policy CS18: Sustainable Resource Use and Climate Change

Policy CS19: Flood Risk

New North Lincolnshire Local Plan Submission: The new North Lincolnshire Local Plan was submitted for public examination to the Planning Inspectorate on 11 November 2022. Examination of the Plan has therefore commenced, although public hearing sessions are not anticipated until early in 2023. The Submitted North Lincolnshire Local Plan can be given some weight as a material planning consideration in the determination of planning applications. The relevant policies concerning this application are:

SS1: Presumption in favour of Sustainable Development

SS3: Development Principles

SS6: Spatial Distribution of Housing Sites

SS11: Development Limits

DQE5: Managing Flood Risk and Sustainable Urban Drainage Systems

CONSULTATIONS

Tree Officer: No objections but advises that trees in the vicinity of the proposal, which look to be in the ownership of a third party, need to be properly considered as part of the application, particularly with regard to their roots and canopies to prevent future conflict between the trees and the properties.

Archaeology: No objections or recommendations – there are no known heritage assets of archaeological interest recorded within the site and the potential for the presence of archaeological remains is judged to be low.

Isle of Axholme and North Nottinghamshire Water Level Management Board: No objections – the site is within the Board's district but there are no Board-maintained watercourses close to the site.

Anglian Water: No objections but advises that the applicant should check for any Anglian Water assets which cross or are close to the site. Any encroachment zones should be reflected in the site layout.

Environmental Protection: No objection subject to a condition as residential development is a sensitive end-use. It is the developer's responsibility to assess and address any potential contamination risks; however, no supporting information has been provided that demonstrates potential risks can be reduced to an acceptable level.

LLFA Drainage: No objections or comments.

Highways: No objection subject to conditions.

TOWN COUNCIL

Have commented that by ensuring the implementation of adequate sewage and drainage infrastructure, the council will have no further observations on this application.

PUBLICITY

A site notice has been posted – four responses have been received (two from the same objector) raising the following concerns:

- overshadowing
- loss of view
- overlooking
- privacy
- the scale of the development
- impact on bat roosts/breeding areas
- impact on a nearby tree
- flood risk
- contamination
- access and parking.

ASSESSMENT

Constraints

SFRA flood zone 1

Development boundary

Planning history

PA/2017/1183: Outline planning permission for residential development with all matters reserved for subsequent approval, including demolition of existing buildings on site – approved 22 February 2018

PA/2020/599: Outline planning permission to erect a pair of semi-detached dwellings and a bungalow with appearance, landscaping and scale reserved for subsequent consideration – approved 14 August 2020.

Site description and proposal

Planning permission is sought to erect two, three-bedroom semi-detached dwellings and a three-bedroom detached dwelling, with associated parking and amenity space, at 19 Low Cross Street, Crowle.

The site is within the development boundary of Crowle and is bounded by Low Cross Street to the south, residential properties to the east and a plot to the north with outline planning permission for a dwelling (with all matters reserved for subsequent consideration) which was approved on 19/06/2020 (PA/2020/277).

Access to the site is taken from Low Cross Street, between Meadow Croft and 19 Low Cross Street.

This proposal is a result of negotiations following concerns raised by the planning authority about the layout and the potential impact of the initial proposal on adjacent properties.

As indicated earlier, this proposal seeks to erect two, three-bedroom semi-detached dwellings and a three-bedroom detached dwelling with associated parking and amenity space. This proposal represents the compromise reached between the planning authority and the applicant and it is an improvement over the initial proposal.

The dwelling on plot 1 would be single-storey with a high roof, with living accommodation in the roof space (first floor). The ground floor would consist of two bedrooms, a kitchen and lounge, and the roof space would contain a bedroom and study area. The dwelling would have windows at the front and rear on the ground floor and the first floor would have windows in the gables and rooflights.

The semi-detached dwellings on plots 2 and 3 would have a kitchen and lounge on the ground floor and three bedrooms on the first floor. They would have windows at the front and rear, and in the gables at first floor serving a WC.

The dwellings are to be constructed in Ibstock Kilgreggan Multi Brick with Burrels Mini stone concrete flat roof tiles in grey.

The key issues to consider in determining this application are:

- **the principle of the development**
- **impact on scale and character of the surrounding area**
- **impact on neighbouring amenities**

- **highway safety, access and parking**
- **flood risk and drainage**
- **landscaping and ecology.**

Principle of development

Policy CS2: Delivering more Sustainable Development supports the delivery of the spatial strategy set out in policy CS1.

Policy CS1: Spatial Strategy for North Lincolnshire, under section c, supports thriving sustainable communities, with a strong focus on retaining and enhancing existing local services to meet local needs. This ensures that development is limited, and account is taken of the levels of local service provision, infrastructure capacity and accessibility. It requires that any development that takes place should be in keeping with the character and nature of the settlement.

Crowle is a market town and, in terms of the Regional Spatial Strategy and the council's Sustainable Settlement Survey, is considered one of the most sustainable settlements outside the Scunthorpe urban area; the development therefore meets the terms of policies CS2 and CS1.

Policy CS3: Development Limits ensure that the countryside is protected from inappropriate development and that no uncontrolled expansion of settlements will take place. In this case, the site is within the development boundary and housing development on the site is sustainable, and is therefore supported by this policy.

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. Given the site is within the development boundary and a market town, it meets the terms of policy CS8.

It is worth noting that outline planning permission (PA/2020/599 and PA/2017/1183) for residential properties on the site was approved on 14 August 2020 and 22 February 2018 respectively and therefore the principle of residential development on the site has been established.

Overall, the principle of residential development on the site is acceptable since it is within the development boundary and it would constitute sustainable development in line with the aims of the local development plan policies.

Layout, siting and design

Policy DS1: General Requirements expect a high standard of design in all developments in both built-up areas and the countryside, and proposals for poorly designed development will be refused. All proposals will be considered against the criteria of quality of design and amenity impact, among others.

Policy CS5: Delivering Quality Design in North Lincolnshire requires that 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 if it is appropriate for its location and is informed by its surrounding

context. A design that 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: New Housing Development (in part), among other criteria, requires that the scale, layout, height and materials of a development are in keeping and compatible with the character and amenities of the immediate environment and the settlement. It also requires that the development has an adequate and appropriately designed access which will not create any traffic or road safety hazard, and adequate parking within the curtilage of the site is provided to ensure that no on-street parking occurs which would be detrimental to the free and safe flow of vehicles using the public highway. Further, this policy requires that provision be made within the curtilage of each dwelling (except for upper-storey flats) for an area of private amenity open space. The development does not result in overlooking or a loss of privacy to existing developments, or any other loss of amenity to existing dwellings, and the proposal does not result in unacceptable ribbon development.

This amended proposal is the result of negotiations between the applicant and the planning authority.

The layout plan now shows two-storey semi-detached dwellings in the northern part of the site and a detached bungalow in the southern part close 19 Low Cross Street. The planning authority believes, given the nature of the plot (long and narrow), that it is unlikely an alternative suitable layout could be achieved.

It is worth noting that the indicative plan submitted with approved outline planning permission PA/2020/599 shows the site can accommodate three dwellings (two semi-detached and one detached). This proposal indicates a similar layout. Following discussions, the planning authority considers the layout and the elevations are acceptable, and the dwellings would fit in well with the character of the area.

Turning to their appearance, it is considered that the proposed materials for the walls and roofs of the dwellings would not harm the character of the area since it is characterised by dwellings with a mix of wall finishes.

Overall, the layout, siting and design of the development are acceptable as they would meet the aims of policies DS1, CS5 and H5.

Residential amenity

Policy DS1: General Requirements expects a high standard of design in all developments in both built-up areas and the countryside, and proposals for poorly designed development will be refused. It requires that all proposals be considered against the quality of the design and amenities, among others. Further to this, the NPPF advises that planning should always seek to secure a good standard of amenities for all existing and future occupants of land and buildings.

In respect of amenities, policies require that new development be allowed providing that the development does not unreasonably reduce sunlight or daylight, or result in overshadowing, overbearing impact or loss of privacy to adjacent dwellings.

The semi-detached dwellings on plots 2 and 3 would face southeast (front) in the direction of plot 1 and their rear elevations would face northwest (a field). The dwellings would have windows at the front and rear on both the ground and first floors. The northeast gable would face residential properties and contain a window at first floor serving a WC; the southwest

gable would face the back end of the garden of 21 Low Cross Street and again contain a window at first floor serving a WC. There would be no ground-floor windows in the gables.

The bungalow on plot 1 would have habitable windows at ground-floor level in the front and rear elevations. To avoid overlooking into adjoining properties planning conditions would be applied to any permission granted requiring fencing to be erected to screen the ground-floor windows on the western boundary. The eastern boundary of the site already has adequate boundary treatment to safeguard privacy between the proposed and existing dwellings.

The southeast gable of plot 1, facing the road, would have patio doors and a window on the ground floor plus a window at first floor serving a bedroom, shown to be obscure glazed, for escape purposes only. There would be no windows at ground floor in the northwest gable but there would be a window, shown to be obscure glazed, at first floor serving a study room. Conditions will be applied to any permission granted to ensure no loss of privacy to neighbouring properties. A condition requiring the installation of screen fencing along the southern boundary of plot 1 will mitigate overlooking into 19 Cross Street.

Having reviewed the potential impact on the amenity of neighbouring properties, it is considered that care has been taken to ensure no significant issues in terms of overbearing impact or overshadowing result from the development.

In terms of loss of privacy to neighbouring properties, the semi-detached dwellings on plots 2 and 3 would not raise any issues due to the siting and design of these plots. In the flank elevations are WC windows which can be conditioned to be obscured glazed. Existing and proposed boundary treatment will safeguard privacy between existing and proposed dwellings.

In general, the proposals would not result in unacceptable impacts on the residential amenity of any property through loss of privacy, overlooking, overshadowing or overbearing impact and would accord with policies DS1 and CS5.

Highway issues

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.

Access to the site is taken from Low Cross Street, between Meadow Croft and 19 Low Cross Street. This is a narrow driveway and Highways have been consulted on the application. They have no concerns or objections to the proposal subject to conditions which would be applied should permission be granted.

In general, it is judged that the proposed access and parking as shown on the plans would not raise any significant issues and, subject to conditions, the proposal will align with policies T2 and T19 of the North Lincolnshire Local Plan.

Drainage

Policy CS19 is concerned with flood risk and policy DS14 is concerned with foul sewage and surface water drainage. Policy DS16 seeks to ensure that new development should not be at risk from flooding.

The application site is within SFRA flood zone 1, which has a low probability of flooding. The LLFA Drainage Team has reviewed the proposal and has no objections subject to conditions which would be applied should permission be granted.

Trees and landscaping

Policy LC12 requires that proposals for all new development will, wherever possible, ensure the retention of trees, woodland and hedgerows.

The applicant has submitted landscaping proposals showing tree planting and general maintenance. The Tree Officer has reviewed the proposals together with the application and has commented that the plans indicate trees in the vicinity of the development that look to be in the ownership of a third party, and that these need to be properly considered as part of the application, with particular regard to their roots and canopies to prevent future conflict between the trees and the properties.

Given trees have been identified on the original layout in the vicinity of the site which are not in the ownership of the applicant, a condition would be applied should permission be granted requiring tree protection measures to be implemented during construction to safeguard existing trees. Subject to conditions, the proposal would align with policy LC12 of the North Lincolnshire Local Plan.

Contaminated land

The NPPF states that to prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location. Policy DS11 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 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. Policy DS1 is also concerned with the protection of amenities.

Environmental Protection have reviewed the application and advise that residential development is a sensitive end-use. It is the developer's responsibility to assess and address any potential contamination risks; however, no supporting information has been submitted.

They recommend that where a proposed development introduces a vulnerable end-user and/or the development site could be affected by a former potentially contaminative land use, the possibility of land contamination should always be considered. In these circumstances, a Phase 1 assessment should be submitted as a minimum, which includes a desktop study, a site walkover, and a conceptual site model.

Considering the above advice, the applicant should submit a Phase 1 report for the department's consideration before the application is determined. However, no Phase 1 survey has been submitted and therefore a contamination condition is recommended, which will need to be applied if permission is granted.

Archaeology

The Historic Environment Record (HER) holds, maintains, interprets and manages heritage information, enhancing the understanding of the area's historical development as a

distinctive and attractive place. The HER also provides advice on development proposals that affect or may affect, the sites and settings of all heritage assets (designated and non-designated historic buildings, archaeological sites and monuments, and historic places, areas and landscapes).

The HER officer has checked the database for known and potential heritage assets that may be affected and has commented that the historic buildings on the site have been recorded under the previous permission on this site (PA/2020/599) and no further work is required. There are no known heritage assets of archaeological interest recorded within the site and the potential for the presence of unrecorded archaeological remains is judged to be low.

Overall, it is not considered that this proposal would adversely affect a heritage asset or its setting in this location.

Town council comments

Crowle and Ealand Town Council have not specifically objected to the application. They have recommended that the council ensures the implementation of adequate sewage and drainage infrastructure. As indicated in the drainage section, the application site is within SFRA flood zone 1, which has a low probability of flooding. The LLFA Drainage Team have reviewed the proposal and have no objections subject to conditions to ensure the implementation of adequate sewage and drainage infrastructure; these are recommended below.

Letters of comment

Four letters of comment have been received. The concerns about overshadowing, overlooking, privacy, the scale of the development, trees, flood risk, contaminated land, access and parking have been addressed in this report.

The concern about loss of view is not a planning matter and therefore has not been considered in assessing the application.

Regarding the concern about impact on bat roosts/breeding areas, this proposal does not involve the destruction of bat roosts or breeding areas.

Conclusion

The principle of residential development on this site is acceptable since it is within the development boundary and it would constitute sustainable development in line with the aims of the local development plan policies.

Furthermore, the principle of residential development on the site has been established by the grant of PA/2020/599 and PA/2017/1183 for residential properties on the site, respectively.

The siting, layout and design of the proposed development have been reviewed and deemed to be compatible with the character of the site and its surroundings. The appearance of the dwellings would not raise any planning issues or harm the character of the area, and would ensure there would be no undue impact on the amenity of neighbouring properties by way of overshadowing, overbearing impact or loss of privacy.

The proposal is therefore recommended for approval.

Pre-commencement conditions

The pre-commencement conditions have been agreed with the developer.

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:

- Plot 1 Plans and Elevations Dwg. No. Plot 1, 3B Bungalow Rev. C
- Plot 2-3 Elevations Dwg. No. & Rev. Plot 2-3 Semi Elevations
- Plot 2-3 Plans and Elevations Dwg. No. & Rev. Plot 2-3 Semi Plans
- Proposed Site Plans Roof Plans Dwg. No. & Rev. 0019-3-G
- Planning Materials and Landscaping drawing no 0019-7.

Reason

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

3.

No development shall take place until a detailed flood risk statement and drainage strategy has been submitted to and approved in writing by the local planning authority. This should outline all sources of flood risk (including surface water, groundwater and ordinary watercourse) and proposals to mitigate this, and include preliminary drainage layout plans. SuDS should be considered. Full ground investigations must be carried out along with a feasibility assessment for infiltration. Infiltration tests should comprise full-scale tests to demonstrate long-term effectiveness and suitability. Reference should be made to North Lincolnshire Council's SuDS and Flood Risk Guidance Document.

Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation and future maintenance of the sustainable drainage structures in accordance with policy DS16 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraphs 155, 157, 163 and 165 of the National Planning Policy Framework.

4.

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.

5.

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.

6.

Before development commences on site, details of the foul drainage for the approved dwellings shall be submitted to and approved in writing by the local planning authority. Thereafter, only the approved scheme shall be installed on the site and none of the dwellings shall be occupied until it is connected to the approved drainage system.

Reason

To ensure satisfactory foul water drainage for the development in accordance with policy DS14 of the North Lincolnshire Local Plan.

7.

Before development commences on site, details of the method for protecting the adjacent tree overhanging the north-western corner of the site during construction, including the location and type of protective fencing to be installed, shall be submitted to and approved in writing by the local planning authority. Only the approved scheme shall be implemented on the site and retained during the construction period.

Reason

To ensure the continued well-being of the trees in the interests of the amenity and environmental quality of the locality and to accord with policy LC12 of the North Lincolnshire Local Plan.

8.

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

Reason

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

9.

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 is 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 in 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 the commencement of the remediation scheme works.

Following the 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 the 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.

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 upon 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 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.

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 upon 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.

Before the dwellings are first occupied, the windows serving the WC in the first-floor side elevations of plots 2 and 3, and the bedroom and study windows to plot 1 at first-floor level, shall be obscure glazed to a minimum of Privacy Level 3 in accordance with the Pilkington Scale of Obscuration and shall be retained in that condition thereafter.

Reason

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

15.

The development hereby approved shall not be occupied until a 1.8 metre high screen fence/wall has been built along the western boundary of the site and along the southern

boundary with the adjacent property, 19 Low Cross Road. Once built they shall thereafter be retained.

Reason

To provide an appropriate level of screening in accordance with policies H8 and DS1 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

Full consideration must be given to the adjacent proposed housing development (PA/2017/111) with respect to providing a positive outfall for this development, the position of soakaways on the adjacent development and its interaction with all plots of this development.

Informative 3

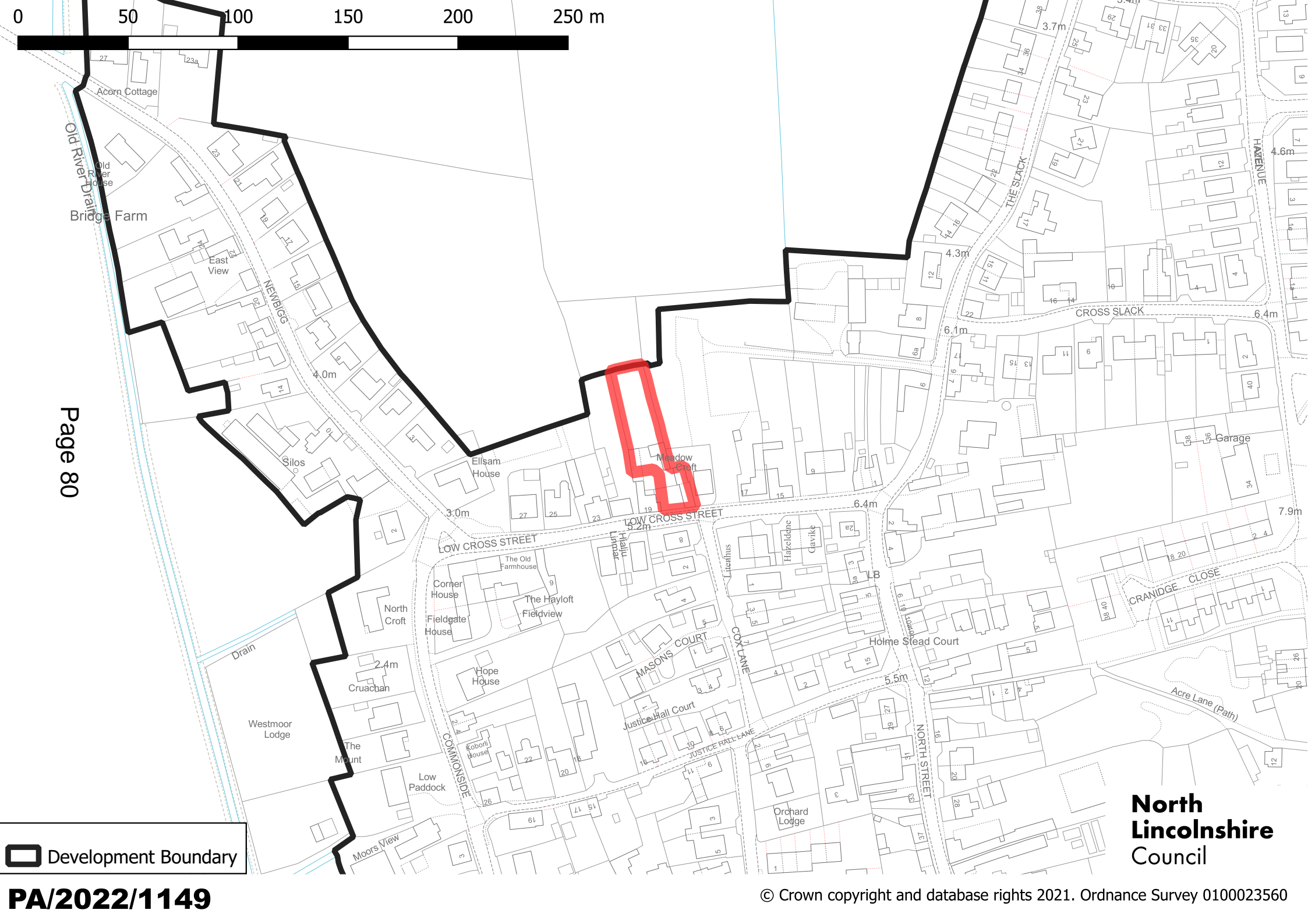
For your information the council is fully aware of foul sewer flooding issues in the Ealand & Crowle catchment. For this reason, we advise that no surface water from the development can be connected into the foul sewer network.

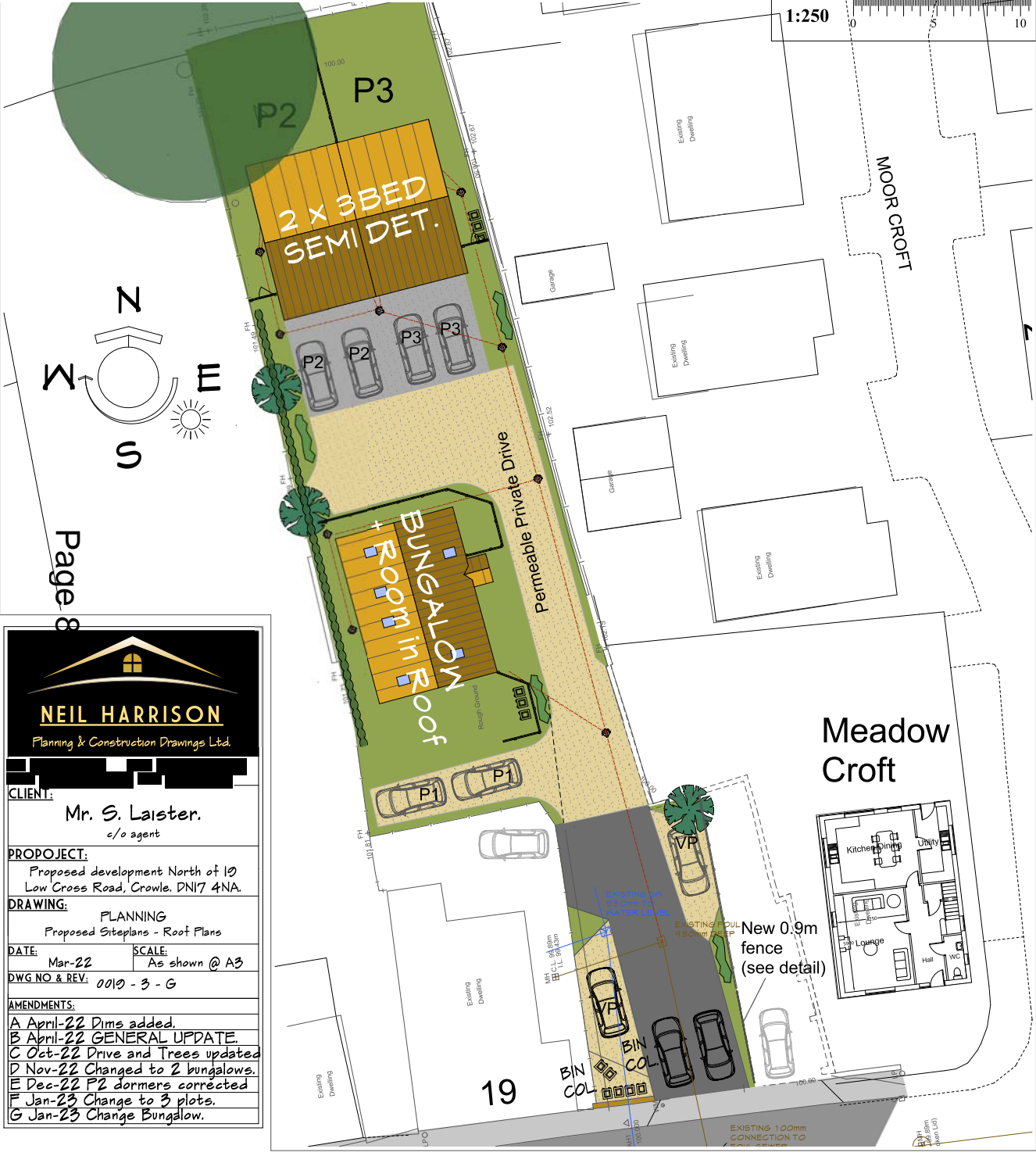
Informative 4

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



 Development Boundary





Proposed Siteplan

1:250



Proposed Siteplan

1:500



CLIENT: Mr. S. Laister.
c/o agent

PROJECT: Proposed development North of 10 Low Cross Road, Crowle. DNI7 4NA.

DRAWING: PLANNING
Proposed Siteplans - Root Plans

DATE: Mar-22 SCALE: As shown @ A3

DWG NO & REV: 0010 - 3 - G

AMENDMENTS:
 A April-22 Dims added.
 B April-22 GENERAL UPDATE.
 C Oct-22 Drive and Trees updated.
 D Nov-22 Changed to 2 bungalows.
 E Dec-22 P2 dormers corrected.
 F Jan-23 Change to 3 plots.
 G Jan-23 Change Bungalow.

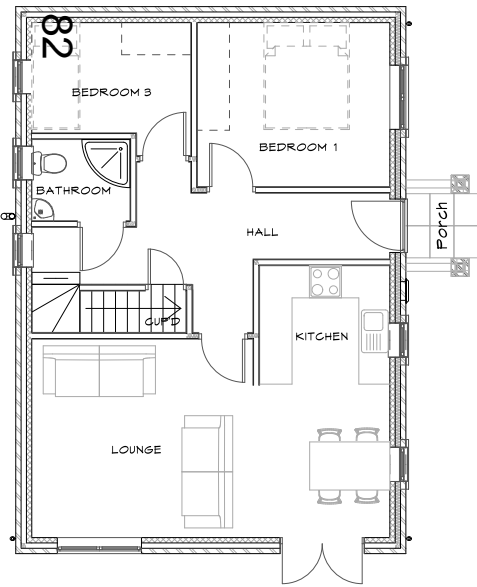
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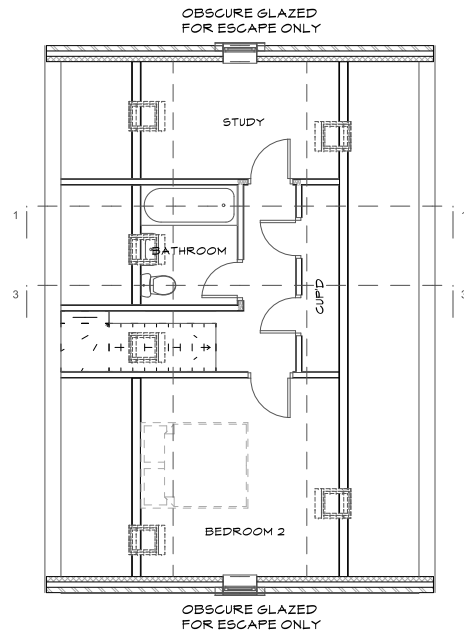


Front Elevation 1:100 Right Elevation 1:100 Left Elevation 1:100 Rear Elevation 1:100

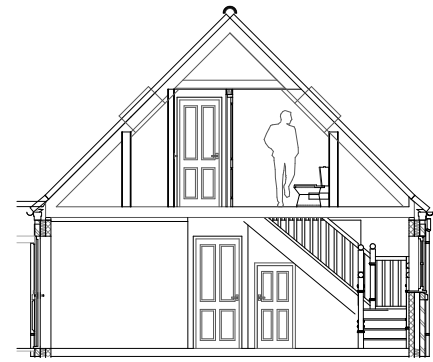
Page 82



GROUND FLOOR 1:100



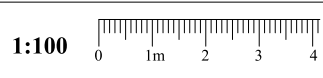
FIRST FLOOR 1:100



SECTION 3 1:100



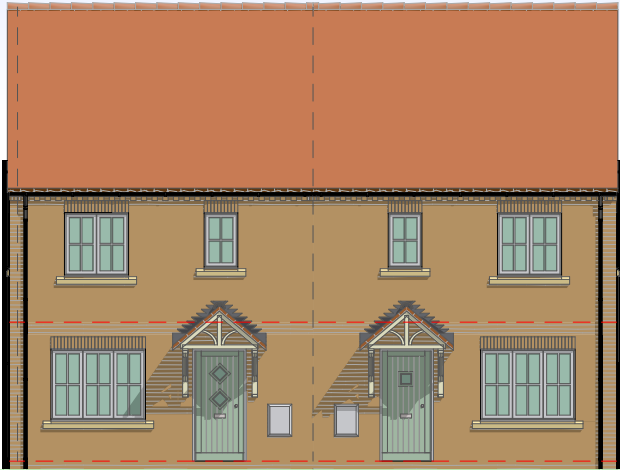
APPROX. FLOOR AREAS
 GF 64.5m sq
 FF 33m sq
 Total 97.5 (1049 sq ft)



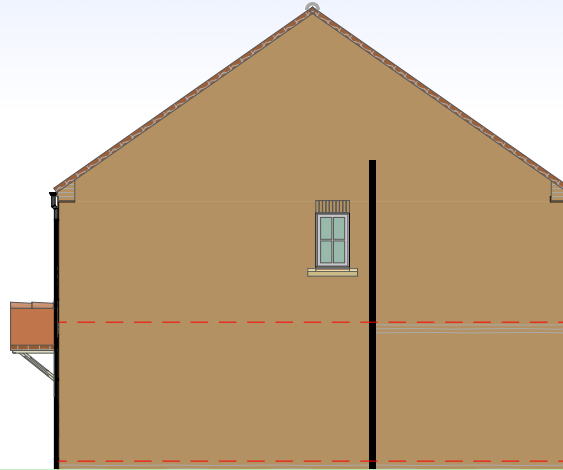
CLIENT:		Mr. S. Laister. c/o agent	
PROPOSED PROJECT:			
Proposed development North of 10 Low Cross Road, Crowle. DN17 4NA.			
DRAWING:			
BUNGALOW - 3 Bed PLANNING			
DATE:	Nov-22	SCALE:	As shown @ A3
DWG NO & REV:	PLOT 1 - 3B BUNG rev-C		
AMENDMENTS:			
A Jan-23 Attic trusses added.			
B Jan-23 Bi-fold changed.			
C Jan-23 Obscure note clearer.			

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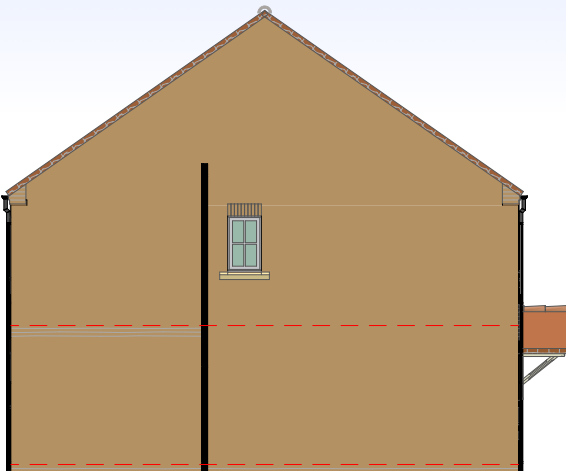


Front Elevation 1:100



Right Elevation 1:100

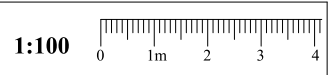
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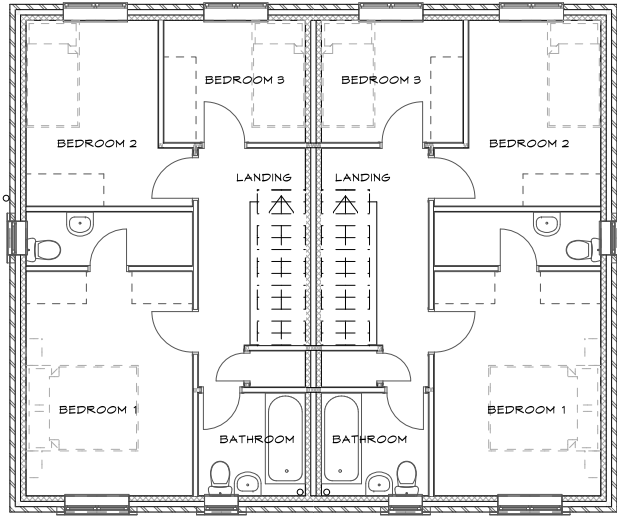
Left Elevation 1:100



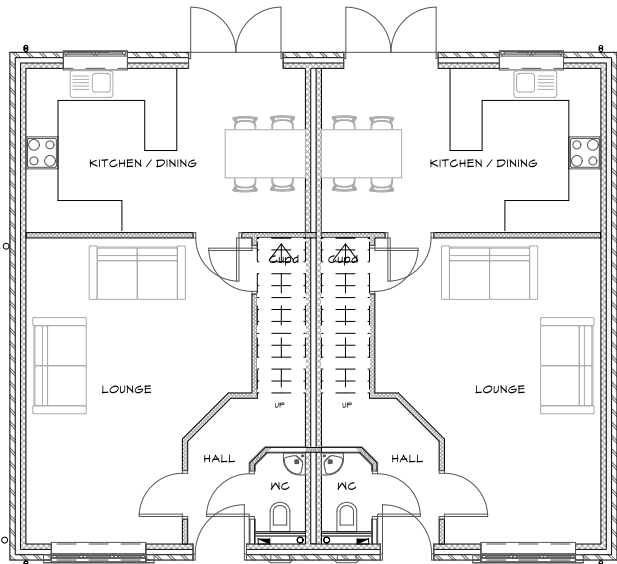
Rear Elevation 1:100



CLIENT:	
Mr. S. Laister. c/o agent	
PROJECT:	
Proposed development North of 10 Low Cross Road, Crowle, DN17 4NA.	
DRAWING:	
SEMI - ELEVATIONS PLANNING	
DATE:	SCALE:
Jan-23	As shown @ A3
DWG NO & REV: PLOT 2-3 - SEMI ELEVATIONS	
AMENDMENTS:	



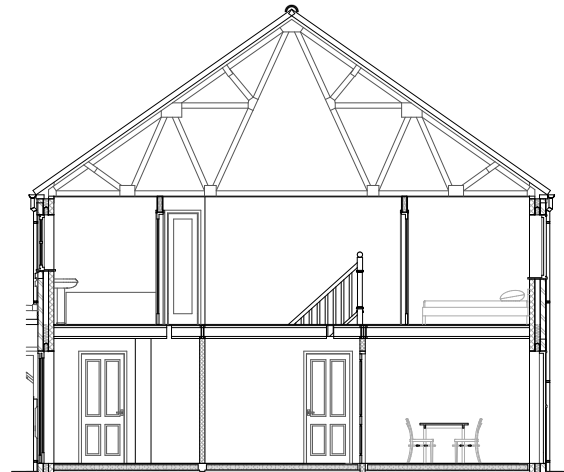
FIRST FLOOR 1:100



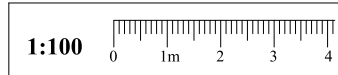
GROUND FLOOR 1:100



SEMI DETACHED
 APPROX. FLOOR AREAS
 GF 46m sq
 FF 44m sq
 Total 90m sq (968 sq ft)
 EACH



Section 1 1:100



CLIENT:	Mr. S. Laister. c/o agent
PROPROJECT:	Proposed development North of 10 Low Cross Road, Crowle. DN17 4NA.
DRAWING:	SEMI - PLANS PLANNING
DATE:	Jan-23
SCALE:	As shown @ A3
DWG NO & REV:	PLOT 2-3 - SEMI PLANS
AMENDMENTS:	

APPLICATION NO	PA/2022/1315
APPLICANT	Mr R Mills, North Lincs Property Ltd
DEVELOPMENT	Planning permission to retain eight dwellings
LOCATION	Land at Harris View, Epworth, DN9 1GJ
PARISH	Epworth
WARD	Axholme Central
CASE OFFICER	Deborah Oikeh
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Departure from the development plan Objection by Epworth Town Council

POLICIES

National Planning Policy Framework: Chapters 2, 4, 5, 9, 11, 12 and 15

North Lincolnshire Local Plan: H5, H7, H8, DS1, DS14, DS16, LC14, RD2, T1, T2, T19

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

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

New North Lincolnshire Local Plan Submission: The new North Lincolnshire Local Plan was submitted for public examination to the Planning Inspectorate on 11 November 2022. Examination of the Plan has therefore commenced, although public hearing sessions are not anticipated until early in 2023. The Submitted North Lincolnshire Local Plan can be given some weight as a material planning consideration in the determination of planning applications. The relevant policies concerning this application are as follows:

RD1: Supporting Sustainable Development in the Countryside

SS1: Presumption in favour of Sustainable Development

SS3: Development Principles

SS6: Spatial Distribution of Housing Sites

SS11: Development Limits

HE2: Area of Special Historic Landscape Interest

DQE5: Managing Flood Risk and Sustainable Urban Drainage Systems

CONSULTATIONS

Highways: No comments or objections.

LLFA Drainage: No further objections subject to conditions.

Ecology: It will be important to retain the previously approved planting scheme; if not, new landscaping and biodiversity enhancement proposals will be required.

Archaeology: No objection.

Environmental Protection: No objection subject to a contamination condition.

Waste & Recycling: Have provided informative advice.

TOWN COUNCIL

Objects on the following grounds:

- (i) the siting, design and scale of the development has changed without any further planning permission
- (ii) the stability of the embankment immediately behind the development
- (iii) potential contamination risk and no evidence to say how it has been addressed
- (iv) flooding of the site.

PUBLICITY

Advertised by site and press notice – one comment has been received raising the following issues:

- The railway banking should be put back to its original size. It is a protected structure after all. The developer has removed a huge section of the banking. The residents of Fernbank, Orchard Croft, Swallow Court and Fields Close have made features of the embankment, without the need to remove large parts of the banking. The height of the embankment should not be reduced.

ASSESSMENT

Relevant planning history

PA/2017/1929: Planning permission to erect seven dwellings and associated garages – approved 22/08/2018

PA/2017/1583: Planning permission to erect a detached house with integral garage – approved 15/03/2018

PA/2020/199: Planning application to vary condition 2 of PA/2017/1929, namely to amend plans of the house design – approved 30/06/2020.

Background

This application site was granted planning permission to erect seven dwellings under planning reference PA/2017/1929 and an additional one dwelling under PA/2017/1583 in 2018. However, there had been material changes to the approved scheme following the initial approvals, namely changes in design and the red line boundary to provide acceptable amenity/garden space for the dwellings. This application is essentially a resubmission of the previously approved eight dwellings given the material changes to the scheme. It is a retrospective application as the dwellings externally have been built out on the site. Essentially, the proposal is to 'finish off' the Harris View estate which has been developed as a piecemeal development over the years following an outline permission for 14 dwellings approved under planning reference PA/2006/1898.

Proposal and site characteristics

The application site comprises a mix of eight detached and semi-detached dwellings. The site is primarily within the defined settlement boundary for Epworth and is bordered by the former railway embankment to the west. A small part of the site to the western boundary lies outside the development boundary of Epworth, within the open countryside and within the Area of Historic Landscape Importance (LC14). The site is bounded by housing to the south and east. A number of modern dwellings have already been erected and occupied on Harris View. Dwellings in the vicinity of the site are detached and constructed in red brick with red pantile roofs.

The development proposed comprises eight dwellings, of which four will be detached and four semi-detached. They will be of similar appearance and design to the existing properties on Harris View. Part of the existing railway embankment will be removed to form the rear gardens of the properties with a retaining wall installed to prevent land spillage. No changes to the height of the embankment are proposed.

Site constraints

The site lies within the development boundary of Epworth according to the HELA DPD 2016; however, a part of the site to the west is set outside the development boundary and within the LC14 area, including the railway embankment.

The site is within SFRA flood zone 1.

Main considerations

- **the principle of the development**
- **impact upon residential amenity**
- **impact upon character and appearance**
- **archaeology**
- **impact upon access and highway safety**
- **flood risk and drainage**
- **land contamination**

- **ecology.**

The principle of the development

The proposal seeks planning permission to retain eight dwellings on a site primarily within the settlement boundary for Epworth. Epworth is designated as a market town in the adopted Core Strategy and is a very sustainable settlement as it comprises a wide range of shops, services and employment opportunities, and has public transport links to the larger settlements of Scunthorpe and Doncaster.

Policies CS1 and CS2 state that development should be focused on previously developed land and buildings within the defined development limits of North Lincolnshire's market towns followed by other suitable infill opportunities.

Policy CS8 deals with the distribution of housing sites and prioritises development in Scunthorpe and the market towns, with brownfield sites and sites within development boundaries being the primary focus. With regard to rural settlements, the policy states that new housing will create opportunities for small-scale infill development that maintains the viability of the settlement and meets identified local needs without increasing the need to travel.

Although a small portion of the site is within the open countryside, this area forms part of the rear gardens of the plots and will be screened from wider views of the open countryside by the railway embankment and proposed retaining wall. Whilst policy RD2 restricts development in the open countryside other than in exceptional circumstances, this policy may not strictly apply, given that the majority of the application site is set within the development boundary. The proposal is considered to be a sustainable form of development within Epworth and will contribute to the council's five-year land supply. As a result, the proposal will have a minimal impact on the open countryside.

In principle, therefore, the proposal accords with guidance in the National Planning Policy Framework and strategic policies CS1, CS2, CS3 and CS8 of the Core Strategy.

Impact on residential amenity

In terms of residential amenity, plots 4 to 7 are adjacent to the railway embankment. The front of these properties face the access road and are set about 15 metres from the opposite dwellings on Harris View; consequently, no loss of privacy will result from the siting of plots 4 to 7. The flank wall of plot 8 is adjacent to plot 9. No windows are proposed in the flank wall of plot 8 so no loss of privacy will occur to plot 9. Plot 3a is adjacent to an existing detached dwelling on Harris View and a detached dwelling to the south known as 3 Fernbank. Plot 3a will not result in an unacceptable loss of privacy to the detached dwelling on Harris View given the separation distance and position of windows. Plot 3b has a window in the bedroom and bathroom at first floor level. A condition to ensure all bathroom and toilet windows are obscure glazed to mitigate any overlooking impact will therefore be applied to any permission granted. In addition, the bedroom window is at an oblique angle and is a considerable distance from 3 Fernbank. The proposal therefore accords with policies CS5 of the Core Strategy and H5, H8 and DS1 of the North Lincolnshire Local Plan.

Impact on the character and appearance of the street scene

This site constitutes developable land primarily within the settlement boundary of Epworth and completes the residential cul-de-sac known as Harris View. The proposed development is a similar design, character and appearance to the adjacent properties. As a result no adverse impact will be caused in the street scene. The proposed dwellings will primarily only be visible from within Harris View as they will be screened substantially by the railway embankment and the existing dwellings on Harris View, and by other dwellings on Station Road and Battle Green. The proposal therefore accords with policies CS5 of the Core Strategy and H5, H8 and DS1 of the North Lincolnshire Local Plan.

Archaeology (LC14)

A small area of the site to the west will be within an area of historic landscape interest (LC14). The garden to the dwellings will be bordered by the former railway embankment to the west. The council's archaeologist has raised no objections to the proposal following the submission of a heritage statement. The development will have a very minimal impact on the LC14, particularly as most of the railway embankment will be retained in situ. As a result the proposal accords with policies CS6 of the Core Strategy and LC14 of the North Lincolnshire Local Plan.

Impact upon highway safety

In terms of impact on the highway, the proposed dwellings will be served from the existing access located on Harris View. Highways have raised no objections to the access and parking arrangements for the proposed dwellings subject to conditions which will be imposed on this planning permission. The proposal therefore accords with policies T2 and T19 of the North Lincolnshire Local Plan.

Flood risk and drainage

In terms of drainage, concerns from the drainage team initially included risk of slippage from the embankment. This concern was echoed by the town council. The applicant submitted further details in the form of a bund slope stability assessment which has been reviewed by an independent consultant contracted by the council. Conditions to prevent surface water discharging onto the site from the embankment and to prevent surface water discharging onto the highway have been recommended by the drainage team and will be applied to any permission granted. The application site is set within flood zone 1 (at low risk of flooding) and the Environment Agency did not wish to comment on the previous approvals given that the dwellings are set within flood zone 1. Subject to conditions, the proposal is therefore considered to accord with policies DS14 and DS16 of the North Lincolnshire Local Plan and CS18 and CS19 of the Core Strategy.

Land contamination

Policy DS7 of the local plan relates to contaminated land. The former use of the rear of the site as a railway track has the potential to have led to contamination of the site by diesel, lubricating oils, PAH's (Polycyclic Aromatic Hydrocarbons) and asbestos, along with other contaminants, all of which are harmful to human health. Therefore, a contaminated land condition has been recommended given that residential development represents a sensitive end use. This condition will be applied to any permission the council is minded to grant.

Ecology

The proposed design will retain the planting outside the gardens on the embankment. Given that the site has been built up, little can be achieved in terms of biodiversity. The council's ecologist has raised no objection provided the planting outside the gardens on the railway embankment is retained. This has been confirmed in writing by the agent.

Other concerns raised by the town council

The town council has also raised concerns regarding the changes to the proposals without the grant of planning permission. This current application aims to rectify this matter and therefore seeks retrospective planning permission for the development carried out on the site. Issues of embankment stability and flooding have been addressed under the drainage section.

With regard to potential contamination risk, Environmental Protection have recommended a contaminated land condition which will be attached to any permission the council is minded to grant.

RECOMMENDATION **Grant permission subject to the following conditions:**

1.

The development is hereby permitted in accordance with the following approved plans:

- Location plan: 19190/002; site plan: 19190/001
- Elevation and floor plans: Plot 3a – 1776/003 rev A; Plot 3b – 1776/004; Plot 4 – 19190/002; Plots 5 to 8 – 19190/001; Plot 9 – 19190/005 & 19190/006
- Garage plans: 3a and 3b – 19190/009 rev A
- Drainage plans: EWE/2825/01, Heritage Statement, and Design, Access and Planning Statement.

Reason

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

2.

Within one month of the date of this permission, a detailed surface water drainage scheme for the site shall be submitted to and approved in writing by the local planning authority. This must be based upon the submitted Technical Note: 001, Ref: 2021/825, submitted by: EWE Associates Ltd, Dated: 05/10/2021 and Drawing No: EWE/2825/01, Rev: 0, Dated: 13/02/2023. 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 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, which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime so that flood risk, both on and off the site, is not increased.

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 to 169 of the National Planning Policy Framework.

3.

The drainage scheme shall be implemented in accordance with the approved submitted details required by condition 2 above, completed prior to the occupation of any dwelling 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 to 169 of the National Planning Policy Framework.

4.

Within one month of the date of this permission, details showing an effective method of preventing surface water run-off from hard paved areas within the site onto the highway shall be submitted for approval to 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 paragraphs 159 to 169 of the National Planning Policy Framework.

5.

Within one month of the date of this permission, details showing an effective method of preventing surface water run-off from the highway onto the developed site shall be 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 159 to 169 of the National Planning Policy Framework.

6.

Within one month of the date of this permission, details showing an effective method of preventing surface water run-off from the embankment onto the application site shall be submitted to and approved in writing by the local planning authority. Thereafter the

approved scheme shall be implemented prior to the occupation of any dwelling on the site and thereafter so retained.

Reason

To prevent the increased risk of surface water flooding in accordance with policies DS14 and DS16 of the North Lincolnshire Local Plan, and CS18 and CS19 of the Core Strategy.

7.

Before any dwelling is occupied details of the foul water drainage shall be submitted to and agreed in writing by the local planning authority. Thereafter, only the approved scheme shall be installed on the site.

Reason

To ensure satisfactory foul drainage for the site in accordance with policy DS14 of the North Lincolnshire Local Plan.

8.

No dwelling on the site shall be occupied until a verification report, in accordance with Part 3, for the remediation carried out on the site pursuant to discharge of condition application PA/2020/1314 has been submitted to and approved in writing by the local planning authority.

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 below and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Part 2 below, which is subject to the approval in writing of the local planning authority.

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.

9.

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

- 8am to 6pm Monday to Friday

- 8am to 1pm on Saturdays.

No 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.

10.

The existing vegetation on the embankment shall be retained. Any vegetation which dies, is removed or becomes seriously diseased or damaged within three years from the date of this permission shall be replaced in the next planting season with vegetation of similar size and species to that originally planted on the site unless the local planning authority agrees in writing to any variation.

Reason

To safeguard the visual amenity of the locality in accordance with policies LC14 and DS1 of the North Lincolnshire Local Plan.

11.

Before the occupation of the dwellings, all bathroom and toilet windows shall be obscure glazed and retained in that condition thereafter.

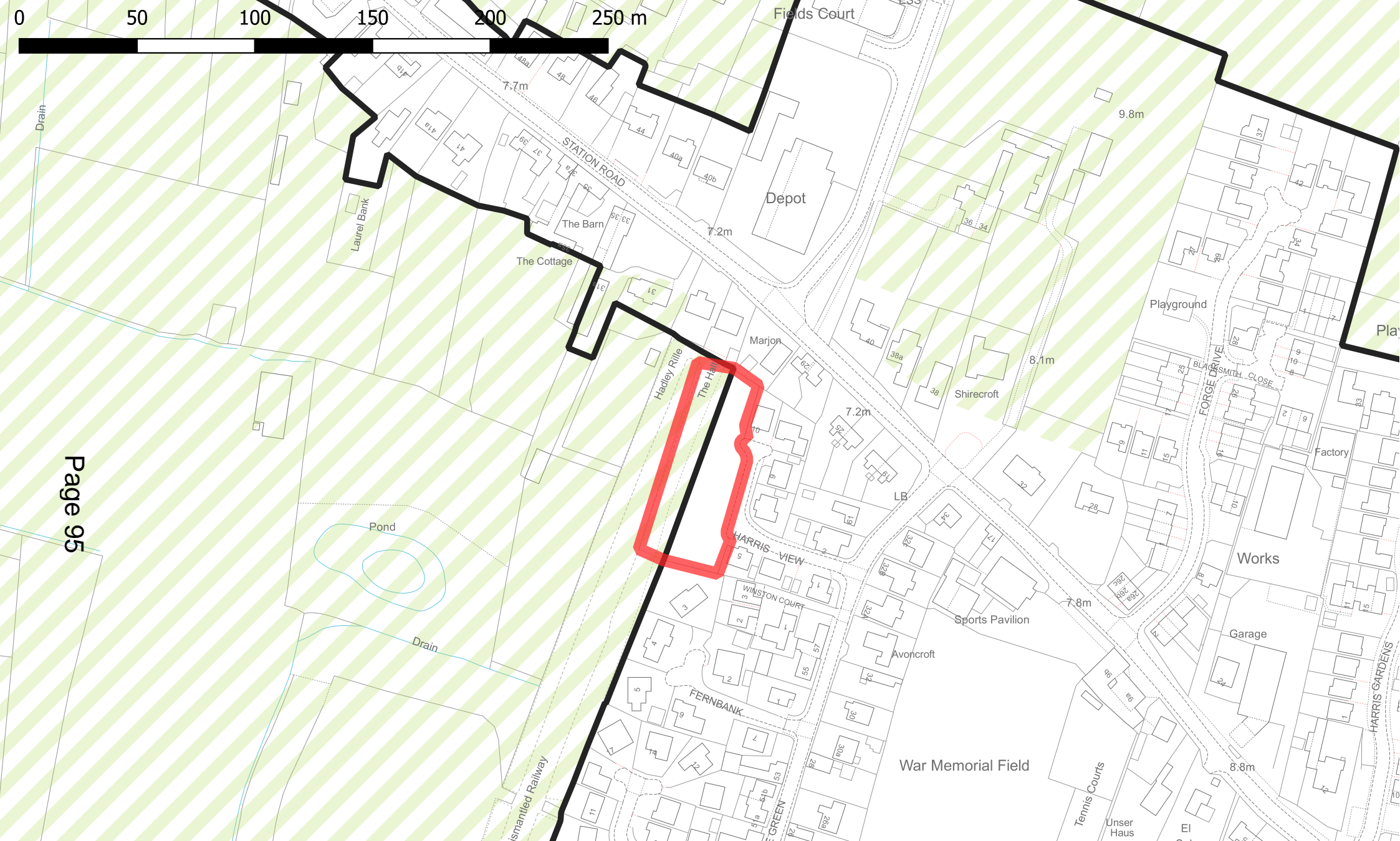
Reason

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



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.

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

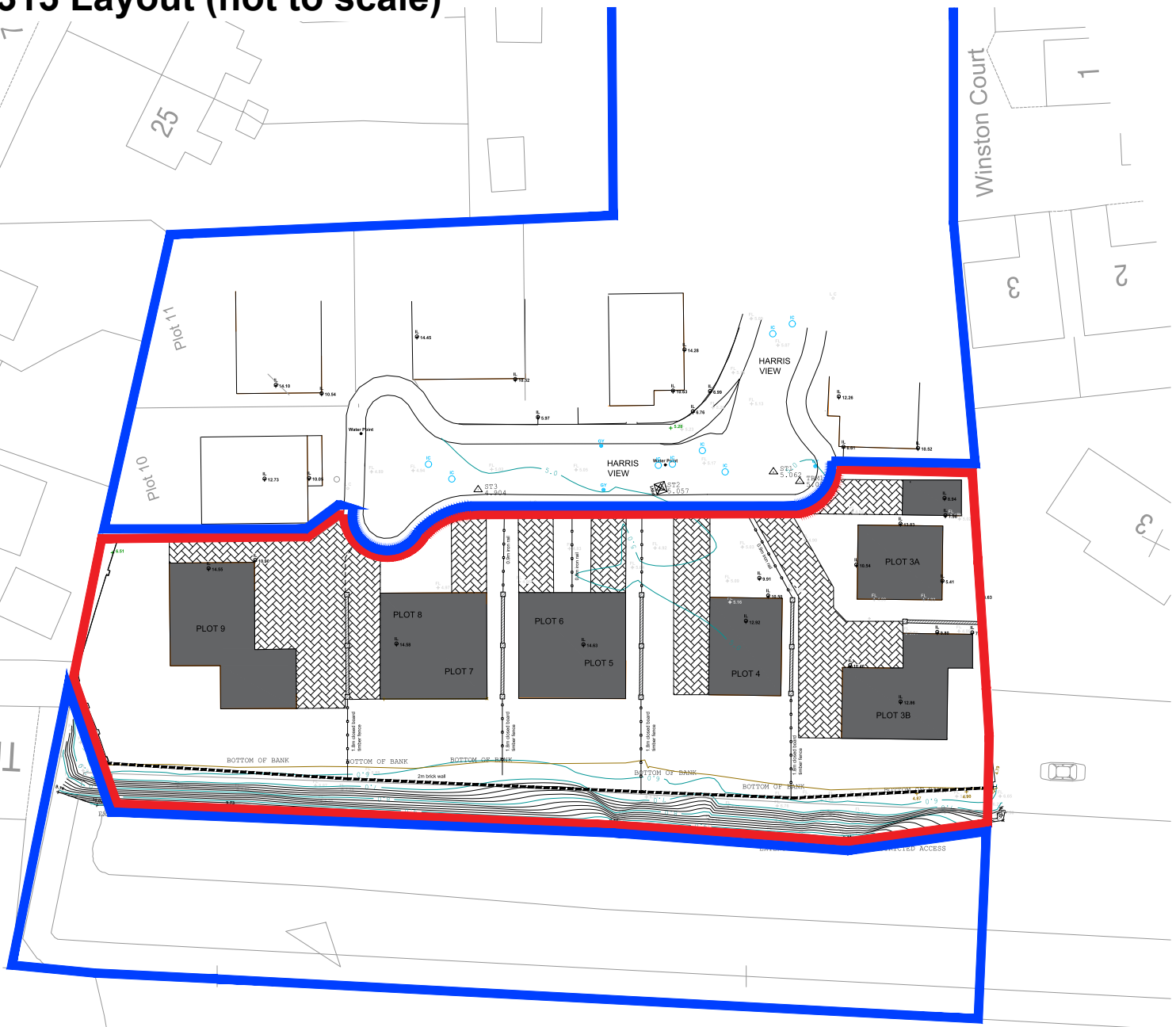
**North
Lincolnshire
Council**

PA/2022/1315

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PA/2022/1315 Layout (not to scale)

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status: Re-submission			
client: North Lincs Property Ltd			
project: Harris View, Battle Green, Epworth			
title: Site plan			
scale: 1:200@A1		date: JUL 2022	
project no.:	drawn:	number:	rev.:
19190	ZY	001	-

APPLICATION NO	PA/2022/1498
APPLICANT	Mr Alan Blades
DEVELOPMENT	Planning permission to erect a detached dwelling, with garage and new vehicular access
LOCATION	Land adjacent to Swinster House, Swinster Lane, East Halton, DN40 3NR
PARISH	East Halton
WARD	Ferry
CASE OFFICER	Scott Jackson
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Departure from the development plan

POLICIES

National Planning Policy Framework: Sections 5, 12 and 15 apply.

North Lincolnshire Local Plan: RD2, DS1, DS7, DS14, T1, T2, T19, H5, H8, LC20 and LC5 apply.

North Lincolnshire Core Strategy: CS1, CS2, CS3, CS5, CS7, CS8, CS16 and CS17 apply.

New North Lincolnshire Local Plan Submission: The new North Lincolnshire Local Plan was submitted for public examination to the Planning Inspectorate on 11 November 2022. Examination of the Plan has therefore commenced, although public hearing sessions are not anticipated until early in 2023. The Submitted North Lincolnshire Local Plan can be given some weight as a material planning consideration in the determination of planning applications. The relevant policies regarding this application include:

Policy SS1: Presumption in Favour of Sustainable Development

Policy SS2: A Spatial Strategy for North Lincolnshire

Policy SS3: Development Principles

Policy SS5: Overall Housing Provision

Policy SS6: Spatial Distribution of Housing Sites

Policy SS11: Development Limits

Policy RD1: Supporting Sustainable Development in the Countryside

Policy DQE1: Protection of Landscape, Townscape and Views

Policy DQE6: Sustainable Drainage Systems

Housing and Employment Land Allocations Development Plan Document

CONSULTATIONS

Highways: No objection, but recommend conditions.

LLFA Drainage: No objection, but recommend conditions.

Environmental Protection: No objection, but recommend a condition.

PARISH COUNCIL

No response received.

PUBLICITY

A site notice has been displayed. Seven responses have been received objecting to the proposal on the following grounds:

- the dwelling and land could be used in conjunction with the applicant's business
- potential damage to grass verges
- construction vehicles being parked in the highway and damaging grass verges
- underlying ground conditions would not support the use of soakaways
- existing ditches are not maintained
- increase in potential for surface water flooding
- it will urbanise the lane
- the quiet character of the rural lane will be eroded
- impact on privacy
- impact on local services/infrastructure
- impact on wildlife
- a bungalow would be more appropriate
- increase in traffic
- noise and disruption during the construction phase
- object to any further housing development
- it will create a precedent for further housing development

- the proposal is contrary to planning policy.

In addition, a letter from a local resident has been received which clarifies a few matters on the part of the applicant.

ASSESSMENT

Planning history

7/1977/0324: Erection of a dwelling – refused 03/06/1977

PA/2012/1193: Application for a certificate of lawful development for existing land and former cattle housing for the grazing of horses – lawful 01/02/2013

PA/2015/0582: Planning permission to erect two houses with detached garages – refused 22/07/2015.

The application site consists of an area of scrubland which is vegetated along two of its boundaries with trees and hedges and has an existing field gate access in its south-eastern corner. The site is outside the defined settlement boundary for East Halton, in flood zone 1, and extends to 903 square metres in area. It is bordered by housing to the east, south and west. There is a grass verge to the front of the site and a drainage ditch along the eastern boundary. Planning permission is sought to erect a dormer-style bungalow with a detached garage, associated private amenity space and off-street parking.

The main issues associated with this application are the principle of development, impact on the rural landscape and impact on residential amenity.

Principle

The combined effect of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 is that a planning application should be determined in accordance with the development plan unless material considerations indicate otherwise. Here, the development plan comprises the North Lincolnshire Local Plan 2003, the Core Strategy 2011 and the Housing and Employment Allocations DPD (HELAP).

The application site is outside the settlement framework set out in the Housing and Employment Land Allocations DPD: for policy purposes this would constitute development within the countryside and therefore the provisions of saved policy RD2 apply.

Saved policy H5 covers new residential development and requires it to be located within settlements or to represent infill. Policy CS2 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 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 wholly outside the defined development limit for East Halton.

Policy CS8 strictly limits housing development in rural settlements in the countryside and in the open countryside outside development limits (the proposal site). Consideration will be given to development which relates to agriculture or forestry, or is required to meet a special need associated with the countryside. Development should not have an adverse impact on the environment or landscape.

Local plan saved policy RD2 restricts development in the open countryside other than in exceptional circumstances. This policy only supports residential development outside defined development limits where it is for affordable housing to meet a proven need or for the replacement, alteration or extension of an existing dwelling; and even then, strict criteria must be achieved as set out in parts a–f of the policy.

Whilst this policy remains, it has largely been overtaken by policies in subsequent plans addressing the same issue (such as policies CS2 and CS3 referenced above). There is, therefore, a development plan presumption against housing development in this location.

The proposal is not in overall accordance with the development plan, and so the starting point would be to refuse unless other material considerations indicate otherwise. It is also acknowledged that the council cannot currently demonstrate an up-to-date five-year housing land supply. Notwithstanding the development plan policies set out above, the NPPF is a material consideration when determining planning applications. Paragraph 10 of the NPPF states, 'So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.' 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 were most important to determining the application should not be considered up to date.

In a recent appeal decision dated 20 July 2022 (PA/2020/554) the planning inspector concluded that the council does not currently have a five-year housing land supply of deliverable sites. The council's Five-Year Housing Land Supply Position Statement is awaiting an update and as such any decisions made by the planning authority will take account of the presumption in favour of sustainable development as set out in paragraph 11 of the NPPF. The current local policies which are most important for determining the application will carry reduced weight during this period. Given the current five-year land supply deficit, it is considered that there is a clear and demonstrable need for housing development in the area. Accordingly, the 'tilted balance' in paragraph 11 of the NPPF is triggered, whereby there is a presumption in favour of sustainable development and development proposals should be approved 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;
- (ii) or 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.

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

development does propose an additional market dwelling which will bring the following benefits:

Economic: Temporary small-scale employment opportunities during the construction process as well as benefits for local suppliers and businesses during that period. Longer-term employment benefits which a typical residential property may bring include repairs and maintenance as well as other works required. Potential for new residents to shop locally and use local services which are within walking and cycling distance of the site.

Social: The local authority area currently has a shortfall in housing supply. Whilst only modest, the development will provide much needed housing within the area contributing to the overall land supply. Whilst East Halton is a rural settlement and there will be a reliance on the private car to access many facilities and services which aren't available within the settlement, there will be an increase in people who could shop and use other services locally. 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.

Environmental: The scheme seeks to bring forward a vacant, unkempt site back into use and the existing hedges and trees on the site will be retained with potential for biodiversity gain. The proposed development will improve the built environment in this location. The up-to-date building regulations would require sustainable building methods to be employed which would be translated through the development.

Given the nature of the site as existing, it is not considered there would be significant harm in economic, social or environmental terms to developing the site.

Paragraph 47 of the NPPF states that applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. An overarching principle in the NPPF is sustainability. The application site is considered to be within a sustainable location in an existing residential part of East Halton, within walking (via a lit highway footpath) and cycling distance of the following local amenities/services:

- village hall (345 metres)
- Black Bull public house (460 metres)
- convenience shop (510 metres)
- bus stop (460 metres).

The site is within walking distance of key local facilities and services including a public house, village hall, primary school, church and other facilities. The North Lincolnshire Sustainable Settlement Survey 2018 (2019 Revision) ranks East Halton as 26 out of 76 settlements in terms of its sustainability, with 5 out of 7 key facilities. East Halton is therefore considered to be a sustainable settlement and the site is in a sustainable location. There are local facilities within easy reach of the site on foot and a wider range of further services accessible via a bus service to the market town of Barton upon Humber. Therefore, the proposal accords with the need to site development in locations with

accessible local services. These matters weigh heavily in favour of the proposal in terms of the economic and social dimensions of sustainability. In essence, the site represents a suitable and logical infill site which is bounded on three sides by existing residential development and their gardens.

Whilst the restrictive policies of the development plan do still apply (CS2, CS3 and CS8), the lack of a five-year supply of housing land and the scale of the shortfall limit the weight which can be attributed to these policies. Restricting development to land within development limits, if strictly applied, would severely affect the ability of the authority to address the need for housing. In determining the sustainability of the proposed development, an assessment not only relies upon planning principle but also whether the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or if any adverse impacts exist that would significantly and demonstrably outweigh the benefits of the proposal.

In conclusion, the development, whilst outside the defined settlement boundary, is akin to an infill plot between existing residential properties in this part of East Halton, in a sustainable location within walking and cycling distance of local facilities, with access to sustainable modes of travel. In addition, it is considered, with the retention of the existing trees along the front and side boundaries of the site, and given the height and scale of the dwelling, it can be successfully assimilated into the rural landscape without it being detrimental to the visual or residential amenity of the area and it will result in the creation of an additional dwelling which contributes towards housing land supply in North Lincolnshire.

Rural landscape

As noted in the previous section of this report, this proposal is for a dwelling outside the defined settlement boundary for East Halton, in the countryside. However, there is a requirement to consider the setting in which the dwelling is proposed, that being a rural lane with detached dwellings of single and two storeys in height located to either side of Swinster Lane, with a grass verge and hedges/trees to the front boundaries, giving a greened appearance to the lane. It is worth noting there are examples of modern dwellings which have been erected in more recent years along Swinster Lane and the prevailing palette of materials is a mixed red brick with grey or terracotta roof tiles. The proposal shows the dwelling to be set back from Swinster Lane to the north at a distance of 10.3 metres, with the trees retained along the eastern boundary and the hedgerow/trees and grass verge retained along the front boundary.

In addition, the plans show the dwelling to be positioned centrally within the site, its principal elevation facing the public highway to the south, with a detached garage to the side, set back at a distance of 2.8 metres; this ensures the dwelling and its associated garage do not represent a visually prominent form of built development in the street scene/rural landscape and the greened appearance to Swinster Lane is retained. The majority of East Halton, including Swinster Lane, is characterised by linear housing development where the principal elevation of each dwelling addresses the public highway. The erection of a dwelling on this site is not considered to be at odds with the established character of residential development in East Halton.

The design of the detached dwelling is a dormer-style with bedrooms proposed in the roof space and a ridge line of 6.45 metres; this is consistent with the height of existing dwellings along this section of Swinster Lane. Views of the proposed dwelling and garage, with ridge heights of 6.45 metres and 5.1 metres respectively, will be restricted to Swinster Lane itself,

the dwelling being screened in the wider area by existing built form and vegetation. Essentially the dwelling will be viewed in conjunction with existing dwellings along Swinster Lane and not as an isolated form of built development in the countryside. Furthermore, the addition of a single dwelling along a rural lane which has a number of existing properties will not urbanise the area but will deliver development which is consistent with the prevailing character: residential, interwoven with sections of green space and vegetation.

The dwelling is positioned centrally within the plot, allowing for a detached garage to be provided to the north-east, and private amenity space to be provided to the rear and west. The dwelling is set back a sufficient distance from the public highway to the south, ensuring the siting of the dwelling is broadly in line with the neighbouring dwelling to the west (The Beeches) and allows for off-street parking (a minimum of 4 spaces) to the front and side, together with the provision of a turning space and areas of pedestrian circulation.

Turning to the design of the dwelling, the plans show it has been designed with a symmetrical appearance to its principal elevation, with a front entrance door flanked by a projecting gable to either side, and the pitch to the timber entrance canopy above the front door aligns with that of the projecting gable to either side. The sense of symmetry is also created by the entrance door being flanked by a window to either side and rooflights set equidistant to either side of the entrance canopy in the front roof slope. Each of the elevations is broken up by a combination of window and door openings and the inclusion of the timber entrance canopy, the chimney, brick headers above the front-facing windows and eaves detailing adds some visual interest to its appearance. Details of the proposed external materials of construction are stated on the drawings: a terracotta concrete roof tile and red rustic facing brickwork; this will ensure visual assimilation into the street scene. Finally, the plans show the siting of the dwelling respects the spacing and openness that exists between existing properties along Swinster Lane.

It has been demonstrated that the development of the site would not be detrimental to the character and appearance of the open countryside, nor the nearby settlement, in terms of siting, scale, massing, design or use of materials. Overall, the design of the property is considered to be of high quality, and in keeping with the existing property and others in the wider street scene. It is therefore considered that the proposal accords with policies DS1 and H5 of the North Lincolnshire Local Plan.

Based on the above, it is considered that the detached house and garage can be successfully assimilated into the street scene without it resulting in built development at odds with the character and appearance of the rural landscape. The plans also show the openness between existing properties will be respected and the greened appearance to Swinster Lane will be retained.

Residential amenity

The plans show the provision of approximately 380 square metres of private amenity space to the rear and west of the proposed dwelling; this is considered commensurate to the size of the dwelling and sufficient to meet the needs of future occupants. The plans also show the dwelling is located in the centre of the plot which gives sufficient separation distance from neighbouring properties to the east and west to ensure there is no loss of residential amenity through the effects of overshadowing or having an overbearing impact. There is space in which to provide a detached garage and a minimum of 4 off-street parking spaces, together with a turning area; this ensures there is sufficient parking provision within the site and will reduce the potential for vehicles to be parked on the highway/grass verge. None of

the upper-floor windows face an easterly or westerly direction, the main outlook being towards the public highway to the front and over the fields at the rear.

Inevitably, there will be some disruption to neighbouring properties through noise and general disturbance during the construction period; however, this will be short-term and will not harm the long-term amenity of the area. It is considered there is sufficient space within the site (which extends to over 900 square metres in area) in which to accommodate deliveries, construction vehicles and building materials during the construction phase, and any damage to the highway verge to the front of the site (which is adopted highway) could be inspected by Highways and any necessary remedial works undertaken by the developer. The comments made in respect of the applicant potentially operating a business from the dwelling are noted; however, such an operation may require planning permission and each planning application is considered on its own merits.

Other issues

Flooding and drainage

The site is within flood zone 1, which means it is at the lowest risk of flooding. The surface water drainage maps on the Gov.uk website show the site itself has a very low risk of surface water flooding. The comments made by the objectors in relation to surface water drainage flooding along Swinster Lane are noted; however, these flooding events coincided with times of severe rainfall and were, in themselves, an extreme weather event. It is considered the ground conditions are sufficient to dispose of surface water via soakaways in this location and no objection has been received from LLFA Drainage in this regard. Conditions are recommended to ensure there is no discharge of surface water from the site into the highway and conversely from the highway into the site, and it is proposed to connect foul drainage to the existing mains sewer. This complies with policy DS14 of the North Lincolnshire Local Plan.

Contaminated land

Policy DS7 of the North Lincolnshire Local Plan is concerned with land contamination. It states that in the case of proposals for development on land known to be, or strongly suspected of being, contaminated, applicants will be required to demonstrate that the level of contamination can be overcome by remedial measures or improvements.

The previous use of the site is unknown and therefore has potential for contamination. A condition is therefore recommended that a contaminated land assessment of the site is undertaken; this will identify if the site is free from contamination or whether remediation measures are required prior to any sensitive receptors (such as a residential property) being introduced on the site. This approach is consistent with the consultation response received from Environmental Protection.

Highways

The plans show a widened vehicular access to be provided in the same position as the existing field access in the south-eastern corner of the site; this will provide sufficient access and egress. The proposals have been considered by Highways and no objections have been received on grounds of pedestrian or highway safety; however, conditions are recommended to ensure all vegetation to the front of the site is maintained at 2 metres in height or below, and to secure the provision of the parking and turning areas. The highway verge provides additional space to the front of the vehicular access in which to move a

vehicle forward and have clear visibility in both directions along Swinster Lane when exiting the site. Sufficient off-street parking is proposed to ensure vehicles will not be parked within the highway, and there are connections to the main built framework of East Halton and its services via a lit highway footpath along Townside, which is approximately 127 metres to the west of the site. It is considered that an additional dwelling will not create additional vehicular movements along Swinster Lane over and above what is anticipated within a residential area.

Given the scale of the proposed development, it is not considered that the scheme would result in a significant or unacceptable increase in vehicular movements in the locality. Adequate off-street parking will be provided within the site. With these factors in mind, and in the absence of an objection from the council's Highways section, it is considered that the proposal, with the recommended conditions, would be acceptable in highway terms.

General issues

The proposed development has been considered on its own merits and any future application for additional housing development along Swinster Lane will be considered on its own merits at that time. No evidence has been submitted by any of the objectors to demonstrate whether there are any protected species on the site and the development will ensure the existing hedging and trees along the boundaries are retained/maintained. A condition is recommended requiring a landscaping scheme to be submitted for consideration, to include biodiversity measures to be employed within the site.

Conclusion

It is considered, given the assessment above, that no adverse impacts related to the development exist that would significantly and demonstrably outweigh the benefits that would follow from a well-executed residential scheme in this location. Overall, 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 set a presumption in favour of sustainable development.

Pre-commencement conditions

A pre-commencement condition in respect of contaminated land investigation has been agreed with the agent.

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:

010822-01

010822-02

010822-03
010822-04
010822-05
Block Plan
Site Location Plan.

Reason

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

3.

Unless otherwise agreed by the local planning authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts 1 to 4 below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the local planning authority in writing until part 4 has been complied with in relation to that contamination.

Part 1: Site Characteristics

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

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

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Part 2: Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the

natural and historical environment must be prepared, and is subject to the approval in writing of the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Part 3: Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the local planning authority. The local planning authority must be given two weeks' written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the local planning authority.

Part 4: Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Part 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Part 2, which is subject to the approval in writing of the local planning authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the local planning authority in accordance with Part 3.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy DS7 of the North Lincolnshire Local Plan.

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.

The dwelling shall not be occupied until the vehicular access to it and the vehicle parking and turning space(s) serving it have been completed and, once provided, the vehicle parking and turning space(s) 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 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.

7.

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

Reason

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

8.

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 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.

9.

No above-ground works 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

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.

10.

No above-ground works shall take place until proposals for landscaping have been submitted to and approved by the local planning authority. The proposals shall include indications of all existing trees and hedgerows on the site, and details of any to be retained, together with measures for their protection during the course of development. The proposals shall also include measures for biodiversity gain within the site such as the inclusion of bird nest boxes and bat boxes and provisions for gaps within fencing to allow for the passage of hedgehogs.

Reason

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

11.

All the approved landscaping and biodiversity enhancement measures shall be carried out within 12 months of development being commenced (unless a longer period is agreed in writing by the local planning authority). Any trees or plants which die, are removed or become seriously damaged or diseased within five years from the date of planting shall be replaced in the next planting season with others of similar size and species to those originally required to be planted, unless the local planning authority agrees in writing to any variation.

Reason

To define the terms of the permission and to ensure the agreed landscaping and biodiversity measures are completed in a timely manner.

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.

Informative 3

You are advised to consider upsizing the pipe network increasing storage around your development to cater for more intense storm conditions. Although this is not a requirement in terms of surface water flood risk compliance it would be good practice on your behalf to ensure an increased level of resilience for the development and its future occupiers.

0 50 100 150 200 250 m

Black Bull Inn

The Sensays

Ashleigh Terrace

Sidmar

Craker

Kebgc House

Rastanura

Willalands

Wharfedale House

Hall

Drain

Drain

Track

Silos

Pond

Rosemary Cottage

Homelands

Swinstock House

8.8m

8.4m

Rdsedene

Townside Farm

The Beeches

SWINSTER LANE

Maple Cottage

Kooland View

Pipers

9.8m

Holly Cottage

New House

Three Gables

East Hatton Grange

Chelcourt

Fokgove

Ravon House

Pond

Drain

Track

12.2m

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Development Boundary

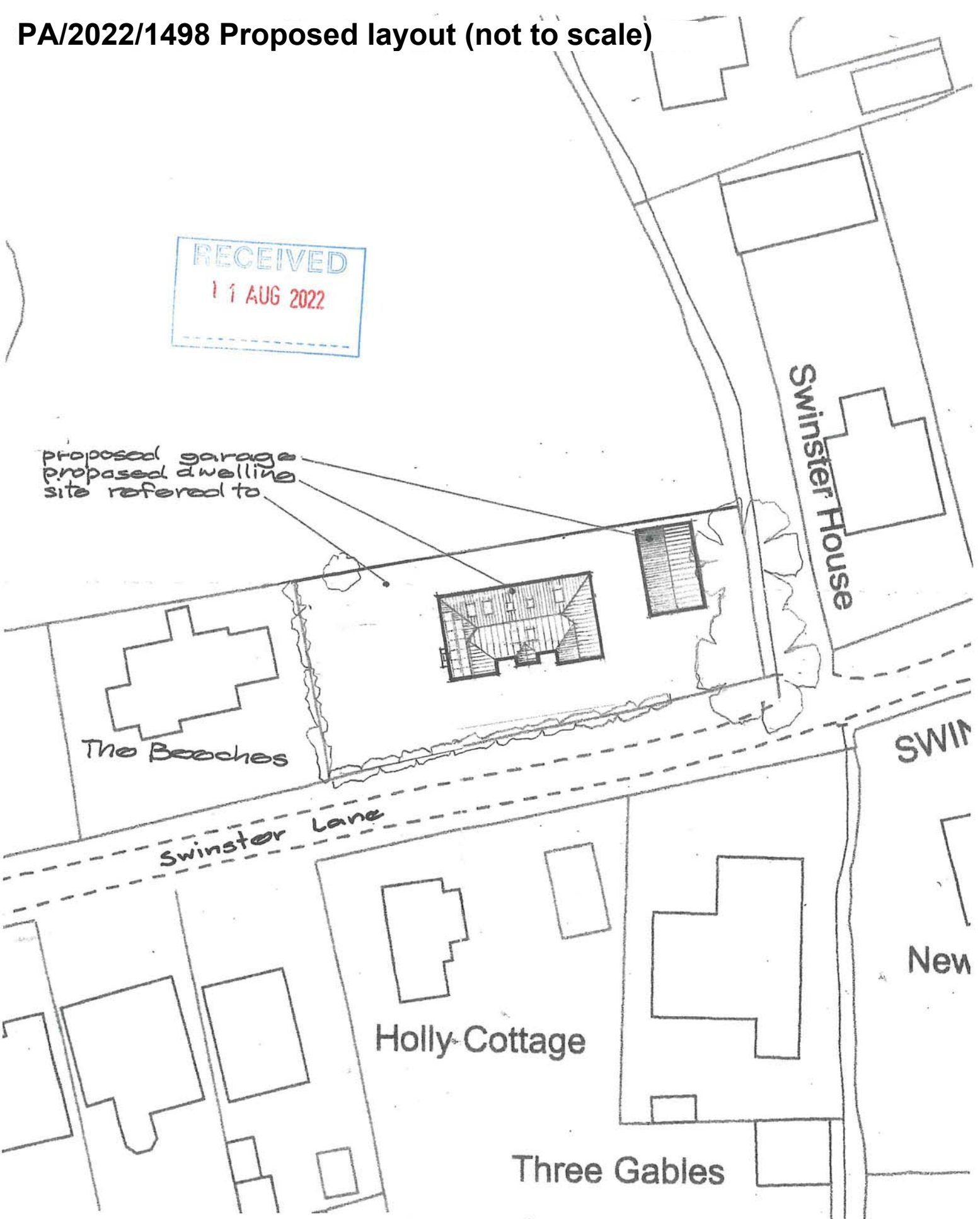
PA/2022/1498

North Lincolnshire Council

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11 AUG 2022

proposed garage
proposed dwelling
site referred to



Block Plan scale 1:500

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Ordnance Survey on behalf of
The Controller of Her Majesty's Stationery Office.



PA/2022/1498 Proposed elevations (not to scale)

roof - terracotta colour through concrete tiles or similar approved
external walls - red rustic facing brickwork or similar approved with feature brickwork to gables
windows & doors - white double glazed upvc
rainwater gutters & downpipes - black upvc



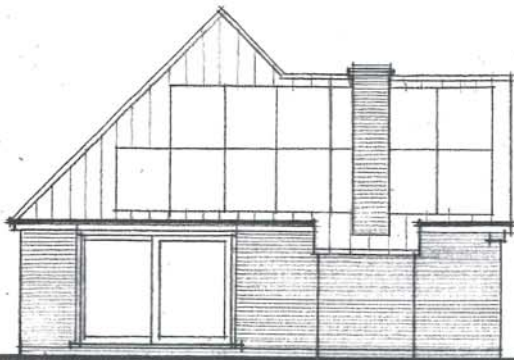
proposed front elevation



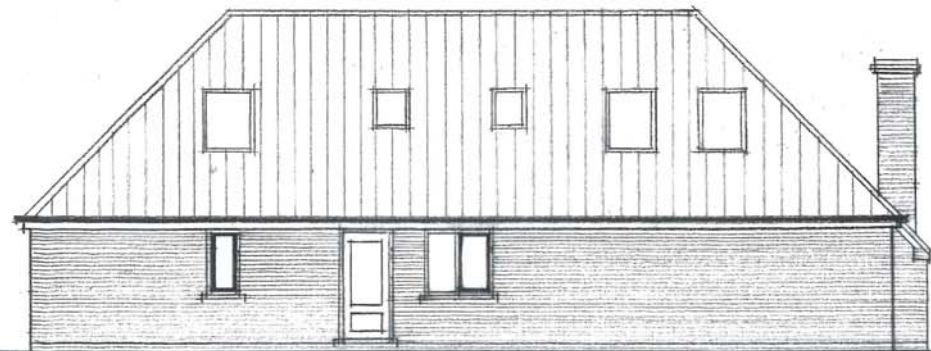
proposed side elevation

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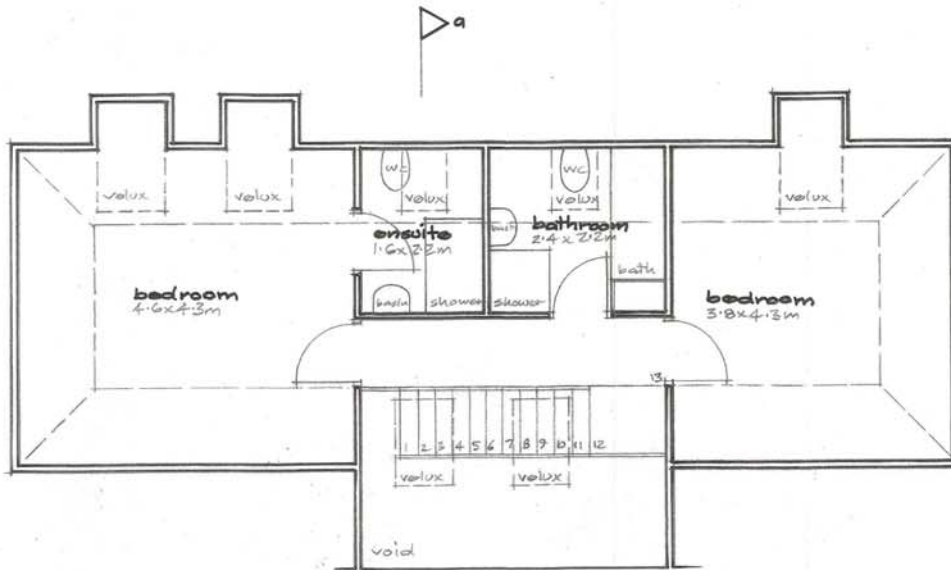
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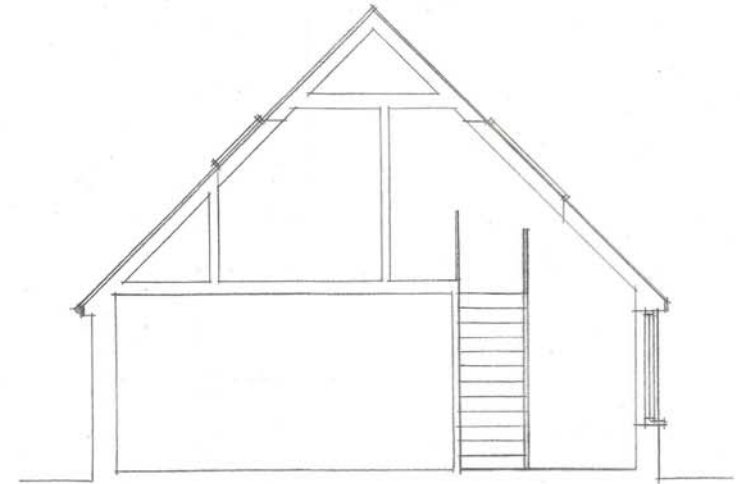
proposed rear elevation

proposed dwelling adjacent to Swinster House, Swinster Lane, East Halton

dwg 010822-02
scale 1:100
paper size A3

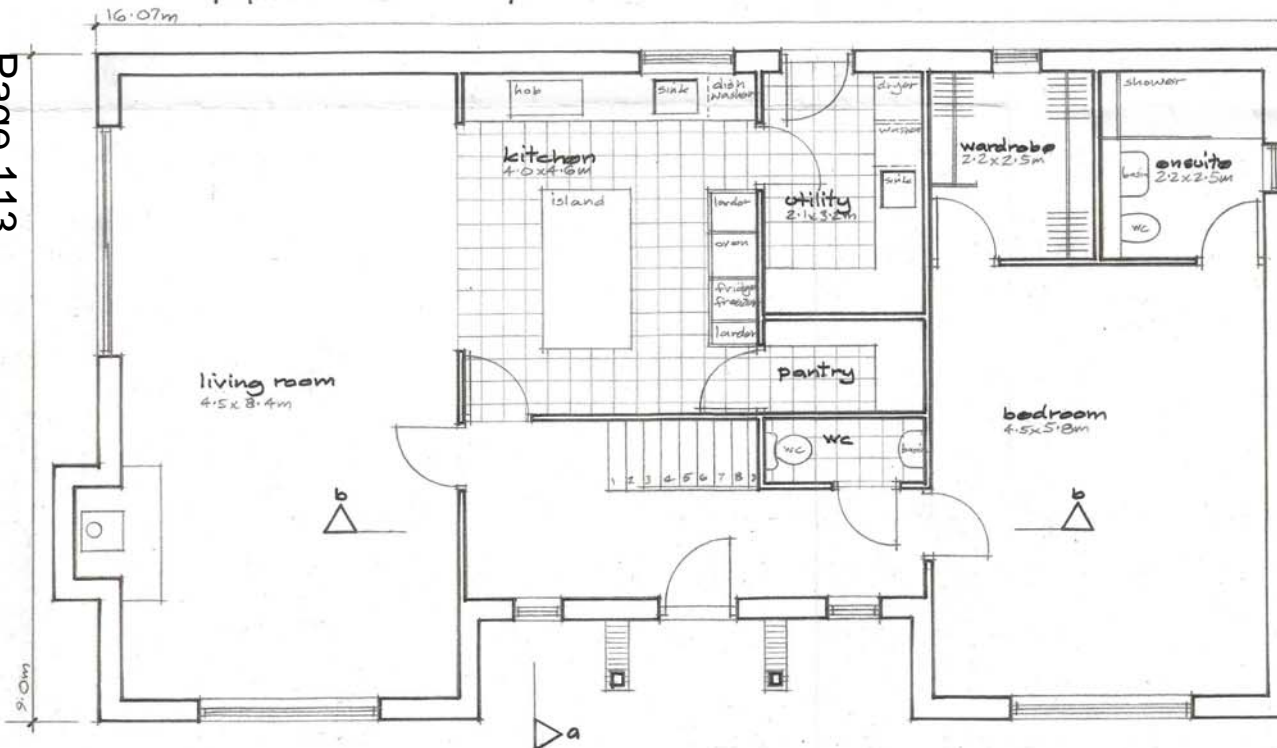


proposed first floor plan

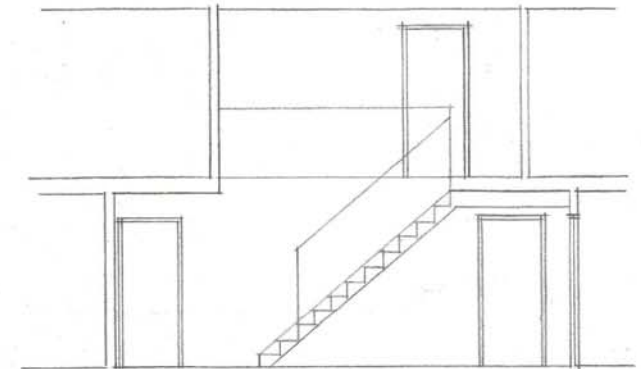


proposed section a a

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proposed ground floor plan



proposed section b b

proposed dwelling adjacent to Swinster House, Swinster Lane, East Halton

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APPLICATION NO	PA/2022/1861
APPLICANT	Mr Daniel Hyde
DEVELOPMENT	Planning permission to erect portal-framed commercial units for general light industrial, storage and distribution
LOCATION	Poplar Farm, Ulceby Road, South Killingholme, DN40 3JB
PARISH	South Killingholme
WARD	Ferry
CASE OFFICER	Jennifer Ashworth
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by South Killingholme Parish Council

POLICIES

National Planning Policy Framework:

Section 2: Achieving sustainable development

Section 6: Building a strong, competitive economy

Section 9: Promoting sustainable transport

Section 11: Making effective use of land

Section 12: Achieving well-designed places

Section 14: Meeting the challenge of climate change, flooding and coastal change

North Lincolnshire Local Plan:

Policy DS1: General Requirements

Policy DS7: Contaminated Land

Policy DS12: Light Pollution

Policy DS14: Foul Sewage and Surface Water Drainage

Policy DS16: Flood Risk

Policy T1: Location of Development

Policy T2: Access to Development

Policy RD2: Development in the Open Countryside

Policy RD3: Industrial and Commercial Development in Minimum and Medium Growth Settlements

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 CS11: Provision and Distribution of Employment Land

Policy CS16: North Lincolnshire's Landscape, Greenspace and Waterscape

Policy CS17: Biodiversity

Policy CS19: Flood Risk

Housing and Employment Land Allocations DPD (2016) –

Policy PS1: presumption in favour of Sustainable Development

The site lies within the open countryside outside the development limits of South Killingholme as shown on Proposals Map. A protected future highway scheme is allocated to the southern boundary of the site. This is now completed.

New North Lincolnshire Local Plan Submission: The new North Lincolnshire Local Plan was submitted for public examination to the Planning Inspectorate on 11 November 2022. Examination of the Plan has therefore commenced, although public hearing sessions are not anticipated until early in 2023.

SS1: Presumption in Favour of Sustainable Development

SS2: A Spatial Strategy for North Lincolnshire

SS3: Development Principles

SS8: Employment Land Requirements

SS11: Development Limits

EC1: Employment Land Supply

EC2: Existing Employment Areas

EC6: Supporting the Rural Economy

RD1: Supporting Sustainable Development in the Countryside

DQE1: Protection of Landscape, Townscape and Views

DQE3: Biodiversity and Geodiversity

DQE5: Managing Flood Risk

DQE6: Sustainable Drainage Systems

The site lies within the open countryside outside the development limits of South Killingholme as shown on the Submission Local Plan Inset Map.

CONSULTATIONS

Highways: No comments to make.

LLFA Drainage: No objection subject to conditions requiring a detailed surface water drainage design to be provided.

National Highways: No objection.

Environmental Protection: No objection subject to conditions. Initial consultation response requested further information which the applicant provided. The recommended conditions include one relating to the nearest residential receptor to ensure it remains within the same ownership as the planning unit to prevent adverse living conditions. Further conditions are recommended to control operating hours, address construction/demolition operations, address the potential for asbestos and regarding refuse-derived fuel being stored on the site.

PARISH COUNCIL

Object on the grounds of insufficient boundary screening: it is an unsightly aspect to open fields and surrounding open countryside close to the village.

PUBLICITY

The proposal has been advertised by means of site notice. No comments have been received.

ASSESSMENT

Planning history

PA/2022/257: Planning permission to erect new boundary fencing, change use of land for B8 storage purposes (to form extension to site approved under PA/2021/134) following demolition of former pig farm buildings, and change use of retained agricultural building to Use Classes B2 and B8 – approved 09/05/2022

PA/2021/134: Planning permission for change of use of land and buildings to business, light industry, storage and distribution (Use Classes B2, B8 and E(g)) – approved 23/03/2021

PA/2015/0204: Planning permission to demolish existing structures, retain farm shop and erect new buildings, and use the site as a materials recycling facility,

including the provision of a waste transfer station and realigned access – refused 29/07/2015

PA/2014/0422: Planning permission for the siting of a container for use as a boiler house associated with farming fish and erection of a polytunnel for growing plants – approved 24/09/2014

PA/2012/1444: Planning permission for the construction of a landscape bund with associated fencing – approved 23/01/2013

7/1975/1032: Erect a pig fattening unit – approved 23/01/1976

PA/1998/0796: Prior notification for the construction of a 15 metre high telecommunications tower – prior approval not required 20/07/1998

7/1980/0116: Construct a dry weaner pool – approved 03/04/1980

7/1974/0493: Form B application to erect an overhead line and pole-mounted transformer – approved 18/10/1974

Site location and proposal

The site is a former pig farm which, as stated by the applicant, ceased operations over 10 years ago. The current site includes a large, stoned yard with a number of small light/general industrial units. The applicant has confirmed that the site is used by a contracting company for the storage of materials for local utility projects. There is also an existing tenant, a HGV mechanic operating out of the recently refurbished unit on the southern side of the site. The site is bounded by Poplar Farm (to the south), a house owned by the applicant and a building that was formerly a farm shop. The boundary treatments to the west and south are palisade fencing with a mature native mixed hedgerow to the east.

The site is south-west of South Killingholme, approximately 300 metres from settlement boundaries. Access to the site is from the A1077 Ulceby Road, close to the new A160 dual carriageway, which links the A180 and M180 motorway to Immingham Docks and the power station. Due to the proximity of the site to the new roundabout, its access was relocated as part of the new road scheme. The site is within the open countryside and within SFRA flood zone 1. The nearest residential property is the former farmhouse, which is adjacent to the proposed units and is owned by the applicant's family. This would remain within the same ownership. There is a row of eight semi-detached houses approximately 200 metres to the east of the site. Other residential properties are in excess of 300 metres away.

Planning permission is sought to erect a portal-framed commercial unit (split into two industrial units) for general light industrial, storage and distribution. The existing hedge on the eastern boundary is to be retained and a 4 metre high boundary wall is to be constructed (granted planning permission under a previous application). The principle of B2 and B8 uses has been granted through a previous application (PA/2021/134). The external footprint lost by demolition equates to 370 square metres; the external footprint gained by the new building equates to 750 square metres.

No boundary trees or hedges would be removed or affected by the change of use of the site. The existing earth bunds and landscaping provide screening, along with the new boundary wall that will provide both visual and sound protection.

The following considerations are relevant to this proposal:

- principle of development
- impact upon residential amenity
- impact upon character and appearance
- impact upon highway safety
- pollution and the environment.

Principle of development

Policy CS1 of the Core Strategy states, ‘...Rural settlements and the open countryside 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 consider 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.

Policies CS2 and CS3 relate to developments that takes place outside defined limits of settlements or in rural settlements in the countryside. Both policies only permit development which is essential to the functioning of the countryside.

Policy RD2 strictly controls development within the open countryside but does support employment-related development which is appropriate to the open countryside provided that:

- (a) the open countryside is the only appropriate location and development cannot reasonably be accommodated within defined development boundaries;
- (b) the proposed development accords with the specific requirements set out in the relevant policies of this chapter and elsewhere in this local plan;
- (c) 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;
- (d) the development would not be detrimental to residential amenity or highway safety;
- (e) account is taken of whether the site is capable of being served by public transport; and
- (f) the development is sited to make the best use of existing and new landscaping.

Policy RD3, Industrial and Commercial Development in Minimum and Medium Growth Settlements, is also relevant. South Killingholme is identified as a minimum growth settlement. The policy supports proposals for industrial and commercial development and the redevelopment of existing sites provided:

- (i) the proposal does not lead to an over intensification of an activity on the site to the detriment of residential amenity and highway safety;

- (ii) the proposal would not be detrimental to the character or appearance of the settlement or the open countryside in terms of siting, scale, massing, design and use of materials; and
- (iii) the site is within walking or cycling distance of the local workforce, or is capable of being served by public transport.

The principle for development on the site has previously been established as shown by the planning history for the site. In this case, the site has been in use for this purpose (storage and distribution business) and seeks to expand its scope. The site is well contained and would not encroach further into the surrounding countryside. Whilst the floor space (750 square metres) for the proposed portal-framed building is somewhat substantial, it will replace an existing outdated building of 370 square metres (a difference of 380 square metres), and would be on the footprint of the existing building, extending west into the existing yard area, in close proximity to the existing lot of land and workshop/storage buildings.

The NPPF represents a material consideration in determining this application. Paragraph 8 sets out key considerations for sustainability, namely social, economic and environmental objectives. In economic and social terms, the new units will allow the site to continue to operate in time with modern requirements. The industrial nature of the proposal limits its social relevance; however, the site is close to the wider industrial zones to the north and east and would not disperse economic activity in the area. Whilst this proposal may not add significant environmental improvement, the existing landscaping and earth bunds will be retained and all hedgerows will be protected.

It is therefore considered that the principle of development is acceptable.

Impact upon residential amenity

Policy DS1 is partly concerned with ensuring that development (including changes of use) does not unduly impact on neighbouring amenity in terms of noise, smell, fumes, dust or other nuisance and notes that no pollution of water, air or land should result which poses a danger or creates detrimental environmental conditions.

The site adjoins The Poplars to the southern boundary – the only residential property within 200 metres of the site. This property is under the same ownership as the application site, and previously formed part of the same agricultural unit. The uses within the proposed building carry a risk of noise nuisance and a modest risk of odour etc, and commercial vehicles would enter and leave the site regularly each day.

The industrial use is an existing established use on the site, and the previous use of the wider site was that of a pig farm. It is not considered that the nuisance likely to result from the proposed building would be significantly more acute than those on the site at present. In essence, the building will seek to replace an existing, albeit smaller, building on the site.

The confirmation from the applicant that the proposal site and The Poplars remain under the same ownership is a material consideration when assessing the impact on residential amenity. On balance therefore, the history of the site and the nature of the current and proposed uses, in addition to the connection between the adjacent residential property and the site, would ensure that there are no unacceptable impacts to residential amenity. There is a significant gap between the site and the closest residential dwelling, other than The Poplars, sufficient to limit any harmful impacts resulting from noise or other disturbance.

Environmental Protection have raised concern regarding the potential for adverse noise to be an issue and recommend the inclusion of a condition that the application site shall remain in the same ownership as the adjacent dwelling (The Poplars) on the basis that subdividing the planning unit would result in future occupiers of the house potentially being subject to adverse living conditions that they had no control over.

Previous planning consents have tied the site to the adjacent residential dwelling. It is considered reasonable to add this condition at this time. The same wording will be carried forward.

The existing permission for this site (PA/2021/134) includes a condition restricting the operating hours of the site. A further operating hours condition is recommended to protect residential amenity between the hours of 7pm and 7am. A condition to control construction hours is also recommended. It is considered that these conditions are reasonable and fair given the close proximity to the adjacent property.

With the recommended conditions, it is considered that the site would not result in significant residential amenity impacts and would therefore be in accordance with the relevant policies of the development plan.

Impact upon character and appearance

As noted above, in line with policies RD2, RD3 and DS1, it is important that any development respects the appearance of the site and wider area. In this case, the existing building will be demolished and replaced by a portal-framed commercial unit. The unit will be higher than the existing building on site. The proposed ridge is approximately 9.2m.

The additional hardstanding would remain and would be screened from the open countryside by existing landscaping earth bunds along the boundaries (as approved in 2013). The hedge on the eastern boundary is proposed to be retained and a 4 metre high concrete fence will be created in accordance with previous permission PA/2022/257. This same permission confirmed that any existing gaps within the hedgerow would be replanted. There have been no changes to these proposals as part of this new application. The parish council has objected on the grounds that there is insufficient boundary screening and the proposal is an unsightly aspect to open fields and surrounding open countryside close to the village.

As mentioned, screening is in place at the site as granted by an earlier permission; views into to site are therefore restricted. The existing East Halton Road and agricultural fields provide a break between the site and the closest existing eight properties to the east; this is further interrupted by HGVs and other road users who uses this route on a daily basis. The wider village of South Killingholme is set much further east and as such the proposal is not considered to result in a negative impact. The existing site and the buildings already form part of the countryside landscape in this location. The applicant is seeking to expand facilities within the main body of the site and not to extend further into the open countryside.

The proposed building will replace an existing building on site. It is considered that the impact on the landscape is minimal relative to the previous agricultural use and existing industrial use on the site.

Impact upon highway safety

Policies T2 and T19 seek to ensure that proposals are acceptable in terms of impact upon highway safety and have sufficient parking available. In this regard the council's highways officer has been consulted and they have no objections or comments to make.

The site uses an existing tarmacked access to the south off the site onto the A1077. There is good visibility from the wide access head along the straight section of highway. The access point is approximately 150 metres from the Habrough Roundabout which links to the Humber Road dual carriageway. The site is therefore considered to be in a highly accessible location for HGVs and other vehicles, and the access as existing is appropriate for the uses proposed. There is also a separate driveway, which runs parallel to Ulceby Road, providing access to the adjacent former farmhouse.

There would be areas of hard standing within the site useable for car parking for staff and visitors, sufficient to meet the parking standards set out in the North Lincolnshire Local Plan.

The applicant has set out the operating hours and vehicle movements to the site which establishes that the vehicle movements are not considered to increase by significant amounts.

Highways have reviewed the proposals and do not have any objections in relation to highway access or safety.

Overall, the access arrangements, parking provision and overall impact on the highway network safety and capacity are regarded as acceptable. There are no outstanding objections from the Highways department and the application is considered to be in accordance with policies T1, T2 and T19 of the local plan in this regard.

Pollution and the environment

The proposed development seeks to replace an existing building on site to allow the site to operate to meet modern requirements. The existing building is considered to be outdated and tired. The Environmental Protection team were consulted and requested further information and understanding of the site prior to making comment.

The structures to be demolished may contain asbestos containing materials (ACMs). The applicant must ensure that any asbestos contained within building structures is managed and disposed of appropriately to ensure that asbestos fibres do not present an unacceptable risk to workers or future occupants of the site. Asbestos contaminated waste must be disposed of appropriately at a licenced waste facility. The legal requirements for managing and working with asbestos are set out in the Control of Asbestos Regulations 2012.

The team were unsure whether general storage permission B8 would also permit the future storage of waste such as refuse derived fuel (RDF) and the council must protect against this possibility by seeking to limit this.

This was provided by the applicant and conditions are recommended to control the site as follows:

- The uses hereby approved shall not operate and no employees shall remain on the site between the hours of 7pm and 7am on any day, unless otherwise agreed in writing by the local planning authority.
- 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.

- No demolition work shall commence until an asbestos survey of buildings to be demolished has been submitted to and approved in writing by the local planning authority. Development shall not be carried out other than in accordance with the approved details.
- Waste transfer notes following removal and disposal of any asbestos materials shall be sent to the local planning authority to demonstrate correct disposal.
- No refuse derived fuel shall be brought onto or stored on the site.

These conditions were also placed on the previous permission PA/2022/257.

It is not considered, given the existing nature of the site, that harm to ecology or the environment would be increased.

Flood risk

Policy CS19 is concerned with flood risk whilst policy DS14 is concerned with foul sewage and surface water drainage. The application site is within flood zone 1.

The proposed use is similar in nature to existing businesses at the site and will replace an existing building, albeit on a larger footprint.

The LLFA Drainage team have considered the proposals and recommend a series of conditions to address surface water drainage at the site.

Conclusion

The proposal will allow an existing commercial site to continue to operate in line with modern day requirements, offering space suitable to future businesses. The site, whilst in the open countryside, is existing and the development seeks to replace an existing building on site. It is considered that there are no material considerations which outweigh the benefits.

Pre-commencement conditions

Pre-commencement conditions have been agreed.

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:

- Location Plan 1433/001
- Site Plan 1433/003
- Block Plans 1433/002
- Proposed Plans 1433/004.

Reason

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

3.

The uses hereby approved shall not operate and no employees shall remain on the site between the hours of 7pm and 7am on any day, unless otherwise agreed in writing by the local planning authority.

Reason

To protect residential amenity.

4.

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.

5.

No demolition work shall commence until an asbestos survey of buildings to be demolished has been submitted to and approved in writing by the local planning authority. Development shall not be carried out other than in accordance with the approved details.

Reason

To ensure that risks from asbestos to the environment, future users of the land and neighbouring land are minimised, 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 DS1 of the North Lincolnshire Local Plan.

6.

Waste transfer notes following removal and disposal of any asbestos materials shall be sent to the local planning authority to demonstrate correct disposal.

Reason

To ensure that risks from asbestos to the environment, future users of the land and neighbouring land are minimised, 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 DS1 of the North Lincolnshire Local Plan.

7.

No refuse derived fuel shall be brought onto or stored on the site.

Reason

In the interest of environmental health and to protect residential amenity.

8.

None of the units hereby approved shall be occupied 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 also take into account all existing hard paved areas/buildings on the developed site.

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 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 which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime so that flood risk, both on and off the site, is not increased. SuDS must be fully considered in accordance with current PPG guidance.

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 to 169 of the National Planning Policy Framework.

9.

The drainage scheme shall be implemented in accordance with the approved submitted details required by condition 8 above, completed prior to the occupation of any 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.

10.

The application site shall remain in the same ownership as the adjacent dwelling (Poplar Farm House) on the basis that sub-dividing the planning unit would result in future occupiers of the house potentially being subject to adverse living conditions that they have no control over.

Reason

To protect residential amenity.

11.

The approved building hereby permitted shall only be used for the following use(s): Class E (g) and Class B8 of The Town and Country (Use Classes) (Amendment) (England) Regulations Order 2020 or any provision equivalent to that class in any statutory instrument revoking and re-enacting that order with or without modification and no other uses are permitted without the prior approval in writing of the local planning authority.

Reason

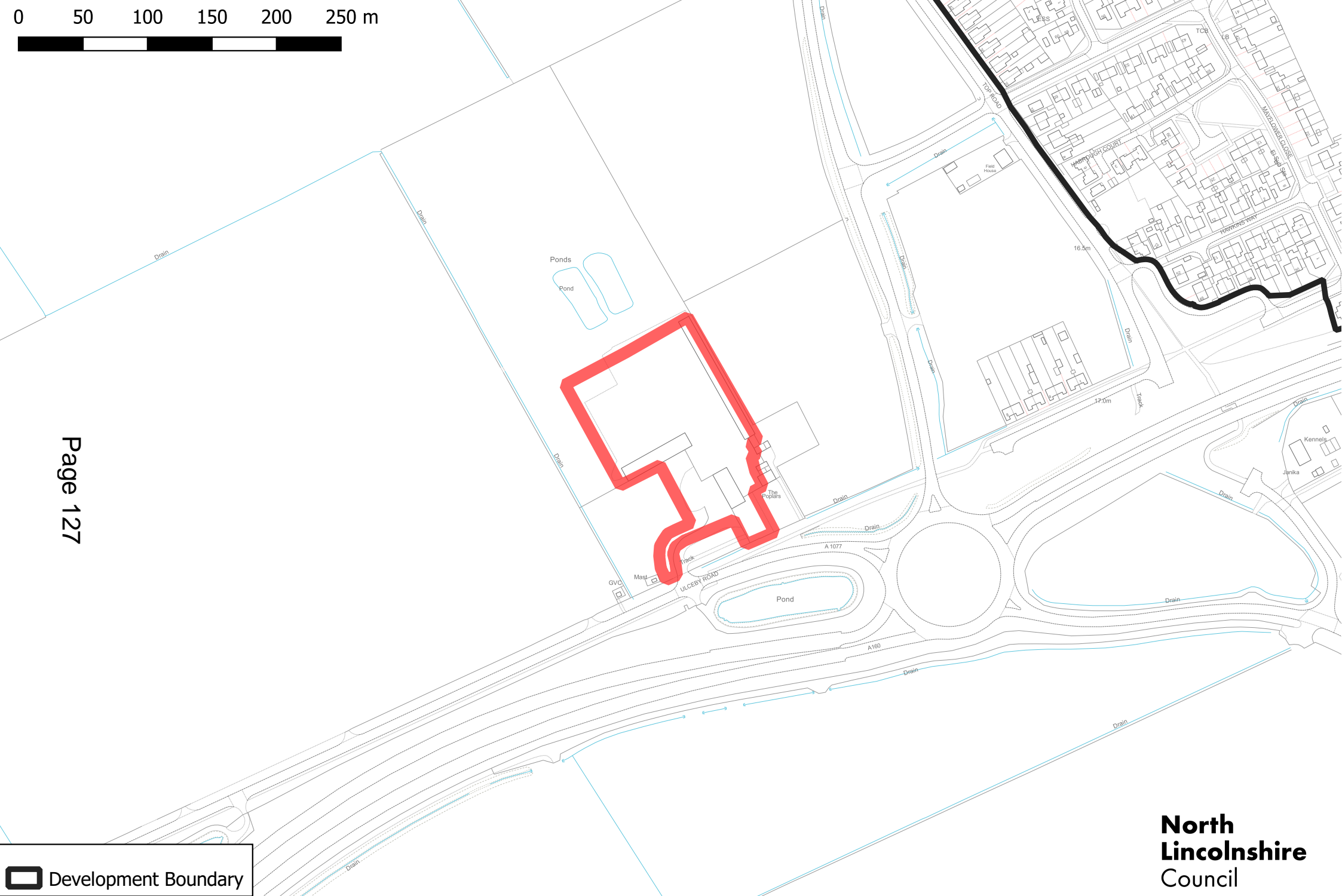
To safeguard residential amenity, and to regulate and control development on this site.

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.



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 Development Boundary

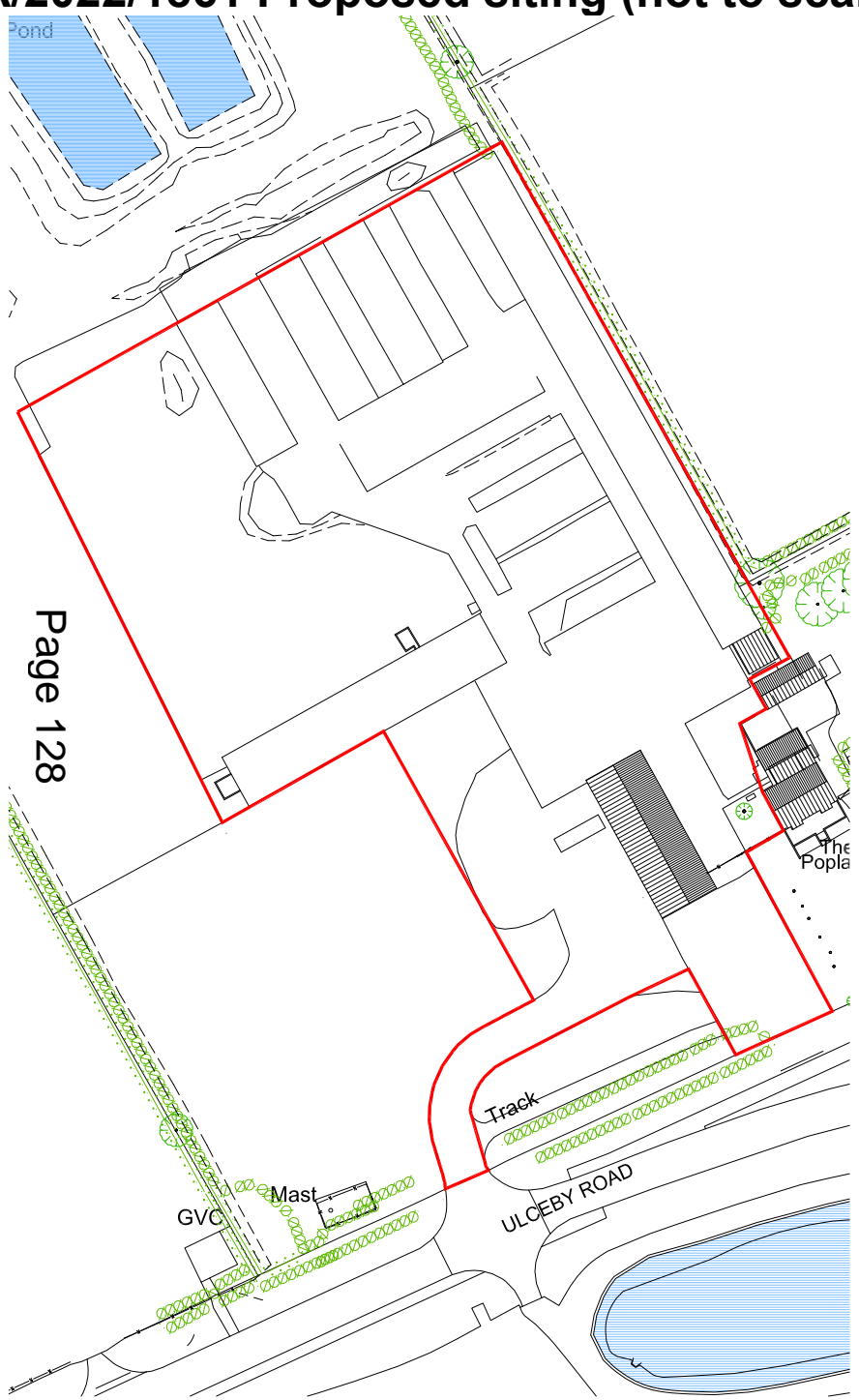
**North
Lincolnshire
Council**

PA/2022/1861

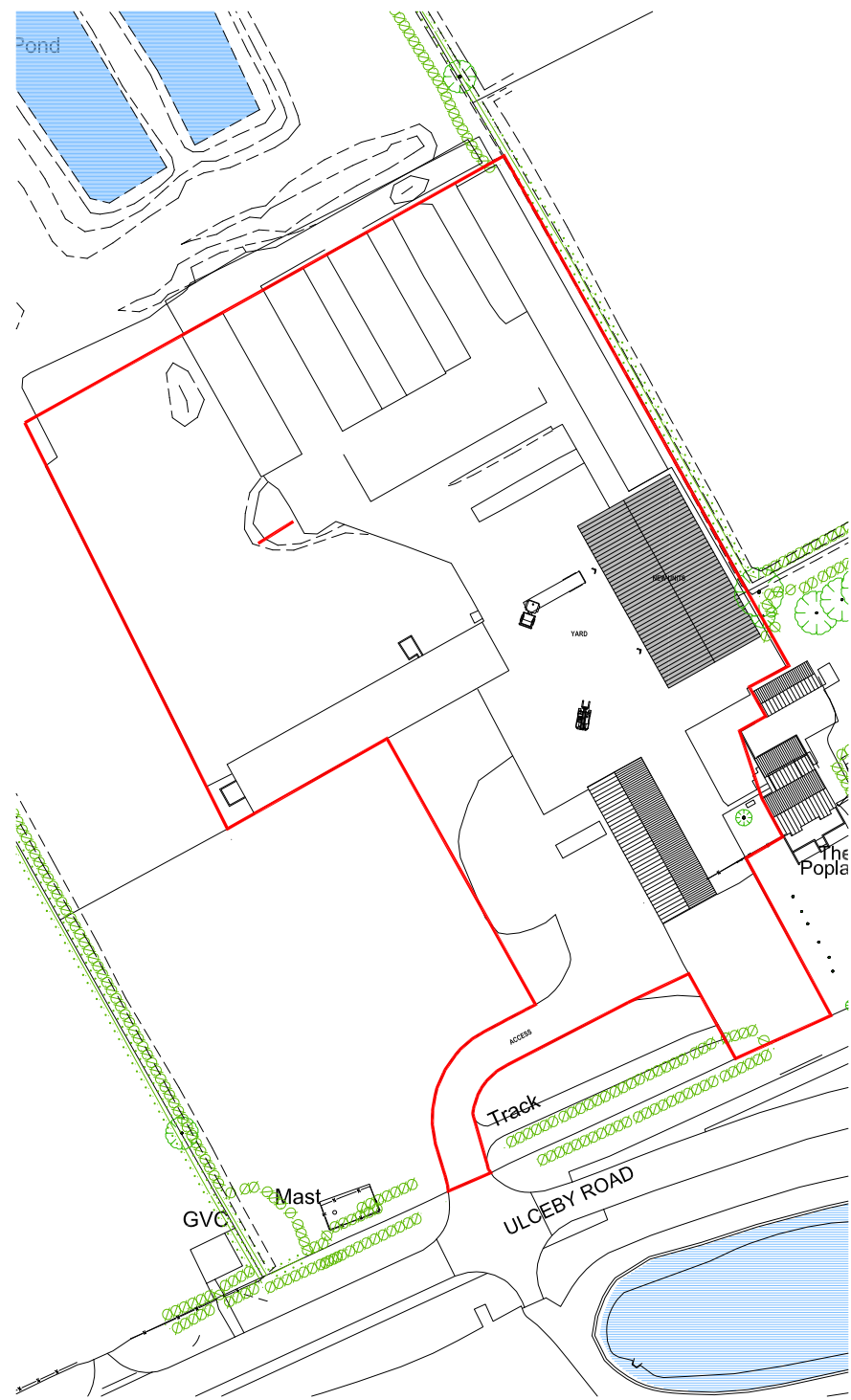
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PA/2022/1861 Proposed siting (not to scale)

Rev	Drawn By	Checked By	Date
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EXISTING BLOCK PLAN
Scale: 1:500



PROPOSED BLOCK PLAN
Scale: 1:500

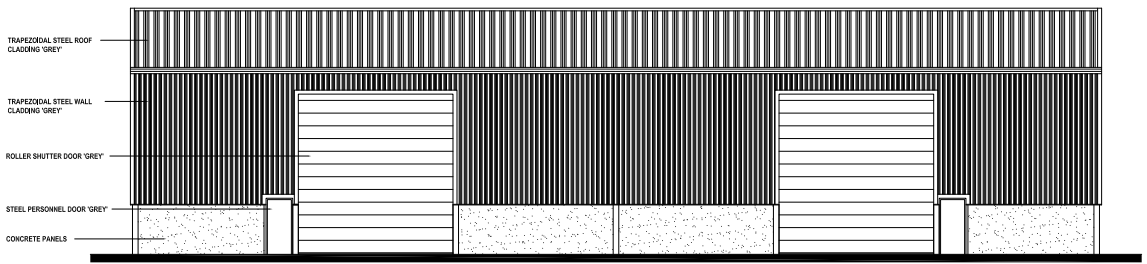
Page 128

- NOTES :**
- From the commencement of work, the contractor and client are to check on-site all order dimensions, boundary positions and details to verify and agree upon. Any errors, omissions or design changes should be reported immediately to enable amended plans to be prepared and submitted for approval.
 - The contractor will be responsible for locating all hidden services that may be affected by the proposed and providing or diverting as necessary. Challenge lines shown are assumed and must be checked on site before work commences.
 - The requirements of the Party Wall Act 1997 will apply to certain schemes. The "Building Owner" will be the client and the "Adjacent Owner" will be the existing building. If an agreement cannot be made then professional advice should be sought prior to commencement of work on site, by a Party Wall Surveyor.
 - All drawings are to be read in conjunction with the specification document provided, structural, mechanical, electrical and drainage drawings. If in doubt contractors must ask before proceeding.
 - This drawing must not be reproduced in whole or part without written consent. Do not scale this drawing please refer to the correct paper size specified. All dimensions to centres. Within dimensions to be checked on site.
 - Drawings subject to Planning Approval & Building Control Approval.

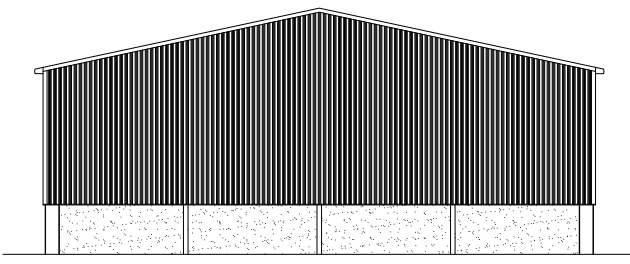
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Project:	NEW INDUSTRIAL UNITS
Location:	POPLAR FARM, SOUTH KILLINGHOLME
Drawing Number:	1433/002
Project Stage:	02
Drawn By:	CH
Checked By:	7
Date:	12/01/2022

Hyde Architecture

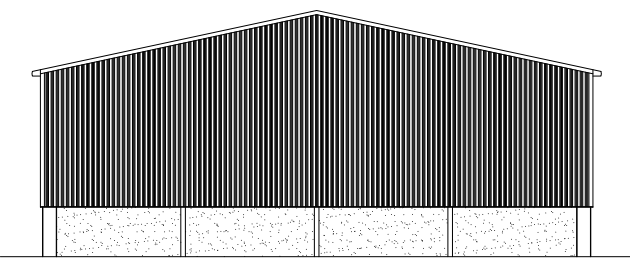
PA/2022/1861 Proposed elevations (not to scale)



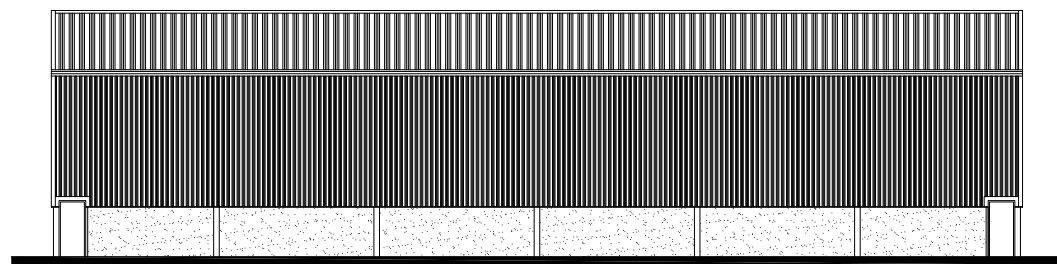
WEST ELEVATION
Scale - 1:100



SOUTH ELEVATION
Scale - 1:100

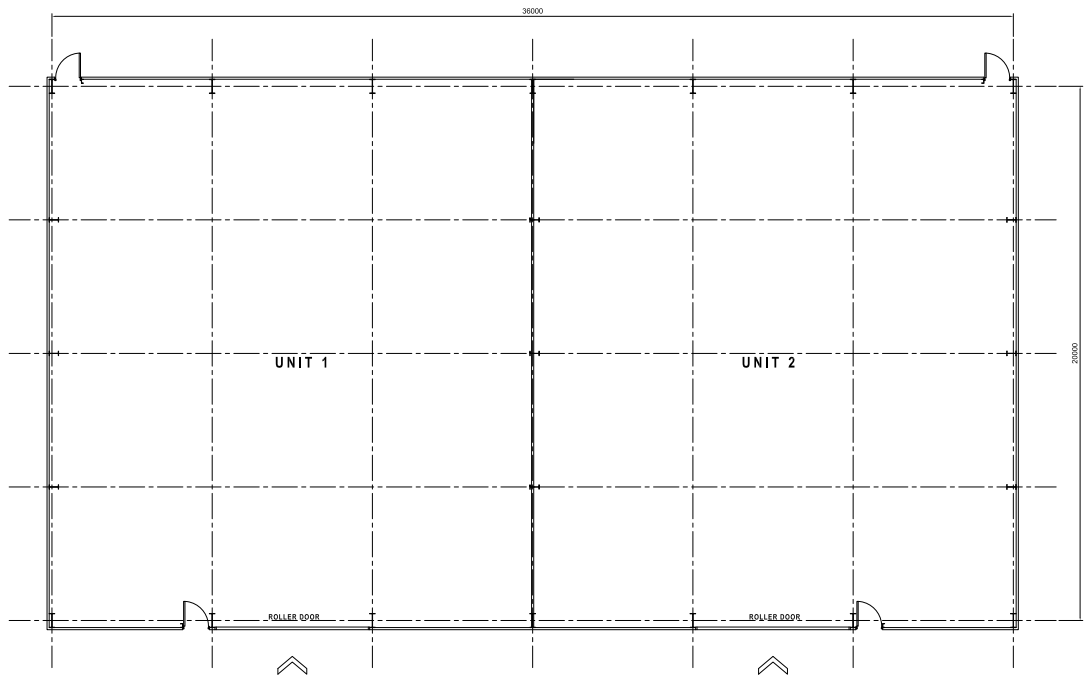


NORTH ELEVATION
Scale - 1:100



EAST ELEVATION
Scale - 1:100

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PROPOSED FLOOR PLAN
Scale - 1:100

NOTES :

1. Prior to the commencement of work, the contractor and client are to check on-site all exterior dimensions, boundary positions and details to verify and agree upon. Any errors, omissions or design changes should be reported immediately to enable amended items to be prepared and submitted for approval.
2. The contractor will be responsible for locating all works/services that may be affected by the proposed and existing site or building, as necessary. Drainage runs shown are assumed and must be checked on-site before work commences.
3. The requirements of the Party Wall Act 1996 will apply to all work on the boundary between the 'existing' and 'proposed' buildings. An agreement cannot be made then professional advice should be sought prior to commencement of work on site, by a Party Wall Surveyor.
4. All drawings are to be made in accordance with the specifications document provided, structural, mechanical, electrical and drainage drawings. If in doubt contractors must ask before proceeding.
5. This drawing must not be reproduced in whole or part without written consent. Do not scale this drawing unless printed at the correct paper size specified. All dimensions in millimeters. Written dimensions to be checked on site.
6. Drawings subject to Planning Approval & Building Control Approval.

Drawing Title:	PROPOSED PLANS & ELEVATIONS		
Project:	NEW INDUSTRIAL UNITS		
Location:	POPLAR FARM, SOUTH KILLINGHOLME		
Drawing Number:	1433/004	Scale:	1/100 / A1

Project Stage:	Drawn By:	Checked By:	Date:
100%	1000000000	1000000000	10/20/2022

Hyde Architecture

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APPLICATION NO	PA/2022/1937
APPLICANT	Mr & Mrs McGurran
DEVELOPMENT	Planning permission to erect a dwelling
LOCATION	Sussex House, 19 Silver Street, Winteringham, DN15 9ND
PARISH	Winteringham
WARD	Burton upon Stather and Winterton
CASE OFFICER	Deborah Oikeh
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Departure from the development plan

POLICIES

National Planning Policy Framework: Chapters 2, 4, 5, 9, 11, 12 and 15

North Lincolnshire Local Plan: RD2, H5, H8, LC6, T2, T19, DS1, DS7, DS14, DS16, HE2, HE9

North Lincolnshire Core Strategy: CS1, CS2, CS3, CS5, CS6, CS7, CS8, CS17, CS18, CS19

Housing and Employment Land Allocations Development Plan Document: PS1 (Presumption in Favour of Sustainable Development)

New North Lincolnshire Local Plan Submission: The new North Lincolnshire Local Plan was submitted for public examination to the Planning Inspectorate on 11 November 2022. Examination of the Plan has therefore commenced, although public hearing sessions are not anticipated until early in 2023.

The Submitted North Lincolnshire Local Plan can be given some weight as a material planning consideration in the determination of planning applications. The relevant policies concerning this application are:

RD1: Supporting Sustainable Development in the Countryside

SS1: Presumption in favour of Sustainable Development

SS3: Development Principles

SS6: Spatial Distribution of Housing Sites

SS11: Development Limits

DQE1: Protection of Landscape, Townscape and Views

HE1: Conserving and Enhancing the Historic Environment

DM1: General Requirements

CONSULTATIONS

Highways: No comments or objections.

Environmental Protection: Recommend a contamination condition.

Archaeology: Recommend a pre-commencement condition where an agreed written scheme of investigation (WSI) is not in place.

Ecology: No objection subject to conditions.

Trees and Landscape: No objection subject to a condition.

Conservation: No objection subject to a condition.

Drainage: No objection but an informative is recommended.

PARISH COUNCIL

No objection subject to the development complying with planning regulations in the conservation area.

PUBLICITY

Advertised by site and press notices. No comments have been received.

ASSESSMENT

Planning history

PRE/2022/11: Erection of a new dwelling and conversion of existing barns – advice given 21/02/2022.

Proposal and site characteristics

This proposal is for the erection of a new dwelling to the rear of Sussex House following the conversion of the existing barn on the site. The proposed dwelling is a two and a half storey building with four bedrooms and an attached garage. The proposal takes the form of a traditional barn to be built in traditional materials. The site is set within the Winteringham conservation area and is immediately outside the settlement development boundary.

Site constraints

The site is outside the development boundary of Winteringham, according to the HELADPD 2016.

The site is within SFRA flood zone 1.

The site is within the Winteringham conservation area

Main considerations

- **The principle of the development**
- **Impact upon character and appearance**
- **Impact upon residential amenity**
- **Impact upon access and highway safety**
- **Flood risk and drainage**
- **Land contamination**
- **Archaeology**
- **Ecology**

The principle of the development

The application site is just outside the defined settlement boundary of Winteringham and the proposal would represent a departure from the current development plan. In addition, the site is within the Winteringham conservation area. In determining whether the principle of residential development outside the settlement boundary is acceptable in this instance it is necessary to consider the development plan for North Lincolnshire, namely: those policies of the North Lincolnshire Local Plan (2003) (LP) which were saved by a direction of the Secretary of State in September 2007, the North Lincolnshire Core Strategy DPD (2011), the Housing and Employment Land Allocations DPD (2016), and the emerging local plan.

Policy CS1 sets out a spatial strategy for North Lincolnshire which, amongst other matters, states that rural settlements will be supported as thriving sustainable communities, with a strong focus on retaining and enhancing local services to meet local needs and that any development that takes place should be in keeping with the character and nature of the settlement.

Policy 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 HELADPD, and the application site is outside the designated development limit for Winteringham. There are no allocated housing sites within Winteringham.

Policy CS6 requires that 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 CS8 deals with the distribution of housing sites and prioritises development in Scunthorpe and the market towns, with brownfield sites and sites within development boundaries being the primary focus. With regard to rural settlements, the policy states that new housing will create opportunities for small-scale infill development that maintains the viability of the settlement and meets identified local needs without increasing the need to travel.

Policy CS8, whilst restricting housing outside development limits, contemplates some greenfield development as it refers to allowing development on such sites where it can be demonstrated that this would bring additional community benefits, contribute to building sustainable communities and be acceptable in terms of its impact on the high-quality environment and adjoining countryside. This overall approach is supported by policy CS2 which sets out a sequential approach for development.

Policy HE2 relates to development in conservation areas. It states that 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. It is expected that the design of any development should be of a standard which respects the appearance and character of the conservation area in terms of its bulk, height, mass, vertical and horizontal emphasis, proportions, layout, siting and landscaping.

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

The aforementioned policies are aimed at focusing housing within settlement limits as defined in the Housing and Employment Land Allocations DPD. The application site is immediately outside the defined development boundary of Winteringham; however, it is still considered to be in breach of policies CS2 and CS3 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 10 of the NPPF states, 'So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.' 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 were most important to determining the application should not be considered up to date.

Policy SS1 of the council's emerging local plan relates to presumption in favour of sustainable development. It requires that a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF should be taken when considering development proposals.

In a recent appeal decision dated 20 July 2022 (PA/2020/554) the inspector concluded that the council does not currently have a five-year housing land supply of deliverable sites. The council's Five Year Housing Land Supply Position Statement is awaiting an update and as such any decisions made by the planning authority will take account of the presumption in favour of sustainable development as set out in paragraph 11 of the NPPF. The current local policies which are most important for determining the application will carry reduced weight during this period.

National Planning Practice Guidance paragraph 008 states that, in decision-taking, if an authority cannot demonstrate a five-year housing land supply, including any appropriate

buffer, the presumption in favour of sustainable development will apply, as set out in paragraph 11d of the National Planning Policy Framework.

Given the current five-year land supply deficit, it is considered that there is a clear and demonstrable need for housing development in the area. Accordingly, the 'tilted balance' in paragraph 11 of the NPPF is triggered, whereby there is a presumption in favour of sustainable development and development proposals should be approved 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.

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

Economic

Winteringham is ranked 19th out of the 76 settlements by the North Lincolnshire Settlement Survey 2019. Winteringham is considered as a larger rural settlement with at least 6 of the key facilities and services, including bus stops, hotels and convenience stores along Silver Street and West End. There is also the potential for job creation for local residents in construction and related employment. The proposal thus accords with the need to site development in locations with accessible local services.

Social

The site is set on the edge of the development boundary of Winteringham with existing built forms or dwellings bordering it. Therefore, allowing one additional dwelling 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.

Environmental

In terms of the environmental dimension, the development will partly result in the redevelopment of the site and offers the potential for landscape and biodiversity enhancement through the delivery of the housing scheme.

These matters weigh heavily in favour of the proposal in terms of the economic, environmental and social dimensions of sustainability. As a result, the proposal is considered to be a sustainable form of development and therefore the principle of the development is considered to be acceptable.

Whilst the restrictive policies of the development plan (CS2, CS3 and CS8) do still apply, the lack of a five-year supply of housing land and the scale of the shortfall limit the weight which can be attributed to these policies. Restricting development to land within development limits, if strictly applied, would severely affect the ability of the authority to address the need for housing.

In determining the sustainability of the proposed development, an assessment not only relies upon planning principle but also whether the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the

development proposed or if any adverse impacts exist that would significantly and demonstrably outweigh the benefits of the proposal. In this case, the application site is within the conservation area. Notwithstanding this, the proposed design and materials for the scheme are considered sympathetic and acceptable. Therefore, there are no unacceptable impacts that significantly and demonstrably outweigh the benefits of the proposal, in this case.

Impact on residential amenity

The nearest dwelling to the application site is 19 Silver Street which is set about 30m from the proposed dwelling. Whilst the proposed dwelling may be visible from surrounding properties, this will not result in a harmful or unacceptable amenity loss to neighbours given the separation distance, presence of hedges and shrubs around the perimeter of the site. The fenestration to the side elevations (east and west) is very limited, the fenestration to the rear faces open countryside, and the front openings face the rear of a barn and driveway. Whilst the proposed dwelling appears large, it will not pose any unacceptable domineering impact upon surrounding dwellings given the separation distance and the fact that the surrounding dwellings are mainly two-storey. The proposal therefore accords with policies DS1, H5 and H8 of the North Lincolnshire Local Plan, and CS1, CS2, CS5 and CS7 of the Core Strategy.

Impact on character and appearance

This proposal seeks to demolish part of the single-storey barn and utilise the vacant land in the garden to erect a dwelling and garage. The development is within the conservation area of Winteringham and has the potential to affect the setting of two listed buildings, namely Scarborough House and The Hollies. The proposed dwelling is about 60m away from both properties.

To mitigate impact upon the heritage assets, the proposed dwelling will be built in traditional barn style using traditional materials reflecting the character of the conservation area and the listed buildings. Walls would be built from Stamford Stone natural. Clay pantile roofs and black thin profile aluminium are proposed for the roof and fenestrations respectively. These materials reflect the local character of dwellings along Silver Street and the wider conservation area. In terms of scale, it is considered that the proposed dwelling replicates the prevailing scale in its surroundings, especially that of Sussex House.

The proposal therefore accords with policies DS1, HE2 and H8 of the North Lincolnshire Local Plan, and CS1, CS2, CS5 and CS6 of the Core Strategy.

Access

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. Both are considered relevant.

Access to the proposed development remains the existing access for Sussex House. The access will serve two dwellings in total following development of the site. The site benefits from off-street car parking for the dwelling with enough area for turning and parking. The Highways team has raised no objections nor made comments in this regard.

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.'

The proposed site is situated within SFRA flood zone 1 and is therefore a suitable location for development in flood risk terms. The LLFA drainage team has been consulted and no concerns have been raised, although an informative is recommended.

Archaeology

Policy HE9 is concerned with archaeological evaluation. It states, 'Where development proposals affect sites of known or suspected archaeological importance, an archaeological assessment to be submitted prior to the determination of a planning application will be required. The council's archaeologist is concerned that there may be some archaeological remains in the red line boundary proposed for the residential development. A pre-commencement condition to confirm or discount this concern is recommended, to which the applicant has agreed.'

Land contamination

Policy DS7 of the local plan relates to contaminated land. The development is situated on former agricultural land; agricultural sites have the potential for contaminants such as PAHs, metals, petroleum hydrocarbons, and asbestos, from the over-application of slurry and the illegal deposition of waste, which are harmful to human health.

Therefore, a contaminated land condition is recommended given that residential development represents a sensitive end use. This condition will be applied to any permission the council is minded to grant.

Ecology

In terms of wildlife/biodiversity, the proposal will affect gardens, ponds and the nearby woodland; as a consequence, planning conditions are recommended to minimise harm to protected species and habitat and to secure measurable net gain in biodiversity. The applicant has submitted a biodiversity management plan which has been assessed by the council's ecologist. A condition to ensure works are carried out in accordance with the management plan will be applied to any permission granted. In addition, the trees and landscape officer recommends a condition to ensure existing trees are retained and not affected during construction of the dwelling. This condition will also be applied to any permission granted.

It is therefore considered that the proposal accords with policies LC5 of the North Lincolnshire Local Plan and CS17 of the Core Strategy.

Conclusion

It is considered, given the assessment above, that no adverse impacts related to the development exist that would significantly and demonstrably outweigh the benefits that would follow from a well designed dwelling in this location. Overall, 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, which sets a presumption in favour of sustainable development.

Pre-commencement conditions

The pre-commencement conditions contained in the recommendation have been agreed with 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:

- Location plan, existing and proposed block plans and existing outbuilding plans 787.01 rev A
- Proposed site plans and sections 787.03 rev A
- Proposed basement, floor and elevation plans 787.02 rev A.

Reason

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

3.
The dwelling shall be built in accordance with the details of condition 2 and constructed from materials as detailed in the submitted Design and Access Statement prepared by Keystone Architecture dated 13/10/22.

Reason

To protect and enhance the character of the conservation area and nearby listed buildings in accordance with policies CS6 of the North Lincolnshire Core Strategy, and HE2 and HE5 of the North Lincolnshire Local Plan.

4.
Unless otherwise agreed by the local planning authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts 1 to 4 below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the local planning authority in writing until part 4 has been complied with in relation to that contamination.

Part 1: Site Characteristics

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature

and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the local planning authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the local planning authority. The report of the findings must include:

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

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Part 2: Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Part 3: Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the local planning authority. The local planning authority must be given two weeks' written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the local planning authority.

Part 4: Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Part 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Part 2, which is subject to the approval in writing of the local planning authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the local planning authority in accordance with Part 3.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy DS7 of the North Lincolnshire Local Plan.

5.

No development shall take place until a species protection plan has been submitted to and approved in writing by the local planning authority. The plan shall include details of measures to avoid harm to great crested newts, bats, hedgehogs and nesting birds during demolition, vegetation clearance and construction works.

Reason

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

6.

Works and biodiversity enhancements shall be carried out strictly in accordance with the submitted Biodiversity Management Plan prepared by Keystone Architecture dated 13/10/22 and species protection plan required by condition 5 above. The management prescriptions set out in sections 2.0 to 5.0 of the Biodiversity Management Plan shall be carried out in their entirety in accordance with the timescales set out. The applicant or their successor in title shall submit photographs of the installed bat roosting and bird nesting features to the local planning authority, within two weeks of installation, as evidence of compliance with this condition. All biodiversity features shall be retained thereafter.

Reason

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

7.

Root protection measures shall be carried out during the construction phase in accordance with the Arboricultural Report and Impact Assessment prepared by Watson Lindsey Arboriculture dated 13/01/2023.

Reason

To protect existing trees on site during the construction phase.

8.

No demolition or development shall take place until the applicant, or their agents or successors in title, has secured the implementation of an archaeological mitigation strategy, to be defined in a written scheme of investigation that has been submitted to and approved in writing by the local planning authority. The strategy shall accord with a brief provided by North Lincolnshire Historic Environment Record and shall include details of the following:

- (i) measures to ensure the preservation by record of the extant farm buildings prior to any demolition or alterations commencing to Historic England Level 1 recording specification
- (ii) measures to ensure the preservation by record of archaeological features of identified importance within the footprint of the development
- (iii) methodologies for the recording and recovery of archaeological remains, including artefacts and ecofacts
- (iv) post-fieldwork methodologies for assessment and analyses
- (v) report content and arrangements for dissemination, and publication proposals
- (vi) archive preparation and deposition with recognised repositories, including the ADS
- (vii) a timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the strategy
- (viii) monitoring arrangements, including the notification in writing to the North Lincolnshire Historic Environment Record of the commencement of archaeological works and the opportunity to monitor such works
- (ix) a list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications.

Reason

To comply with paragraph 205 of the National Planning Policy Framework, policy CS6 of the Core Strategy and saved policy HE9 of the North Lincolnshire Local Plan because the farm buildings are of historic interest and the site potentially contains archaeologically significant remains that the development would otherwise destroy; the archaeological mitigation strategy is required in order to preserve archaeological evidence by means of a comprehensive record and creation of a permanent archive, to advance public understanding. The archaeological mitigation strategy must be prepared and approved for implementation prior to the commencement of any groundwork within the application site that would otherwise result in destruction without record.

9.

The applicant shall notify the local planning authority in writing of the intention to commence the archaeological site works at least seven days before commencement. Thereafter, the archaeological mitigation strategy shall be carried out in accordance with the approved details and timings. No variation shall take place without the prior written consent of the local planning authority.

Reason

To comply with paragraph 205 of the National Planning Policy Framework, policy CS6 of the Core Strategy and saved policy HE9 of the North Lincolnshire Local Plan.

10.

The dwelling shall not be occupied until any post-investigation assessment has been commissioned in accordance with the programme set out in the approved written scheme of investigation, and provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason

To comply with paragraph 205 of the National Planning Policy Framework, policy CS6 of the Core Strategy and saved policy HE9 of the North Lincolnshire Local Plan.

11.

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

Reason

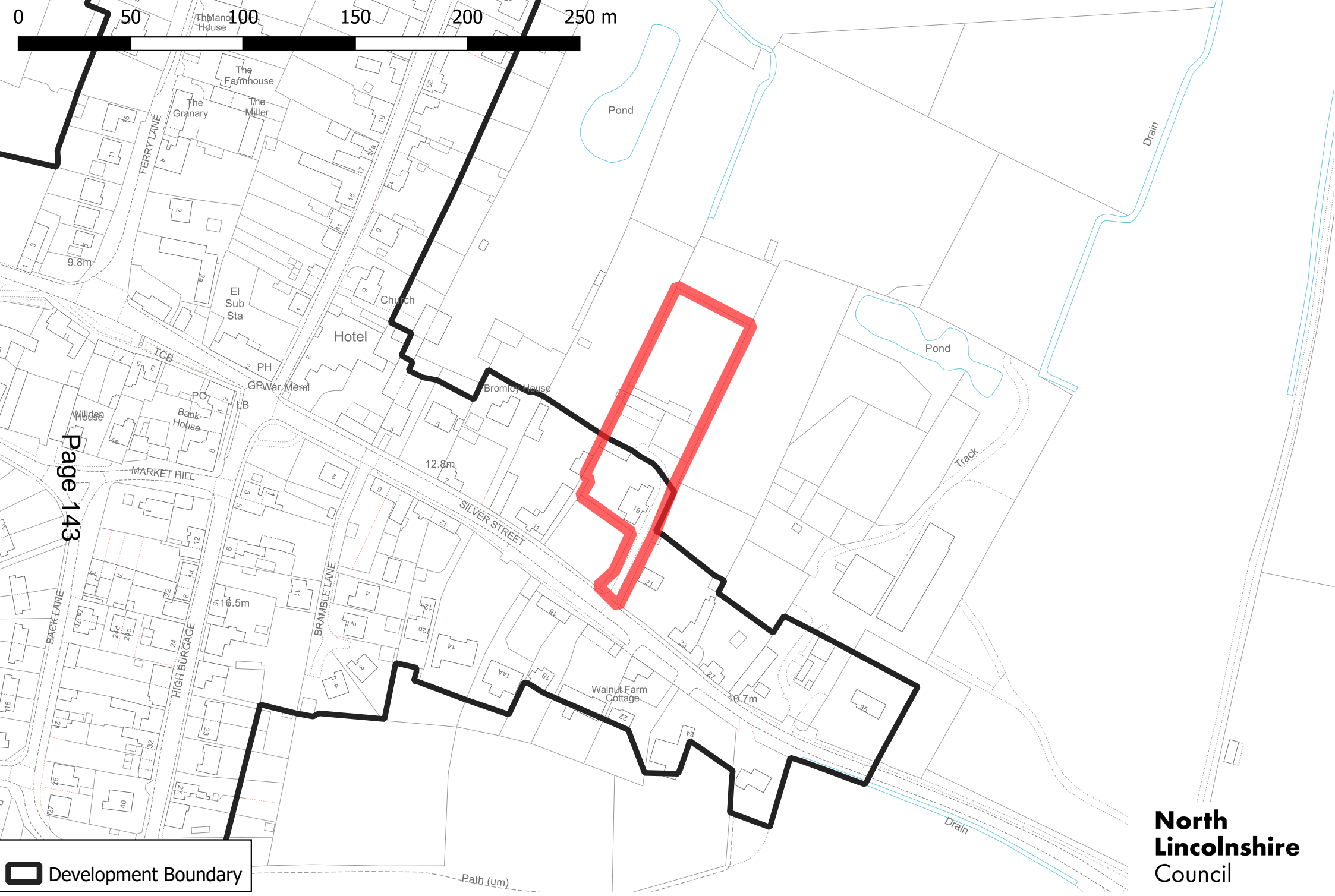
To comply with paragraph 205 of the National Planning Policy Framework, policy CS6 of the Core Strategy and saved policy HE9 of the North Lincolnshire Local Plan.

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 LLFA Drainage team suggests you consider upsizing the pipe network increasing storage around your development to cater for more intense storm conditions. Although this is not a requirement in terms of surface water flood risk compliance it would be good practice on your behalf to ensure an increased level of resilience for the development and its future occupiers.



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Development Boundary

PA/2022/1937

**North
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Council**

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PA/2022/1937 Proposed layout (not to scale)

All dimensions & details given on this drawing are to be checked and verified on site prior to works being undertaken. Any discrepancies and/or variations to the specifications within these drawings or associated documents are to be notified to keystonearchitecture.

Do not scale from these drawings - if in doubt - ask.

All materials shall be fixed, applied or mixed in accordance with the manufacturers written instructions, recommendations and specifications. Variations to specified materials shall not be agreed with keystone architecture.

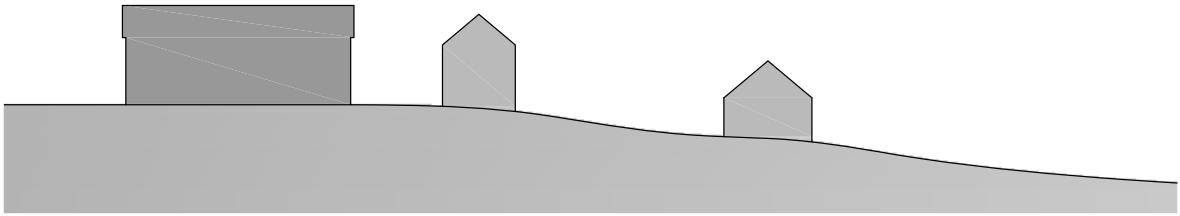
The Contractor shall take into account everything necessary for the proper execution of the works and to the satisfaction of the Local Authority, whether or not indicated on the drawings or in the specification.

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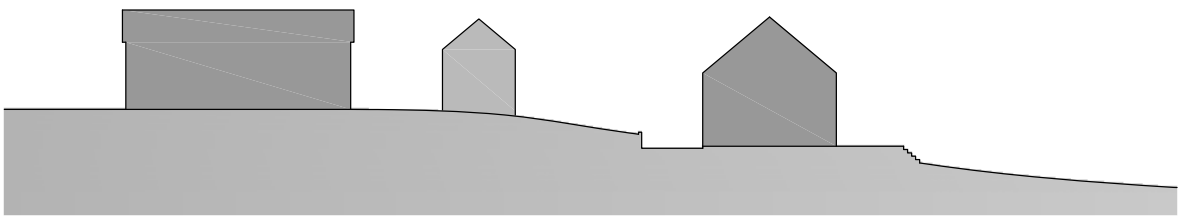
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Proposed Site Plan
scale 1:200



Existing Site Section
scale 1:200



Proposed Site Section
scale 1:200

rev	amendment	date

Pr. New Dwelling	Site Plan and Sections	drawn by	date
Land North of Sussex House	Planning	JCB	Oct 22
Silver Street	scale: 1:200		
Whittingham			

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All dimensions & details given on this drawing are to be checked and verified on site prior to works being undertaken. Any discrepancies and/or variations to the specifications will be those drawings or associated documents are to be notified to keystonearchitecture.

Do not scale from these drawings - if in doubt - ask.

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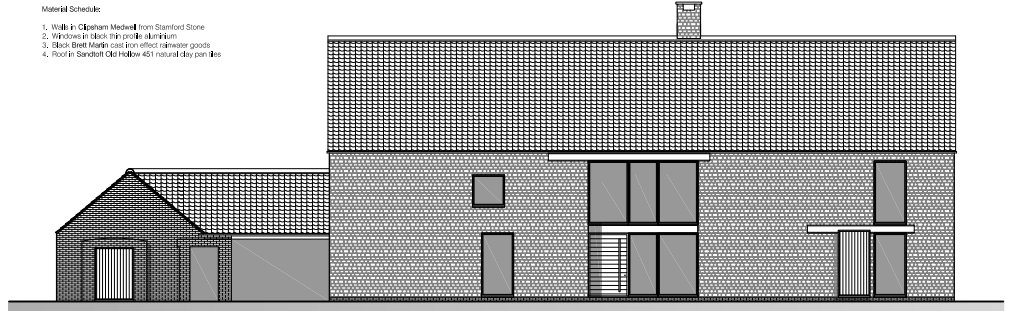
The Contractor shall take into account everything necessary for the proper execution of the works and to the satisfaction of the Local Authority, whether or not indicated on the drawings or in the specification.

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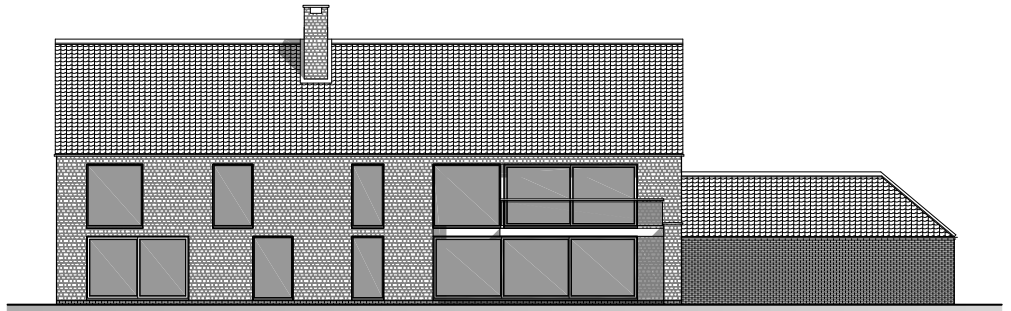


Proposed Basement

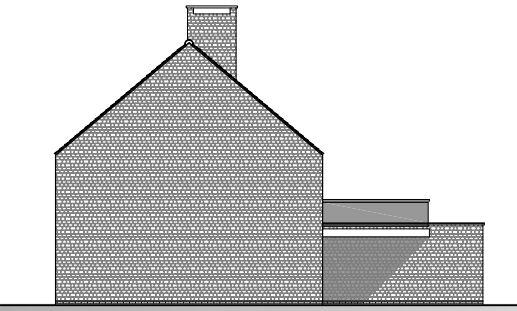
- Material Schedule:**
1. Walls in Cleopatra Medwall from Stamford Stone
 2. Windows in black 6mm profile aluminium
 3. Black Steel Mangle cast iron without shower goods
 4. Roof in Sandlott Old Hollow 451 natural clay pan tiles



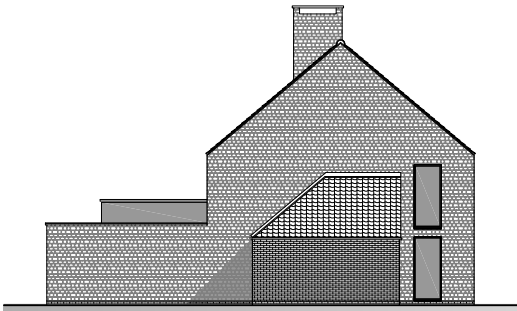
Proposed South Elevation



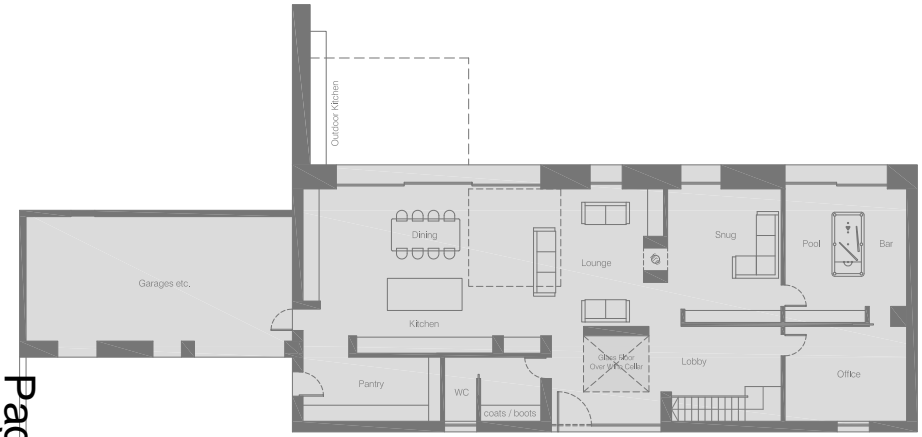
Proposed North Elevation



Proposed East Elevation



Proposed West Elevation



Proposed Ground Floor



Proposed First Floor

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rev	amendment	by	date
01	Proposed Plans & Elevations	JCB	7/7/22
02	Planning	JCB	Oct 22
03	Scale	JCB	1:100

Pr. New Dwelling
 Land North of Salsford House
 Silver Street
 Whittingham

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 building consultants
 energy assessors
 project managers
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 www.keystonetechnical.co.uk
 info@keystonetechnical.co.uk

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APPLICATION NO	PA/2022/2075
APPLICANT	Mr Daniel Lane
DEVELOPMENT	Planning permission to install ground-mounted solar PV array(s) and associated infrastructure
LOCATION	Hillcrest, 35 Nethergate, Westwoodside, Haxey, DN9 2DL
PARISH	Haxey
WARD	Axholme South
CASE OFFICER	Scott Jackson
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Haxey Parish Council

POLICIES

National Planning Policy Framework: Sections 12, 14 and 16

North Lincolnshire Local Plan: Policies LC14, RD2, DS1, DS5 and DS21 apply.

North Lincolnshire Core Strategy: Policies CS1, CS2, CS3, CS5, CS6 and CS18 apply.

New North Lincolnshire Local Plan Submission: The new North Lincolnshire Local Plan was submitted for public examination to the Planning Inspectorate on 11 November 2022. Examination of the Plan has therefore commenced, although public hearing sessions are not anticipated until early in 2023. The Submitted North Lincolnshire Local Plan can be given some weight as a material planning consideration in the determination of planning applications. The relevant policies regarding this application are: SS1, SS2, SS3, SS11 and HE1.

CONSULTATIONS

Highways: No objection or comments.

LLFA Drainage: No objection or comments.

Archaeology: The site is within the Area of Special Historic Landscape Interest of the Isle of Axholme (policy LC14). The scale of the proposal would not adversely affect the character of the landscape heritage asset or its setting at this location.

PARISH COUNCIL

Object on the following grounds:

- the proposal is some distance outside the development boundary and within the LC14 landscape

- impact on the historic landscape
- the panels should be sited nearer to the northern boundary adjacent to a hedge so they are screened
- the panels should be sited closer to the property in a cluster form and as close to the development boundary as possible.

PUBLICITY

A site notice has been displayed. One response has been received objecting to the proposals on grounds similar to the parish council's together with the following:

- it is more suitable to an industrial setting rather than residential
- additional justification should be put forward to justify the reason for installation and location
- a glint and glare survey should be undertaken
- impact on view
- clarity should be sought over the details and specification of the solar panels.

ASSESSMENT

Planning history

None relevant.

The application site consists of garden land to the rear of a detached, two-storey dwelling. The land is within the Isle of Axholme Area of Special Historic Landscape Interest as set out in policy LC14 of the North Lincolnshire Local Plan. Part of the rear garden, including the site of the proposed solar array, is outside the defined settlement boundary for Westwoodside; the dwelling itself is within the development limits. The garden is laid to grass with a line of mature trees along the southern and western boundaries, and a mix of trees and hedges along the northern boundary. The garden extends for a distance of 115 metres from the rear of the applicant's dwelling and there is an outbuilding towards the westernmost part of it. Planning permission is sought to erect a solar array towards the rearmost part of the garden consisting of 22, 400-watt panels (2 rows of 11 modules each) mounted on a frame.

The main issues in the determination of this application are the principle of development and impact on the LC14 landscape.

Principle

The land which forms the basis of this application consists of garden land which extends beyond the defined settlement boundary for Westwoodside: essentially part of the applicant's existing garden is on land classed as countryside. Policy RD2 of the North Lincolnshire Local Plan applies and states that development in the open countryside will be strictly controlled and planning permission will only be granted for development which is essential for the provision of an appropriate level of utility services. In this case the

applicant is proposing a small-scale renewable energy scheme for the provision of electricity facilitated by the erection of solar panels in part of their rear garden. The proposal is considered to comply with policy RD2 as it is for a domestic renewable energy scheme which is proportionate to the energy requirements of the householder, it represents an appropriate level of utility services and is not of a scale more appropriate to an industrial location. It is worth noting that policy DS21 of the North Lincolnshire Local Plan is supportive of proposals for the generation of energy from renewable resources provided that any detrimental effect on features and interests of local character and amenity is outweighed by environmental benefits.

In addition, policy CS18 of the adopted Core Strategy promotes development which is supportive of renewable energy sources in appropriate locations and the NPPF, at paragraph 158, states that when determining planning applications for renewable and low carbon development, local planning authorities should not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions, as is the case here. It is worth noting that small-scale stand-alone solar equipment to serve dwellings is classed as permitted development; however, the size of array permitted no more than 9 square metres (3 metres by 3 metres); however, the size of the array proposed in this case exceeds those size parameters. In conclusion, the proposed solar array for domestic energy production is considered to comply with planning policy and thus is acceptable in principle.

LC14 landscape

The solar array consists of twenty-two 400-watt solar panels to be sited in the rear garden of the applicant's dwelling. The entire settlement of Westwoodside is within the LC14 landscape area so any development within or outside the defined settlement boundary needs to be assessed in respect of the potential impact on this historic landscape and its ability to accept new development, taking into account the sensitivity of the landscape to change and whether there is any adverse impact on its character, appearance and setting.

All of the applicant's rear garden is within the Isle of Axholme Area of Special Historic Landscape Interest. This area is designated for its unique historic landscape retaining the pattern of medieval open strip fields and enclosures surrounding the villages on the Isle of Axholme. This historic landscape is considered to be of national importance and local plan policy LC14 applies which 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.'

In addition, it is worth noting that the majority of the applicant's rear garden (a distance of 106 metres) beyond the detached garage is outside the defined settlement boundary and to avoid any obstructions or constraints for maximising solar energy gain (such as existing buildings or shade from buildings) the applicant has selected a location away from the rear of the house and garage which results in it being beyond the settlement boundary for Westwoodside but still within the domestic curtilage of their property.

The applicant has provided some photographs of the rear garden where the solar array is proposed. They show there are mature trees and hedges along the northern, southern and western boundaries and as such the solar panels and their respective frame (with an overall

height of 2.247 metres) are not considered to represent a visually prominent form of development in the countryside and will be screened sufficiently from view by the existing vegetation cover and by the distance to the rear of the applicant's property (80 metres). This is an existing garden area and the applicant could exercise their householder permitted development rights and erect outbuildings at a significantly greater height (up to 4 metres) without the requirement for planning permission. By comparison, it is considered the solar array will have less of a visual impact than if the applicant chose to erect a number of outbuildings. Given the amount of existing screening along the boundaries of the rear garden, the distance from the rear elevation of the applicant's dwelling and that the development area is garden land to the rear of the applicant's property, it is considered the solar array will not have an adverse impact on the setting of the LC14 landscape in this location. In addition, the council's archaeologist has commented that the scale of the proposal will not adversely affect the character of the landscape heritage asset or its setting in this location.

The solar array will not be visible from the public footpath to the rear of the site and any views will be limited to views at distance from upper floor windows in the rear elevations of neighbouring dwellings; such views will be of a small-scale solar array within the applicant's rear garden. In addition, the effects of the solar array are reversible, the solar panels and their supporting mechanism being capable of removal and the land reinstated to garden use (for example if there is no longer a requirement for them); the proposals therefore represent a temporary use of the applicant's garden with the land capable of reinstatement at any time. To this end a condition is recommended that if the solar array is no longer required or it reaches the end of its projected lifespan then the panels and their supporting mechanisms shall be removed and the land restored to grass.

Other issues

Impact on view is not a material planning issue and will not be formally assessed in this case. The applicant has provided sufficient information to demonstrate the specification of the solar array to be installed and the location has been chosen to the rear of the applicant's dwelling to ensure it maximises solar gain and is free from obstruction. There is no requirement for a glint and glare assessment as the plans show the solar array will be orientated in a south-facing direction; this ensures it will not face towards the rear aspect of any neighbouring residential properties. If the solar array was positioned in closer proximity to either the northern boundary or the rear of the applicant's property (as suggested in the consultation response from Haxey Parish Council) then it would not be free from obstructions such as existing built form or vegetation cover which would reduce potential for solar gain.

The LLFA Drainage Team and NLC Highways have no objections or comments to the proposed development.

Conclusion

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:

- Proposed Block Plan TQRQM22326172337752
- Existing Block Plan
- Location Plan TQRQM22328155116299
- 146003-040 1 / 5 to 5 / 5.

Reason

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

3.

If the solar array hereby permitted is no longer required for the purposes of domestic renewable energy production, the solar panels and all the supporting frames and foundations shall be dismantled and removed in their entirety, the land restored to domestic garden and retained as such thereafter.

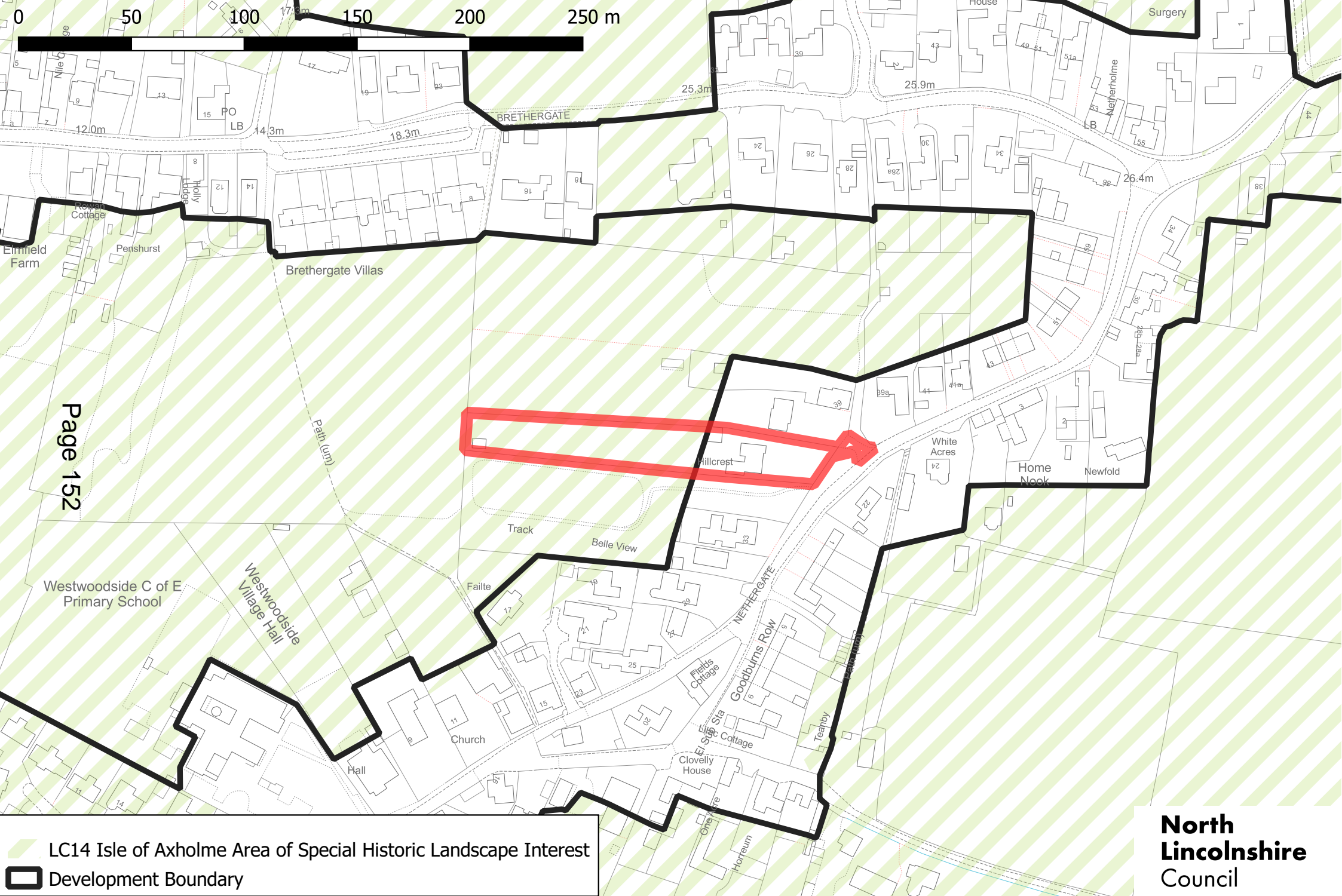
Reason

To define the terms of the permission and to ensure the timely removal of the solar panels if they are no longer required.



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.

0 50 100 150 200 250 m

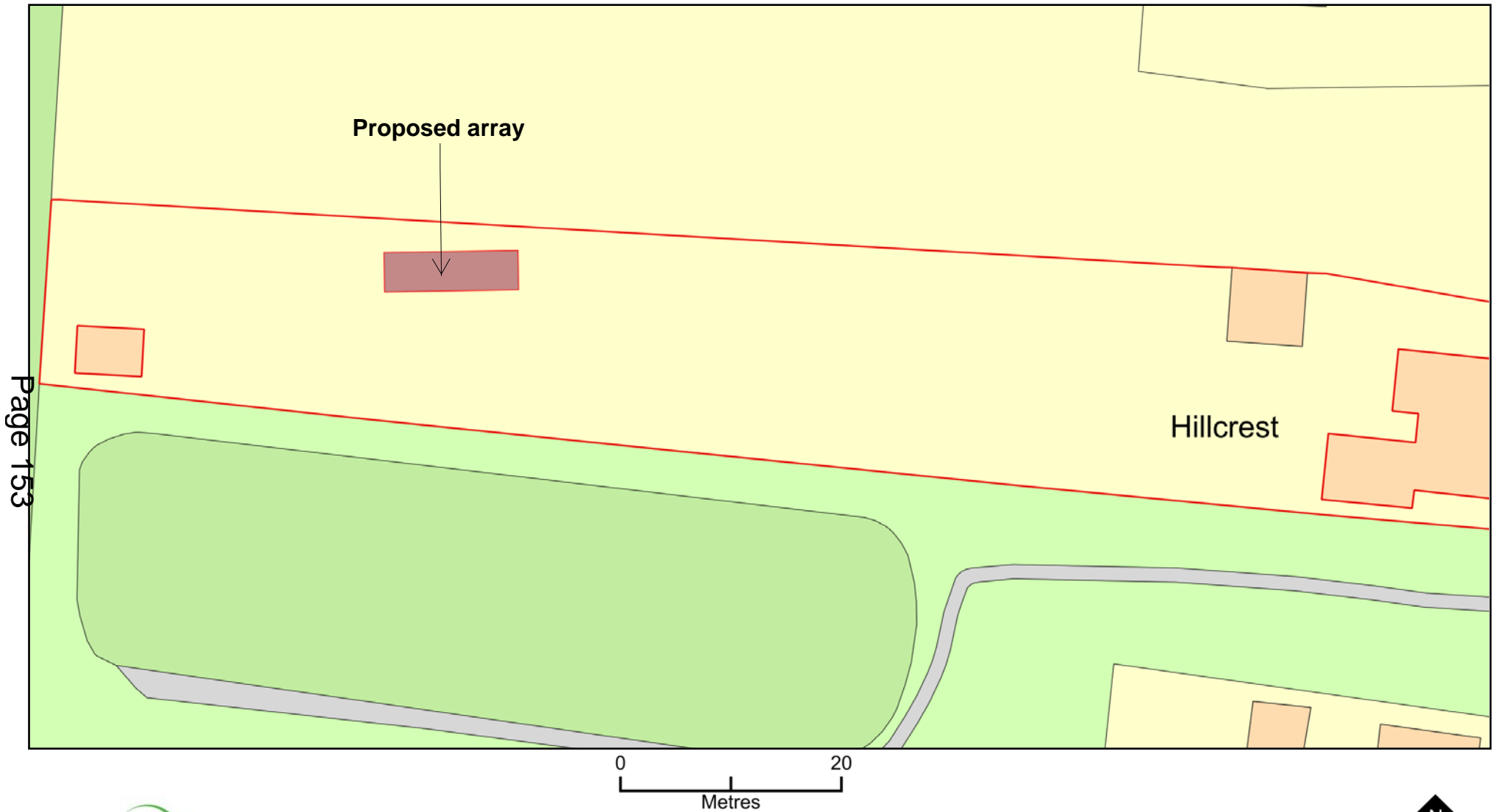


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 LC14 Isle of Axholme Area of Special Historic Landscape Interest
 Development Boundary

**North
Lincolnshire
Council**

Proposed Block Plan 1:500



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Plan Produced for: DJL
Date Produced: 22 Nov 2022
Plan Reference Number: TQRQM22326172337752
Scale: 1:500 @ A4

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APPLICATION NO	PA/2022/2152
APPLICANT	Sheffield Arms
DEVELOPMENT	Planning permission for the retention of 1800mm high timber waney edge fencing, fence posts and gate
LOCATION	Sheffield Arms, High Street, Burton upon Stather, DN15 9BP
PARISH	Burton upon Stather
WARD	Burton upon Stather and Winterton
CASE OFFICER	Paul Skelton
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Burton upon Stather Parish Council

POLICIES

North Lincolnshire Local Plan:

- HE2 – Development in Conservation Areas
- HE5 – Development affecting Listed Buildings
- DS1 – General Requirements
- DS5 – Residential Extensions
- T19 – Car Parking Provision

North Lincolnshire Core Strategy:

- CS1 – Spatial Strategy for North Lincolnshire
- CS2 – Delivering more Sustainable Development
- CS3 – Development Limits
- CS5 – Delivering Quality Design in North Lincolnshire
- CS6 – Historic Environment

National Planning Policy Framework:

- Chapter 2 – Achieving sustainable development
- Chapter 4 – Decision-making

Chapter 12 – Achieving well-designed places

Chapter 16 – Conserving and enhancing the historic environment

New North Lincolnshire Local Plan Submission: The new North Lincolnshire Local Plan was submitted for public examination to the Planning Inspectorate on 11 November 2022. Examination of the Plan has therefore commenced, although public hearing sessions are not anticipated until early in 2023. The Submitted North Lincolnshire Local Plan can be given some weight as a material planning consideration in the determination of planning applications. The relevant policy regarding this application is:

Policy HE1 – Conserving and Enhancing the Historic Environment

CONSULTATIONS

Conservation: No objection subject to a condition requiring the fence to be treated with dark wood stain.

Highways: No objections.

LLFA Drainage: No objections.

Environmental Protection: No complaints have been received regarding dogs barking at the property. In the event that complaints are received, they can be investigated in accordance with the Environmental Protection Act 1990.

PARISH COUNCIL

Raises the following concerns:

- The fence has reduced the car park by six parking spaces, which causes congestion elsewhere with the overspill.
- The confined area is for animals, which cause noise disturbance day and night for neighbouring residents.
- The bins now cause an obstruction in the entrance/exit to the car park forcing delivery vehicles to unload in the road.
- The parish council is not impressed when planning applications are made retrospectively.

PUBLICITY

The application has been advertised by site and press notice – one member of the public has commented as follows:

- Prior to the application being submitted, the fenced-off area was used to house two dogs which is noisy and can also be intimidating. The dogs may return if the application is approved.

- The gate was previously padlocked to prevent the dogs escaping; since the dogs were removed the gate is now rarely padlocked so whatever the applicant claims is stored there can't be that important as to warrant such a huge fence.
- Since the fence has been built it has reduced the already limited car parking space for the pub and the church considerably, as the bins for the pub now take up parking space.
- The fence itself is an eyesore and totally out of keeping with the conservation area, which has stone walling and was attractive until this fence went up.

ASSESSMENT

Planning history

None relevant to this application.

The site and its location

The site comprises the Sheffield Arms public house which is located on High Street in Burton upon Stather. To the rear is a car park, accessed via Churchgate, and a range of outbuildings.

The site is set within the Burton upon Stather conservation area and there are a number of listed buildings in the immediate area, including the grade I listed Church of St Andrew, grade II Church Farm Cottage to the east of the church, and, further east, the grade II gates, flanking walls and railings which form the southern boundary of The Old Vicarage and Old Vicarage Lodge.

The development

The application is for the retention of a 1.8m high timber waney edge fence, fence posts and gate. The fence runs from the side wall of the rearmost outbuilding associated with the pub to the rear boundary wall of the car park. The enclosure has created a yard storage area for use by the pub.

Planning permission is required due to the Article 4 direction which removes planning permission for, amongst other things, gates, walls and fences.

The main issue for consideration is the impact of the development on the historic environment.

Design and the historic environment

Section 66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires local planning authorities to have special regard to the desirability of, among other things, preserving the setting of listed buildings. This statutory duty is reflected in saved policy HE5 of the local plan, Core Strategy policy CS6 and section 16 of the NPPF.

Similarly, section 72 of the Act sets out that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas. This is reflected in saved local plan policy HE2, Core Strategy policy CS6 and in section 16 of the NPPF.

The conservation officer has been consulted and advises that the proposed fence, at the rear of the Sheffield Arms, is not in a prominent position in the conservation area. It does not restrict any views to the adjacent listed buildings. They therefore raise no objection to the retention of the fence but recognise that it is not currently stained, making it stand out. The conservation officer therefore recommends a planning condition requiring the fence to be treated in a dark wood stain which will make it blend better with its surroundings.

Subject to the application of dark wood stain, it is considered that the retention of the fence would preserve the setting of the nearby listed buildings and the conservation area in accordance with the statutory requirement set out in the 1990 Listed Buildings and Conservation Areas Act.

Other matters

Concerns have been raised by the parish council and a local resident about noise arising from the keeping of dogs within the fenced off area resulting from the development, although it appears that dogs are no longer kept in the area.

The Environmental Protection officer has been consulted and raises no objection to the development. They advise that no complaints have been made historically regarding noise from dogs and that any future issues in that respect can be properly investigated in accordance with the Environmental Protection Act 1990.

Concerns have also been raised about the loss of car parking/loading space for the pub and consequent implications on surrounding roads. The application sets out that prior to the works the pub car park catered for 15 vehicles. The position of the fence essentially encloses three of those spaces, but the block plan submitted with the application shows that two additional spaces can be provided parallel to the fence. This results in the net loss of one car parking space. Furthermore, there is plenty of available on-street parking within a short walking distance of the pub. It is not considered that the minor change to the parking layout has significantly affected the ability of delivery vehicles to access the site.

The NPPF states that development should only be refused on transport grounds where there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. The Highways officer has been consulted and made aware of the local concerns, but has raised no objections to the application, noting that no complaints have been made regarding this site. It is not considered that the development could be said to unacceptably impact on safety or cause severe impacts to the road network.

The parish council has also noted that the application is retrospective; however, the planning system is not a punitive one, and legislation allows for development to be permitted retrospectively. In this case, as set out above, no unacceptable planning harms have been identified.

Conclusion and planning balance

Whilst the concerns of the parish council and local resident are noted, it is concluded, having regard to the advice of the relevant specialist consultees, that the development preserves the setting of the nearby listed buildings, and the conservation area, and does not cause any undue harm in respect of amenity or highway issues. It is therefore recommended that the application be approved.

RECOMMENDATION Grant permission subject to the following conditions:

1.

Within two months of the date of this permission, the fence hereby permitted shall be treated in a dark wood stain, details of which have first been submitted to and approved in writing by the local planning authority. The fence shall thereafter be maintained in accordance with the approved details.

Reason

In the interests of visual amenity and to preserve the setting of the conservation area and nearby listed buildings.

2.

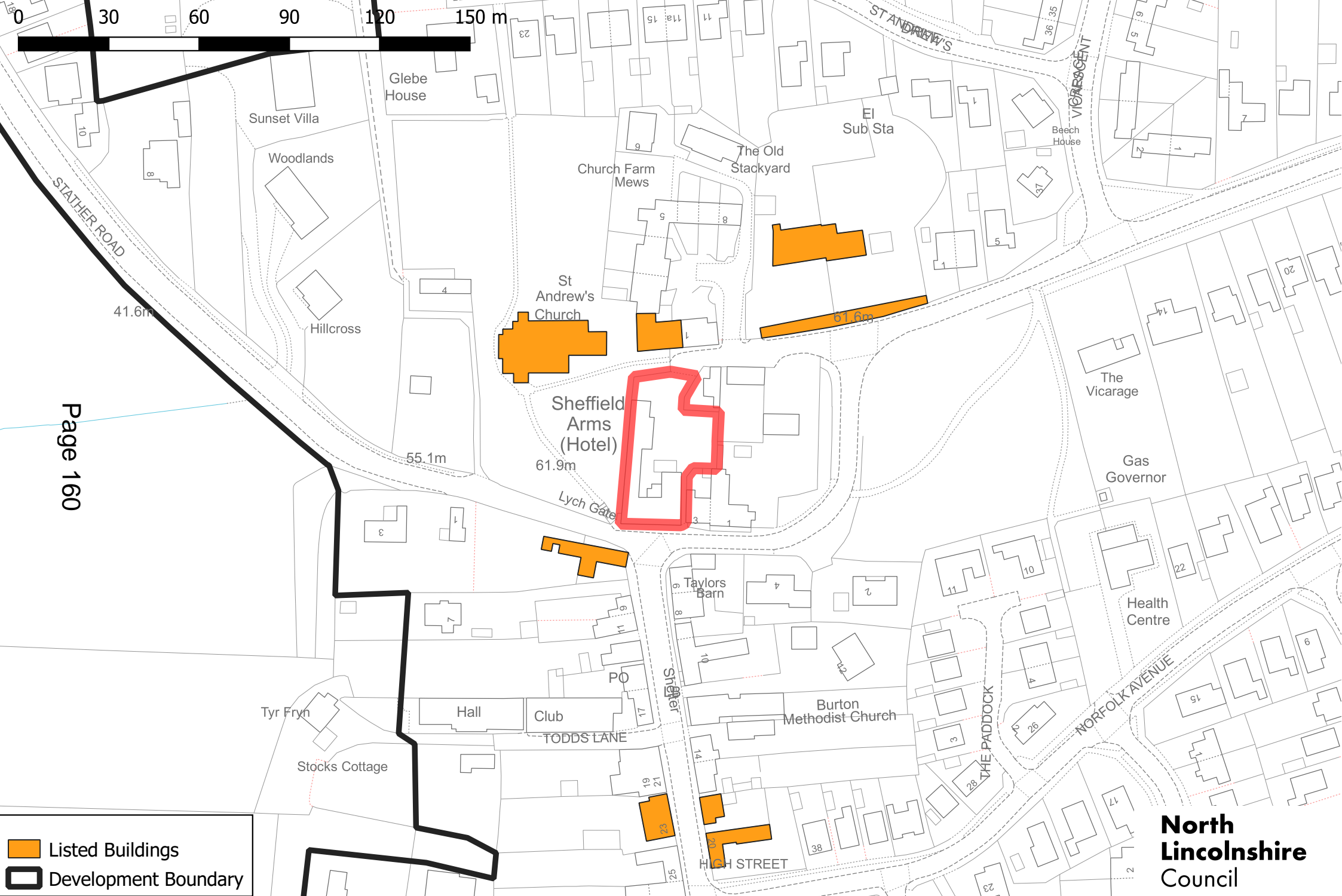
Subject to condition 1 above, the development hereby permitted shall hereafter be maintained in accordance with the following approved drawings: 1209-P-04 (Site layout as proposed) and 1209-P-03 (part Outbuilding Area Elevation as existing & as proposed).

Reason



For the avoidance of doubt, in the interests of visual amenity, and to preserve the setting of the conservation area and nearby listed buildings.

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.

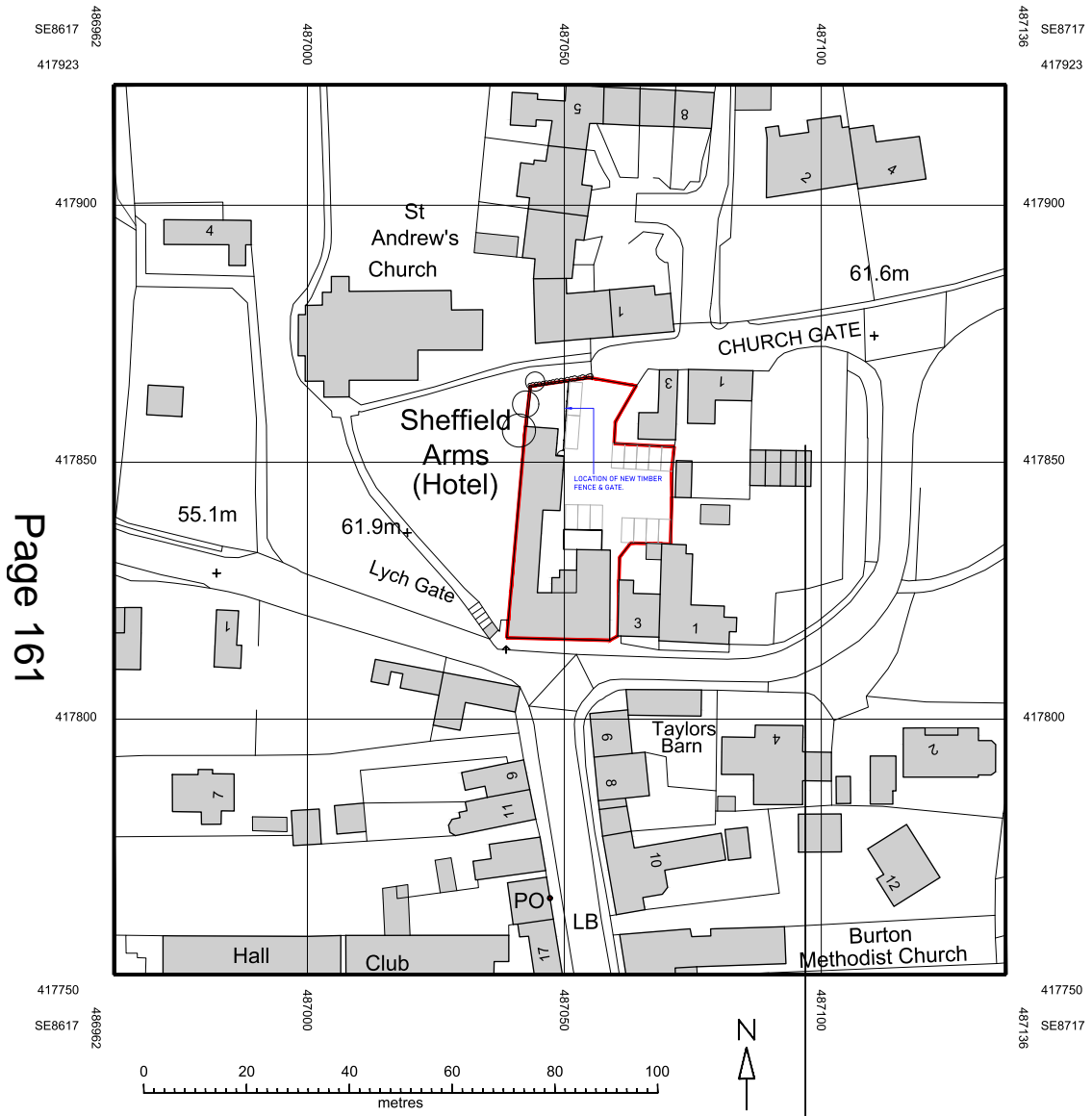


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-  Listed Buildings
-  Development Boundary

North Lincolnshire Council

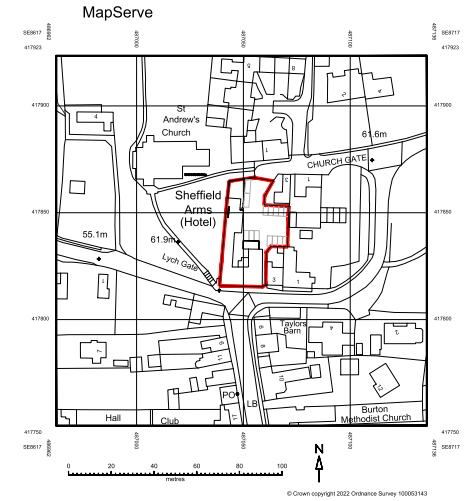
PA/2022/2152 Position of fence (not to scale)



BLOCK PLAN.
scale 1:500.



REAR YARD AREA.



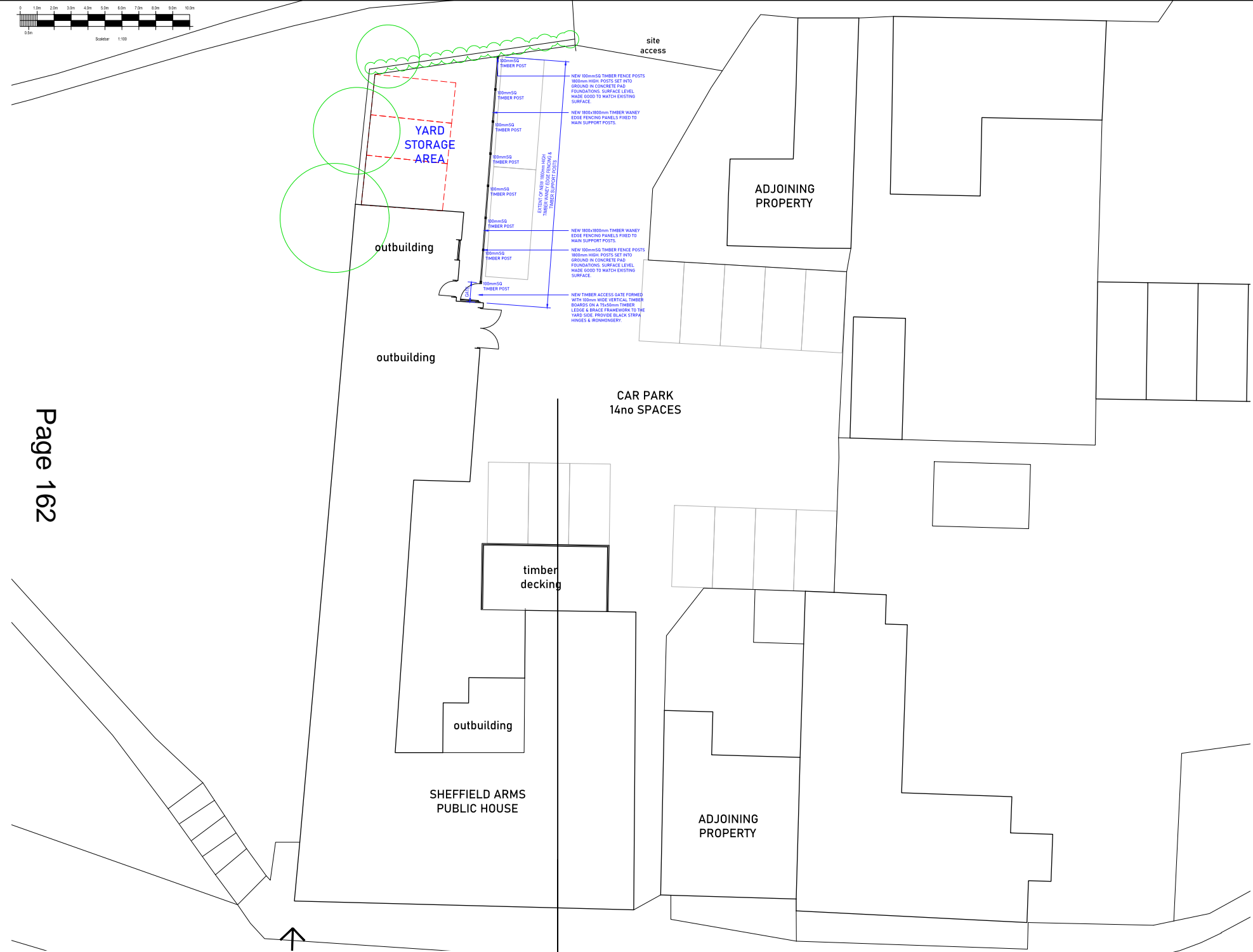
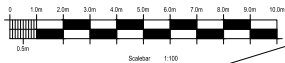
SITE LOCATION PLAN.
scale 1:1250.

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Revision:	Scale:	As dwg @ A1
	Date:	Nov 22
	Client:	Punch Pubs
	Drawing Number:	1209-P-04
	Drawn by:	RCC

The Studio, Sovereign House,
Wakefield WF2 8EF



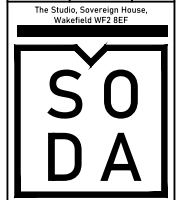


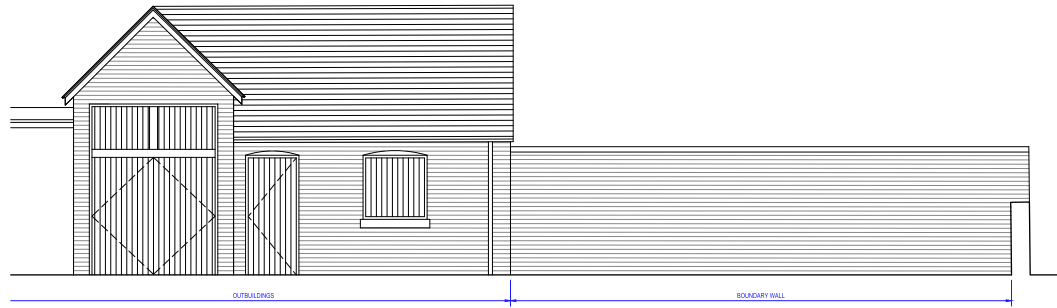
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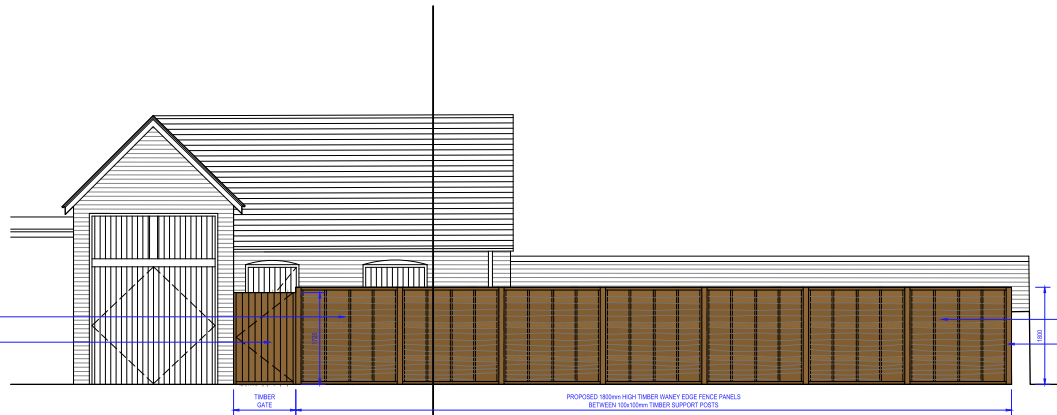
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Scale:	1:100 @ A1
Job title:	Sheffield Arms High Street, Burton upon Stather, Scunthorpe DN15 9BP
Date:	Nov '22
Drawing title:	Site Layout as Proposed
Drawing Number:	1205-P-02
Client:	Punch Pubs
Drawn by:	RCC

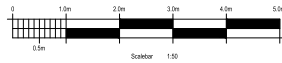




PART ELEVATION OF OUTBUILDINGS TO NORTH-WEST CORNER OF SITE AS EXISTING.



PART ELEVATION OF OUTBUILDINGS TO NORTH-WEST CORNER OF SITE AS PROPOSED.



NEW 1000x1800mm TIMBER WANNEY EDGE FENCING PANELS
FIXED TO MAIN SUPPORT POSTS.

NEW TIMBER ACCESS GATE FORMED WITH 100mm WIDE
VERTICAL TIMBER BOARDS ON A 75x50mm TIMBER LEDGE
& BRACE FRAMEWORK TO THE YARD SIDE. PROVIDE BLACK
STRIPA HINGES & IRONMONGERY.

TIMBER
GATE

PROPOSED 1800mm HIGH TIMBER WANNEY EDGE FENCE PANELS
BETWEEN 100x100mm TIMBER SUPPORT POSTS.

NEW 1800x1800mm TIMBER WANNEY EDGE FENCING PANELS
FIXED TO MAIN SUPPORT POSTS.

NEW 100mmx100mm TIMBER FENCE POSTS 1800mm HIGH. POSTS
SET INTO GROUND IN CONCRETE PAD FOUNDATIONS.
SURFACE LEVEL MADE GOOD TO MATCH EXISTING
SURFACE.

Revision:

Scale:	1:50 @ A1
Date:	Nov '22
Drawn by:	RCC
Job title:	Sheffield Arms High Street, Burton upon Stather, Scunthorpe DN15 9BP
Drawing title:	part Outbuilding Area Elevation as Existing & as Proposed
Client:	Punch Pubs
Drawing Number:	1209-P-03

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