

APPLICATION NO	PA/2022/92
APPLICANT	Amy Schoenmaker, Ongo Homes
DEVELOPMENT	Planning permission to erect 18 dwellings
LOCATION	Garages, Maple Avenue, Crowle
PARISH	Crowle
WARD	Axholme North
CASE OFFICER	Tanya Coggon
SUMMARY RECOMMENDATION	Subject to the completion of a section 106 agreement, grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Member 'call in' (Cllrs John Briggs and Julie Reed – significant public interest) Significant public interest

POLICIES

National Planning Policy Framework:

Chapter 2 – Achieving sustainable development

Chapter 4 – Decision-making

Chapter 5 – Delivering a sufficient supply of homes

Chapter 9 – Promoting sustainable transport

Chapter 11 – Making effective use of land

Chapter 12 – Achieving well-designed places

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

Chapter 15 – Conserving and enhancing the natural environment

Chapter 16 – Conserving and Enhancing the Historic Environment Framework:

North Lincolnshire Local Plan:

Policy H5 (New Housing Development)

Policy H8 (Housing Design and Housing Mix)

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

Policy T1 (Location of Development)

Policy T2 (Access to Development)

Policy T6 (Pedestrian Routes and Footpaths)

Policy T19 (Car Parking Provision and Standards)

Policy LC5 (Species Protection)

Policy HE9 (Archaeological Excavation)

Policy DS1 (General Requirements)

Policy DS3 (Planning Out Crime)

Policy DS7 (Contaminated Land)

Policy DS13 (Groundwater Protection and Land Drainage)

Policy DS14 (Foul Sewage and Surface Water Drainage)

Policy DS15 (Water Resources)

Policy DS16 (Flood Risk)

North Lincolnshire Core Strategy:

Policy CS1 (Spatial Strategy for North Lincolnshire)

Policy CS2 (Delivering more Sustainable Development)

Policy CS3 (Development Limits)

Policy CS5 (Design)

Policy CS6 (Historic Environment)

Policy CS7 (Overall Housing Provision)

Policy CS8 (Spatial Distribution of Housing Sites)

Policy CS9 (Affordable Housing)

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

Policy CS17 (Biodiversity)

Policy CS18 (Sustainable Resource Use and Climate Change)

Policy CS19 (Flood Risk)

Policy CS22 (Community Facilities and Services)

Policy CS23 (Sport, Recreation and Open Space)

Policy CS25 (Promoting Sustainable Transport)

Policy CS27 (Planning Obligations)

Housing and Employment Land Allocations DPD:

Policy PS1 (Presumption in Favour of Sustainable Development)

Other relevant guidance:

SPG8: Developer Contributions to Schools

SPG: Provision of Open Space in New Housing Developments

CONSULTATIONS

Highways: No objections subject to conditions relating to access, parking and footway connections.

Environment Agency: The proposed development will only meet the National Planning Policy Framework (NPPF) requirements in relation to flood risk if planning conditions are included relating to finished floor levels, flood resilience measures, grounds floors used as non-habitable accommodation and no extensions to provide additional habitable/living accommodation.

LLFA Drainage: No objection subject to conditions relating to the submission of a surface water scheme and details showing an effective method of preventing surface water run-off from hard paved areas within the site onto the highway.

Severn Trent Water: Foul [drainage] is proposed to connect into the public foul water sewer, which will be subject to a formal section 106 sewer connection approval. A sewer modelling study may be required to determine the impact this development will have on the existing system and if flows can be accommodated. Severn Trent may need to undertake a more comprehensive study of the catchment to determine if capital improvements are required. If Severn Trent needs to undertake capital improvements, a reasonable amount of time will need to be determined to allow these works to be completed before any additional flows are connected.

Surface water is proposed to discharge into soakaways, [on] which we have no comment. For the use or reuse of sewer connections either direct or indirect to the public sewerage system the applicant will be required to make a formal application to the Company under Section 106 of the Water Industry Act 1991.

Environmental Protection:

Contamination

The site investigation was written in July 2015 and is not sufficient to fulfil the requirements of assessing the risks for contaminated land. The report covers a geotechnical aspect which has considered the geology and the suitability of soil structure for foundations for the proposed development. It does not consider contaminated land and follow current guidance. I have noted that there is the potential for contamination to be present as it appears that the roofs of the garages contain corrugated sheeting and the recommendation in the report is that an asbestos survey is undertaken prior to removal. Our records indicate that the main area has been used for agricultural purposes. Agricultural land has the potential to be impacted upon by contaminants such as sewage sludge, agrochemicals,

asbestos, heavy metals and hydrocarbons which are harmful to human health. Recommend a full contamination planning condition.

Air quality

In order to assess potential air quality requirements this department has followed the guidance set out in the document...Institute of Air Quality Management Land Use Planning and Development Control: Planning for Air Quality January 2017 (<http://www.iaqm.co.uk/text/guidance/air-quality-planning-guidance.pdf>). This document provides a means of reaching sound decisions whilst having regard to air quality implications of development proposals; it represents good practice that developers should follow.

This application is for residential development on land covering approximately 0.53 hectares. This fulfils the Stage 1 Criteria in Table 6.1 of the above guidance as the application involves 10 or more residential units on a site area of more than 0.5ha and includes more than 10 parking spaces. For the proposed development, the Stage 2 Criteria set out in Table 6.2 has not been fulfilled. Developments should be located and designed where practical to enable future occupiers to make green vehicle choices and promote sustainable modes of transport in accordance with Section 9 of the NPPF. To prepare for increased demand in future years, appropriate cable provision should be included in the development. Recommend a condition for the provision of electrical vehicle charging points for the scheme.

Construction

To prevent local residents and other sensitive receptors being affected during the construction of the proposed development conditions are recommended for restrictions on days and hours for construction, demolition and site clearance operations and the submission of a CEMP.

HER (Archaeology): There are no designated heritage assets in the vicinity. There are no known heritage assets of archaeological interest recorded within the site and the potential for the presence of as yet unrecorded archaeological remains is judged to be low.

Ecology: There is a 100% increase in hedgerow units, but a 39.92% decrease in habitat units on site. The proposal does not comply with policies CS5 and CS17. The application should only be approved if there are overriding reasons to accept the net loss of habitat on site. In that case, it will be necessary for the applicant to provide habitat creation and enhancement off site.

S106 Officer: As the scheme is proposed to be fully affordable, this is requested through a section 106 contribution. An education contribution for this development will not be sought as it is a fully affordable scheme. For an application of this size, and in this location, on-site informal open space is requested of 10sqm per dwelling; for the council to maintain this land it would be £6,992.60, or the open space can be managed by Ongo Homes and no financial contribution would be required. If biodiversity net gain cannot be secured on site through condition, this may have to be secured through a section 106 agreement as an off-site contribution.

Recycling: General guidance on bin types, vehicular access, highway construction for a refuse vehicle, pulling distances for residents and crew collection, refuse and recycling storage.

TOWN COUNCIL

In response to the original and amended plans: We strongly object to this application on the grounds of:

- This area has a high level of surface flood water and is a known 'water meadow'.
- It severely floods several times per annum.
- We will lose a valuable green space from our community.
- The submitted plans clearly show a vast amount of overlooking from the proposed three-storey builds to the existing bungalows.
- The density of the build is excessive for the area.

PUBLICITY

Both the original and amended plans have been advertised by press and site notices. 64 letters of objection have been received to the original and amended plans raising the following material planning considerations:

- Loss of light/overshadowing
- Overlooking
- Loss of garages
- Flooding
- Loss of wildlife
- Out of character
- Viability should not be an issue
- Gardens too small
- Over-development
- Loss of green space/play area space/sports field
- Drainage infrastructure is inadequate
- Loss of recreational land
- Services/village infrastructure under pressure
- Increased traffic
- Increased noise and disturbance
- Increased footfall

- 3 swift boxes per dwelling should be installed
- Bungalows should be built
- Access unsafe
- Infringes Article 8 of Human Rights Act
- Sustainability benefits do not outweigh the flood risk
- Schools over-subscribed
- Other sites more suitable
- Contrary to H11 Backland/tandem development
- Small garden sizes
- Lack of public transport links
- Site is not vacant – garages are in use
- Loss of hedge
- Increased on-street parking
- Contrary to planning policy.

STATEMENT OF COMMUNITY INVOLVEMENT

The applicant has submitted details of a statement of community consultation. This public consultation was carried out from 13 December 2021 until 3 January 2022. 84 properties were posted a cover letter and drawings. Consultees were invited to complete a feedback form either digitally or by post. Copies of the consultation and feedback have been submitted to the council. 29 responses were received in total with 28 objections and 1 response in support.

In summary, most respondents were dissatisfied with the scheme. The main issues raised were:

- flooding and drainage;
- the type, range and number of homes; and
- impact on the infrastructure/services in Crowle.

In response to these concerns, the applicant considers that works are planned by North Lincolnshire Council to deal with the drains which cause localised flooding on Godnow Road and the proposals are supported by a drainage strategy. The three-storey dwellings will overcome flood risk requirements. The site is not an allocated playing or sports field. Alternatives to building three-storey dwellings have been fully explored but will require land raising and retaining structures making the scheme unviable and would result in the overall building heights for a scheme of two-storey dwellings.

ASSESSMENT

The proposal

The proposal is to erect 18, 2.5-storey dwellings on the site. Non-habitable accommodation is provided on the ground floor to overcome the flood risk associated with the site. The scheme has been amended following concerns from the case officer over the number of dwellings originally proposed on the site (20) and the design of these properties which were clear three-storey in form, resulting in overlooking to adjoining residents and overbearing impact in terms of the overall height of the dwellings.

The scheme has been designed to reduce the number of dwellings to 18 and the design of the dwellings has been amended to provide rooms in the roofspace, thereby reducing the overall height of the dwellings. Windows have been removed/repositioned/redesigned to mitigate overlooking. The dwellings are designed with rooms in the roofspace which are lit by rooflights in the rear elevation and dormer windows in the front elevation. The dwellings comprise the following accommodation:

- Ground floor: undercroft car parking, hall, utility and WC
- First floor: kitchen/diner, living room, store, bathroom and landing
- Second floor (roofspace): 3 bedrooms and a landing.

The buildings will be constructed from brick and tile, although the exact materials are not specified on the submitted plans. An adequate amount of private garden area is provided for each dwelling with public open space to be provided on the site.

The main access to the site will be from Maple Avenue and a cul-de sac arrangement is proposed. A new, formal pedestrian access will be located on Godnow Road and will lead into the site. Car parking for the dwellings will be provided either within the curtilages of the dwellings or in a designated car parking area to the eastern side of the site. The proposal will require the existing garages adjacent to Maple Avenue to be demolished. Public open space is to be provided on the site adjacent to the proposed dwellings, close to the main access to the site (Maple Avenue).

The site

The site is within the development boundary of Crowle and is not allocated for any purpose/use in the HELA DPD. The site is an area of open green space that is used by the public. There are existing garages on the site, adjacent to and with access from Maple Avenue, and a hardstanding area. The garages are falling into disrepair, but some are in use. There is informal pedestrian access to the site from Godnow Road. The site (red line boundary) is owned by Ongo Homes and this has been confirmed by the declaration made on the planning application form. The site is within flood zone 2/3a (tidal) and is therefore at high risk of flooding. The site is broadly level and is surrounded by dwellings on all sides. To the north, south and west are two-storey dwellings and to the north-east are bungalows.

Relevant planning history

There are no relevant planning applications associated with the site.

Material considerations

Principle

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

The site is within the development boundary for Crowle, where residential development is generally acceptable in principle, and is in a highly sustainable location within walking and cycling distance of a range of local facilities, services and employment opportunities. The site is close to a number of bus stops and Ealand train station is just over 2km from the site.

Policy CS1 of the NLCS identifies Crowle as being one of a number of market towns, which are considered to be important service centres serving the needs of local communities across North Lincolnshire. Policy CS1 confirms that an appropriate level and range of new housing development will be provided to support the market towns as sustainable communities with an aspiration to deliver 2,171 dwellings in these settlements over the plan period. Policy CS8 further sets out that there is a requirement to deliver 145 dwellings in Crowle specifically. These figures are a minimum target and do not form a maximum threshold for the delivery of housing, which would run contrary to the provisions of the National Planning Policy Framework which seeks to significantly boost the supply of housing. Therefore, development plan policy confirms the view that Crowle is a sustainable settlement with the key facilities, services, employment opportunities and regular public transport to support new housing development.

Policy CS7 of the Core Strategy sets out an aspirational minimum density of 40–45 dwellings per hectare on sites within the market towns. However, this policy also states that whilst housing developments should make efficient use of land, the density of new developments should be in keeping with the character of the area. The proposed development of 18 dwellings results in a density of approximately 33 dwellings per hectare, which falls below the minimum density sought by policy CS7 (40–45 dwellings per hectare). However, the proposed layout makes provision for a good-sized area of open space, footway connections onto Godnow Road and Maple Avenue, and a parking area. The area of new housing is considered to be appropriate for the area, being similar to the density of surrounding residential areas. The proposal for 18 affordable dwellings is considered to represent an efficient use of land, as required by paragraph 124 of the NPPF. In light of the site being in a very sustainable location, this number of affordable dwellings will make a significant contribution to the housing need in Crowle. On this basis, the slightly lesser density than that sought by policy CS7 is considered justified in this instance.

Policy CS9 of the Core Strategy sets out the requirements for affordable housing along with the council's interim affordable housing policy. In this case the proposed development is a 100% affordable housing scheme and will align with policy CS9.

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.

A recent appeal decision dated 20 July 2022 (planning reference PA/2020/554) has been issued where the Inspector has 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.

The site is within the development boundary of Crowle where the principle of residential development is considered acceptable. The proposal generally accords with the relevant policies of the development plan. As such the statutory presumption in section 38(6) of the Planning and Compulsory Purchase Act 2004 is engaged, which states that planning permission should be granted unless other material considerations indicate otherwise. The proposal is considered to represent sustainable development and the presumption in favour set out in paragraph 11 of the Framework is triggered. In determining the principle and sustainability of the proposed development, an assessment is required on the technical elements of the proposal which will be discussed below.

Flood risk and drainage

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

The Environment Agency (EA), LLFA, and Severn Trent Water have been consulted on the Flood Risk Assessment (FRA) and drainage information and do not object to the proposal subject to a number of conditions that will be imposed on any planning permission granted.

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

In terms of flood risk, the EA does not object to the proposal subject to conditions. These conditions include ensuring the development is carried out in accordance with the submitted FRA; the ground floor accommodation only being used for undercroft parking, a utility, entrance hall, WC and store (as shown on the plans); and that no extensions to provide habitable/living accommodation shall be erected.

Being in flood zone 2/3a, the site is at high risk of flooding. Both the sequential and exceptions tests will need to be passed in order for the development to be acceptable in

terms of flood risk, as set out in the NPPF. The applicant has provided a sequential test as part of the flood risk assessment. Paragraph 162 of the NPPF notes that the purpose of the sequential test is to steer new development to areas with the lowest probability of flooding. The aim is to steer new development to Flood Zone 1. Paragraph 163 states that only where there are no reasonably available sites in Flood Zones 1 or 2 should the suitability of sites in Flood Zone 3 be considered, taking into account the flood risk vulnerability of land uses and applying the exception test if necessary.

Within the FRA the search for alternative development sites was limited to the settlement of Crowle. Crowle is identified as a market town and is a highly sustainable location for development. It is considered there are no sequentially preferable available sites of lesser flood risk suitable for the proposed development within Crowle. It must be noted that a significant area of the settlement of Crowle is also within flood zone 2/3a which limits the search area.

In terms of the exception test, NPPF paragraph 164 states that for the exception test to be passed it should be demonstrated that:

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

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

The scheme would bring about a number of sustainable benefits, including (but not limited to) affordable housing, energy efficient homes, proximity to employment areas, services and amenities, provision of open space, landscaping, increased pedestrian and cycle connectivity, off-site biodiversity enhancement and SuDs. It is considered that the scheme would provide wider sustainability benefits and part 'a' of the exceptions test is considered passed.

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

In terms of surface water run-off, the development will increase in impermeable area and potentially run-off from the site will also be increased. Soakaways are proposed and it is noted that that the subsoils make infiltration unfeasible. The LLFA consider that the developer will need to investigate a hybrid conventional piped network and SuDS systems where feasible. In order to mitigate surface water run-off the LLFA are proposing a number of conditions including the submission of a surface water drainage strategy. It is therefore

considered, subject to drainage conditions, that the proposal will align with the NPPF, policies CS18 and CS19 of the Core Strategy, and policies DS14 and DS16 of the North Lincolnshire Local Plan.

In terms of foul water, this is proposed to connect into the public foul water sewer, which will be subject to a formal section 106 sewer connection approval. Severn Trent have advised that a sewer modelling study may be required to determine the impact this development will have on the existing system and if flows can be accommodated. Severn Trent may need to undertake a more comprehensive study of the catchment to determine if capital improvements are required. If Severn Trent needs to undertake capital improvements, they will require a reasonable amount of time to be determined to allow these works to be completed before any additional flows are connected. In this case Severn Trent are not objecting to the proposal in terms of foul water. The response from Severn Trent indicates that the foul water could be accommodated within the 'current system' subject to sewer modelling and potentially, if following this modelling capital improvements are required, then Severn Trent have indicated that they would undertake capital improvements. A condition can be imposed if planning permission is granted for details of the foul water to be submitted to the council for approval. As part of this process Severn Trent would be consulted. It is therefore considered, subject to a foul water condition, that the proposal will align with the NPPF and policy DS14 of the North Lincolnshire Local Plan.

Highways

Policy T2 of the North Lincolnshire Local Plan states that all development should be served by a satisfactory access. Policy T19 is concerned with parking provision and general highway safety. Both policies are considered relevant. Policy CS25 of the Core Strategy is also relevant and seeks to support and promote a sustainable transport system in North Lincolnshire that offers a choice of transport modes and reduces the need to travel through spatial planning and design and by utilising a range of demand and network management tools. The site is within the market town of Crowle, within walking and cycling distance of the centre of Crowle where a range of services and facilities are available. The site is also close to a bus route and there are connections to the train station at Ealand.

The main access to the site is from Maple Avenue with a formal pedestrian access proposed from Godnow Road. Highways have been consulted on the application and have no objections subject to conditions relating to the layout and visibility of the access, car parking and turning arrangements. Concerns from residents over increased on-street parking and highway safety issues are noted. However, planning conditions will ensure satisfactory car parking is provided on the site to serve the development and that the access is constructed to the required standards. The loss of the garages on the site are noted as these appear to be used by residents surrounding the site. However, it is not considered that the loss of these garages would substantially increase on-street parking. The majority of properties surrounding the site do have off-street car parking available.

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

Character, visual impact and amenity

In terms of character and visual impact on the area, the site is within the development boundary of Crowle within an established residential area. It is primarily a green area of

open space but is not allocated in the development plan for any use/purpose/function. The site is surrounded by residential properties on all sides and is well embedded into the existing residential area of this part of Crowle. It is relatively enclosed by the existing residential development. The character of the site will change from being an essentially green open space with 1960's garages to an affordable housing site with associated infrastructure. The dwellings surrounding the site comprise bungalows and two-storey dwellings and are a mix of terraces, and semi-detached and detached dwellings. The age of the properties is also a mix with the more modern dwellings located on Maple Avenue and older properties along Godnow Road and Laburnum Grove.

The proposed dwellings are in effect 2.5-storey in height as rooms are provided in the roof space, with dormer windows and rooflights, to reduce the overall height of the dwellings. Non-habitable accommodation is required on the ground floor due to the flood risk associated with the site (Flood zone 2/3a). There is some detailing on the dwellings, including different types of bricks, to provide interesting features. Whilst the dwellings will be higher than the surrounding dwellings, they will not be overly visible from Godnow Road as the only opening to the site on Godnow Road is a pedestrian access which has some existing tree screening and additional planting is proposed along it. The dwellings are set well back from Godnow Road and are partially screened by the existing dwellings on Godnow Road. The dwellings on Laburnum Grove are bungalows. There is no access from Laburnum Grove into the site. The proposed dwellings are set a considerable distance from Laburnum Grove (access) and public views from Laburnum Grove will be more limited due to the distance the dwellings are from the access road forming Laburnum Grove and as some screening is provided by the bungalows.

The dwellings will be visible from the access road leading from Maple Avenue into the site. However, they are set well back from the access entrance onto Maple Avenue with an area of public open space to be provided adjacent to the access road. 5 Maple Avenue will also provide some screening of some of the plots. On balance, although the dwellings are higher than the surrounding dwellings, due to their siting, design and layout, and the relatively enclosed nature of the site which restricts views of the development from surrounding streets, it is not considered that the development would be out of character with the area such that a refusal can be justified in planning policy terms. In terms of character and visual impact on the area, the proposal therefore accords with policies H5, H8 and DS1 of the NLLP, and policies CS2, CS5, CS7 and CS8 of the Core Strategy.

In terms of amenity, the impact on adjoining residential properties needs to be carefully assessed due to the number of dwellings proposed, the 2.5-storey dwellings proposed and the fact that adjoining dwellings surround the whole site. Turning first to Laburnum Grove, this is a small cul-de-sac development of bungalows. Plots 7 and 8 of the proposed development will be 30m from numbers 2 to 8 Laburnum Grove. Whilst the dwellings will be visible from these properties, due to the separation distances and the fact that the flank elevation wall (north-east) of plot 8 will have no windows, there will be no demonstrable loss of amenity to numbers 2 to 8. Plot 9 of the scheme will be 6.8m from 16 Laburnum Grove. Number 16 has no windows in its south-western elevation and plot 9 has no windows in its flank wall (north-eastern). Plot 9 runs parallel and projects slightly beyond number 16. Due to plot 9's layout, the fact that there are no windows in its flank elevation and the separation distance with number 16, whilst plot 9 will be visible from number 16's rear garden and rear windows, but at an oblique angle, no demonstrable loss of amenity will be caused to this property and the proposal aligns with policies H5 and DS1 of the NLLP, and CS5 and CS7 of the Core Strategy.

In terms of Maple Avenue, the rear of plots 11 to 18 face the rear gardens of 25 to 33 Maple Avenue. There is a minimum separation distance of 22m from the rear of plots 11 to 18 to these properties on Maple Avenue which will safeguard privacy between the proposed and existing dwellings. The proposed dwellings are 2.5-storey with rooflights in the roofspace. The ground-floor windows in the rear elevation serve non-habitable accommodation (utility and WC, the WC being obscure-glazed) and will be screened by the existing boundary fencing. The first-floor windows in the rear elevation comprise a bathroom window, to be obscure-glazed, and a kitchen/dining room window. This kitchen/dining room window is at a higher level and is 1.5m above the proposed floor level. The window (glazing) itself is approximately 0.4m in height. The applicant has provided cross-sections demonstrating the line of vision from a person of average height looking out of this window. This demonstrates that there will not be a clear line of vision into the rear gardens of Maple Avenue. Rooflights are proposed in the roof and serve bedrooms. The applicant has also provided cross-sections demonstrating the line of vision from a person of average height looking out of the rooflight. The line of vision is upward into the sky and would not result in overlooking of the garden areas of Maple Avenue.

39 Maple Avenue is closer to the site and at right angles to the south-eastern boundary of the application site. There is a separation distance between the flank elevation of number 39 and plot 9 of 14m. The flank elevation of number 39 contains no habitable windows. In terms of garden area, the rear elevation of plots 9 and 10 faces the rear garden of number 39. The rear window arrangement for plots 9 and 10 is the same as plots 11 to 18. It has been demonstrated that the first-floor and roof windows will not directly overlook the rear garden of this property. Whilst the proposed development at 2.5 storeys in height will be visible from the rear windows (at an oblique angle) and garden area of properties on Maple Avenue, no demonstrable loss of amenity will be caused to these properties by the proposed development and the proposal aligns with policies H5 and DS1 of the NLLP, and CS5 and CS7 of the Core Strategy.

1, 2, 27 and 29 Godnow Road are closest to the proposed development. Number 2 is 12m from plot 4 and its principal windows face north-east towards the proposed footpath and to the south-west. The private garden is to the south-west. The flank elevation has no windows. The front garden (north-east) is covered with outbuildings. This property will have an oblique view of the proposed dwellings from its rear windows and from the first-floor front windows, and will have a view of the development from the rear garden. The rear elevation of the proposed dwellings will have an obscured window at first floor and a high-level kitchen/dining room window, with rooms in the roof lit by rooflights. Due to the high-level kitchen/dining room window and the position of the rooflights, no direct overlooking into the rear garden area will result. It is accepted that plots 3 and 4 will be visible from this property but there is sufficient separation distance to prevent an overbearing or oppressive impact being caused to number 2.

29 Godnow Road adjoins number 2 and its main garden is to the front of the property adjacent to Godnow Road. There is a distance of 21m from number 29 to plot 3. Due to the window arrangement in the rear of plot 3 (mentioned previously) and the separation distances, no overlooking, or overbearing or oppressive impact, will be caused to number 29. The proposal therefore aligns with policies H5 and DS1 of the NLLP, and CS5 and CS7 of the Core Strategy.

1 Godnow Road has a single-storey lean-to extension on its flank elevation but no habitable windows. To the rear is a hardstanding area covered by a substantial outbuilding. The main garden area is to the front of the property adjacent to the proposed footpath. There is a

distance of 12m from the flank wall of number 1 to plot 6. The rear elevations of plots 5, 6 and 7 are arranged as previously mentioned in this report. Due to the window arrangement in the rear of plots 5, 6 and 7 and the separation distances, no overlooking will be caused to number 1. Plots 5, 6 and 7 will be visible from this property's front and rear windows at an oblique angle and from the garden, but due to the separation distances, this will not cause a demonstrable overbearing or oppressive impact on the property.

27 Godnow Road has a two-storey extension and a single-storey extension to the north-eastern side. There is a separation distance of 20m between number 27 and plot 7. The private garden area to number 27 is to the front of the property. Whilst plots 6 to 8 will be visible from the rear of this property, there is considered to be an adequate separation distance between these plots and number 27 to avoid both overlooking into the rear and an overbearing impact. The proposal therefore aligns with policies H5 and DS1 of the NLLP, and CS5 and CS7 of the Core Strategy.

In terms of the other properties along Godnow Road, these are essentially two-storey semi-detached and terraced dwellings. The proposed development of 2.5 storeys will be visible from the rear windows and gardens of these properties. Due to the separation distances between the plots and the position, type and design of windows on the rear elevation of plots 1 to 8 (as mentioned in the above section of this report), it is considered that no demonstrable loss of amenity will be caused to residents on Godnow Road by the proposed development.

Cultural heritage

The site is neither within nor adjacent to Crowle conservation area and there are no listed buildings adjacent to the site. In terms of archaeology, HER have confirmed that there are no known heritage assets of archaeological interest recorded within the site and the potential for the presence of as yet unrecorded archaeological remains is judged to be low. As a result, the proposal will have no impact on cultural heritage and the proposal aligns with policies HE2 and HE5 of the NLLP, and CS6 of the Core Strategy.

Ecology/biodiversity

Policies CS5 and CS17 of the Core Strategy deal with biodiversity. Policies LC5 to LC7 of the NLLP deal with species, habitat and landscape. The applicant has submitted an ecology report and biodiversity matrix 3.0 with the application. The council's ecologist has been consulted on the proposal. In terms of the results of these surveys, the biodiversity matrix confirms that there is a 100% increase in hedgerow units, but a 39.92% decrease in habitat units on site. Therefore, there will be a net loss of habitat on site and biodiversity net gain (BNG) cannot be provided on the site, which is contrary to policies CS5 and CS17 of the Core Strategy and the NPPF. The biodiversity mitigation hierarchy seeks to provide biodiversity net gain on site; if this cannot be achieved, off-site opportunities should be identified; and where BNG cannot be delivered off site, via the market as a last resort statutory credits can be purchased. In this case, there is concern from residents that the proposal will result in the loss of wildlife and habitats on the site. However, this must be balanced against the provision of affordable homes on the site, for which there is a strong need in North Lincolnshire.

It is regrettable that BNG cannot be provided on the site. However, the benefits of the provision of affordable housing outweigh the loss of the BNG on the site. BNG can be provided off-site via a financial contribution (obtained through an S106 – see later in this

report). Planning conditions will also be used to secure biodiversity enhancements and landscaping on the site. Therefore, subject to the off-site contribution for BNG and planning conditions, the proposal would align with policies CS5 and CS17 of the Core Strategy, and the NPPF, to ensure a net benefit in terms of ecology and biodiversity.

Air quality and sustainable resource

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

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

The council's Environmental Health department have assessed the proposal and have proposed a condition that, prior to development, a scheme for electric vehicle charging points shall be submitted to and agreed in writing with the local planning authority. The request is considered to be in accordance with the above policy requirements and will be attached to any permission to mitigate the impact upon air quality generated by the development. It is considered that the imposition of this condition would not only satisfy policy CS18 of the Core Strategy, but also DS11 of the local plan by making a positive impact upon the reduction of polluting activities. In addition, the applicant has submitted an energy report with the application outlining sustainable energy reduction and generation features to be installed into the proposed dwellings, including heat pumps and solar panels.

Land contamination

Policy DS7 of the North Lincolnshire Local Plan is concerned with contaminated land. It states that permission will only be granted on contaminated sites where a detailed site survey has been submitted, and a suitable scheme of remedial measures has been agreed to overcome any existing contamination. The submitted site investigation is not considered sufficiently robust and therefore a planning condition will be used to ensure a satisfactory site investigation and remediation scheme is submitted for approval by the council before development takes place.

Planning obligations

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

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

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

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

Affordable housing

Policy CS9 is concerned with affordable housing. In this case all the dwellings are proposed to be for affordable housing. As a result, an S106 is required to ensure that these dwellings remain affordable in perpetuity. The proposal therefore aligns with policy CS9 of the Core Strategy and the NPPF.

Public open space

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

On-site informal open space of 10sqm per dwelling is required. The open space within the red line boundary of the site is to be managed by Ongo Homes and therefore no financial contribution would be required.

Biodiversity net gain

Biodiversity net gain (BNG) cannot be provided on site due to the number of dwellings proposed and associated infrastructure. Considerable weight must be given to the fact that the scheme is a 100% affordable housing scheme with a local registered provider to deliver the scheme. As a result, it is considered in this case that it is acceptable to seek an off-site contribution for BNG. This off-site contribution has been calculated as £8,200. Subject to this contribution, the proposal would align with the NPPF and policy CS17 of the Core Strategy.

Obligations summary

The proposed on- and off-site contributions are considered to be CIL compliant as well as policy compliant. The proposal would therefore align with policies CS9 and CS17 of the North Lincolnshire Core Strategy, H10 of the North Lincolnshire Local Plan, and paragraph 57 of the NPPF. The heads of terms that have been put to the applicant are public open space, affordable housing and off-site biodiversity net gain. The applicant has agreed all the requested S106 contributions required to mitigate the impacts of the development.

Other matters

A number of other issues have been raised by residents. In terms of bungalows, these cannot be provided on the site due to the flood risk. If bungalows were to be provided, significant land raising would be required to mitigate flood risk impacts. There has been no evidence submitted to suggest that schools cannot accommodate this development. It must be noted that under SPG8: Developer Contributions to Schools, no S106 contributions are required as this is a 100% affordable housing scheme. Other available sites in Crowle for this development have been assessed and discounted in the submitted sequential test (see flood risk section). There will be some loss of hedging, but this can be mitigated with additional planting through planning conditions. Comments in relation to Article 8 of the Human Rights Act are noted. Article 8 gives everyone the right to respect for private and family life, home and correspondence. In this case, it is not considered that the impacts of the development will infringe upon Article 8 of the Human Rights Act. The site is within the development boundary of Crowle, close to a wide range of services and facilities and the site is not allocated in the development plan as open space/recreational land. Concerns about loss of this 'public land' are noted. However, the owners of the site would be perfectly entitled to restrict public access to the site as the site is not public land but is within private ownership.

The planning balance

The proposal accords with the development plan. The site is within the development boundary of Crowle close to a wide range of services and facilities, is served by public transport and is accessible in terms of walking and cycling. The site is a very sustainable location for residential development. The scheme will provide 18 affordable dwellings, for which there is a strong need in North Lincolnshire. In addition, the council cannot currently demonstrate a five-year housing land supply of deliverable sites and significant weight has to be given to the provision of 18 dwellings which would go some way in meeting the current housing shortfall. Furthermore, it must be noted that the developer has a good track record of housing delivery in North Lincolnshire.

In terms of technical matters, these have been addressed in the main report and can be mitigated by planning conditions and through the S106 planning obligation. The scheme will have an impact on residential amenity as 2.5 storeys are proposed on the site which is currently a predominantly green open space. The dwellings will be visible from adjoining dwellings and although overlooking has been mitigated to a certain extent, a small element of overlooking will be caused by the development. The dwellings are higher than existing dwellings, although the roof pitch on the rear elevation has been 'dropped' so it is shallower, creating less bulk and less overbearing impact on neighbours. Although the dwellings will be screened in part by the adjoining properties on Godnow Road and Maple Avenue, they will still be partially visible, due to their height, from Godnow Road, Maple Avenue and Laburnum Grove. When the planning balance is applied the benefits of the scheme demonstrably outweigh the dis-benefits and therefore the application is recommended for approval.

Conclusion

No material considerations or technical matters have been identified that could properly be considered to outweigh the statutory presumption in favour of the development plan and the presumption in favour of sustainable development as set out in the NPPF. On this basis the proposed development is considered to be acceptable and is recommended for approval subject to the conditions and planning obligations set out below.

Heads of terms

Affordable housing

Number of dwellings or commuted sum	All 18 dwellings
	Affordable units to be retained in perpetuity

Open space

On-site open space	All the open space in the red line boundary to be maintained by Ongo Homes
Trigger point	To be set out on occupation of the 10 th dwelling

Biodiversity

Contribution amount	£8,200 off-site biodiversity
Trigger point	On occupation of the 10 th dwelling
How long the council has to spend the contribution	10 years

Pre-commencement conditions

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

RECOMMENDATION

Subject to the completion of a formal agreement under Section 106 of the Town and Country Planning Act 1990 providing for provision and maintenance of open space within the development, affordable housing and off-site biodiversity net gain, the committee resolves:

- (i) it is mindful to grant permission for the development;**
- (ii) the decision be delegated to the Development Management Lead upon completion of the obligation;**
- (iii) if the obligation is not completed by 3 February 2023 the Development Management Lead be authorised to refuse the application on grounds of no essential community benefits or biodiversity benefits; and**
- (iv) the permission so granted be subject to the following conditions:**

1.

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

Reason

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

2.

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

J1838 00104 Rev C (sections/side elevations)

J183800101 Rev D (proposed site plan)

J1838 000102 Rev F (proposed site block plan)

J1838 00047 (floor plans Type B2)

J1838 00048 (elevations house type B2)

J1838 00045 Floor plans house type B1

J1838 00046 (elevations house type B1)

Plots 1 and 2 first floor plan and plot 2 side elevation received on 11/07/20223

Elevation and floor plans of Plot 17 received on 12/07/2022

J1838 050 Rev A (coloured site plan)

J1838 00001 Rev B (site location plan)

J1838 00103 (proposed site boundaries).

Reason

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

3.

No development shall begin until details of:

- (i) the layout, drainage, construction, services and lighting of the proposed access road, including the junction with the adjacent highway;
- (ii) the number and location of vehicle parking spaces on the site; and
- (iii) the proposed footway connection to Godnow Road;

have been submitted to and approved in writing by the local planning authority.

Reason

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

4.

The penultimate dwelling on the site shall not be occupied until the access roads and footway connection to Godnow Road have been completed.

Reason

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

5.

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

Reason

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

6.

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.

7.

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.

8.

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.

9.

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

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

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

Reason

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

10.

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

Reason

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

11.

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

Reason

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

12.

No dwelling on the site shall be occupied until the access road has been completed to at least base course level and adequately lit from the junction with the adjacent highway up to the access to the dwelling.

Reason

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

13.

No other works shall be commenced on the site until the access road junction with the adjacent highway, including the required visibility splays, has been set out and established.

Reason

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

14.

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

Reason

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

15.

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

- (i) a pre/post construction condition survey of the carriageway to identify any defects and how they will be rectified;
- (ii) all associated traffic movements, including delivery vehicles and staff/construction movements;
- (iii) any abnormal load movements;
- (iv) contractor parking and welfare facilities;
- (v) storage of materials; and
- (vi) traffic management requirements, including the means of controlling the deposition of mud onto the adjacent highway, along with appropriate methods of cleaning the highway, as may be required;

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

Reason

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

16.

No development shall take until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall be based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development. This must be based upon the submitted Drainage Strategy, prepared by Daniel Mutepfa, Ward Cole Consulting Engineers, Job No: 10/5460, Dated: June 2021.

The drainage scheme shall demonstrate that surface water run-off generated up to and including the 1 in 100-year critical storm (including an allowance for climate change which should be based on the current national guidance) will not exceed the run-off from the existing site. It shall also include details of how the resulting completed scheme is to be maintained and managed for the lifetime of the development so that flood risk, both on and off the site, is not increased. SuDS must be considered. Reference should be made to North Lincolnshire Council's SuDS and Flood Risk Guidance Document. Should infiltration not be feasible at the site, alternative sustainable drainage should be used, focusing on above-ground solutions.

Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, 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.

17.

The drainage scheme shall be implemented in accordance with the approved submitted details required by condition 16 above, completed prior to the occupation of any dwelling or building within each phase or sub-phase of the development on site, and thereafter retained and maintained in accordance with the scheme for the life of the development unless otherwise agreed in writing with the local planning authority.

Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation and future 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.

18.

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.

19.

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 159 to 169 of the National Planning Policy Framework.

20.

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

Reason

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

21.

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.

22.

Before any approved dwelling is first occupied, the bathroom and WC windows 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.

23.

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), no new window openings shall be created in any wall or roof plane of the approved dwellings other than those shown on the submitted plan.

Reason

To protect the living conditions presently enjoyed by the occupants of adjoining properties in accordance with policies DS5 of the North Lincolnshire Local Plan and CS5 of the Core Strategy.

24.

The development shall be carried out in accordance with the submitted flood risk assessment (Collins, Hall, Green, Version 1.2, 20 March 2019) and the following mitigation measures it details in section 6:

- Finished floor levels of the living areas to be set no lower than 4.4 metres above Ordnance Datum (AOD)
- Flood resilience measures to be incorporated as described.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason

To reduce the risk and impact of flooding in accordance with policies DS16 of the North Lincolnshire Local Plan and CS19 of the Core Strategy.

25.

The ground floors of the properties hereby approved shall be used as undercroft parking, utility, entrance hall, WC and store only as annotated on approved drawings J1838 00047

(floor plans) and J1838 00045 (floor plans), and floor plan for Plot 17 received on 12 July 2022, and for no other, habitable, accommodation at any time.

Reason

In accordance with the details of the application and to ensure that there is no sleeping or vulnerable living accommodation on the ground floor, to protect the inhabitants of the property from the risk of flooding in accordance with the Chapter of the National Planning Policy Framework, policy DS16 of the North Lincolnshire Local Plan and policy CS19 of the Core Strategy.

26.

Notwithstanding the provisions of Classes A, B, C, D, and E of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any order revoking and re-enacting that order with or without modification, no extensions or alterations, or buildings or enclosures, to provide additional habitable/living accommodation shall be erected on the site/installed on the building at any time.

Reason

To reduce the risk and impact of flooding in accordance with policies DS16 of the North Lincolnshire Local Plan and CS19 of the Core Strategy, and to safeguard the residential amenity of adjoining dwellings in accordance with policies DS1 and DS5 of the North Lincolnshire Local Plan, and CS5 of the Core Strategy.

27.

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

Reason

To enhance the appearance of the development in the interests of amenity in accordance with policies DS1 and LC12 of the North Lincolnshire Local Plan, and CS5 of the Core Strategy.

28.

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

Reason

To ensure the approved landscaping scheme is implemented in a timely fashion on the site and in the interests of amenity in accordance with policies DS1 and LC12 of the North Lincolnshire Local Plan, and CS5 of the Core Strategy.

29.

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

- (a) details of at least four bat roosting features to be installed;
- (b) details of nesting sites to be installed to support swifts and house sparrows;
- (c) restrictions on lighting to avoid impacts on bat roosts, bat foraging areas, bird nesting sites and sensitive habitats;
- (d) provision for hedgehogs to pass through any fencing installed between gardens and between areas of grassland;
- (e) prescriptions for the planting and aftercare of heritage fruit tree varieties, trees, shrubs and flowering plants of high biodiversity value;
- (f) proposed timings for the above works in relation to the completion of the buildings.

Reason

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

30.

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 15th 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.

31.

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.

32.

Before any above-ground works take place on the site, a scheme for the provision of electrical vehicle charging points shall be submitted to and approved in writing by the local planning authority. The scheme shall be designed to take account of good practice guidance as set out in the Institute of Air Quality Management Land Use Planning and Development Control:

<http://www.iaqm.co.uk/text/guidance/air-quality-planning-guidance.pdf>

and contemporaneous electrical standards, including:

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

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

Reason

To facilitate the uptake of low emission vehicles and reduce the emission impact of traffic arising from the development in line with the National Planning Policy Framework and policy CS18 of the Core Strategy.

33.

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 in accordance with policies DS1 of the North Lincolnshire Local Plan and CS5 of the Core Strategy.

34.

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 dwellings are in keeping with their surroundings in the interests of visual amenity, in accordance with policy DS1 of the North Lincolnshire Local Plan.

35.

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

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

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

Light – the CEMP shall set out the particulars of:

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

Dust – the CEMP shall set out the particulars of:

- (i) site dust monitoring, recording and complaint investigation procedures;
- (ii) identification of receptors and the related risk of dust impact at all phases of the development, including when buildings and properties start to be occupied;
- (iii) provision of water to the site;
- (iv) dust mitigation techniques at all stages of development;

- (v) prevention of dust trackout;
- (vi) communication with residents and other receptors;
- (vii) a commitment to cease the relevant operation if dust emissions are identified either by regular site monitoring or by the local authority;
- (viii) a 'no burning of waste' policy.

Reason

To protect residential amenity in accordance with policies DS1 of the North Lincolnshire Local Plan and CS5 of the Core Strategy.

Informative 1

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

Informative 2

Severn Trent Water advise that although their statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under The Transfer of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you in obtaining a solution which protects both the public sewer and the building.

Informative 3

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

Informative 4

Alterations and/or new connections into the watercourse network must be consented by North Lincolnshire Council's LLFA Drainage Team, in their capacity as Lead Local Flood Authority, and/or the local Internal Drainage Board through an Ordinary Watercourse Consent and appropriate discharge rates must be agreed. Please contact the LLFA Drainage team via email to llfadrainageteam@northlincs.gov.uk for further details. Compliance with this guidance is to ensure the free flow of surface water is maintained throughout the development.

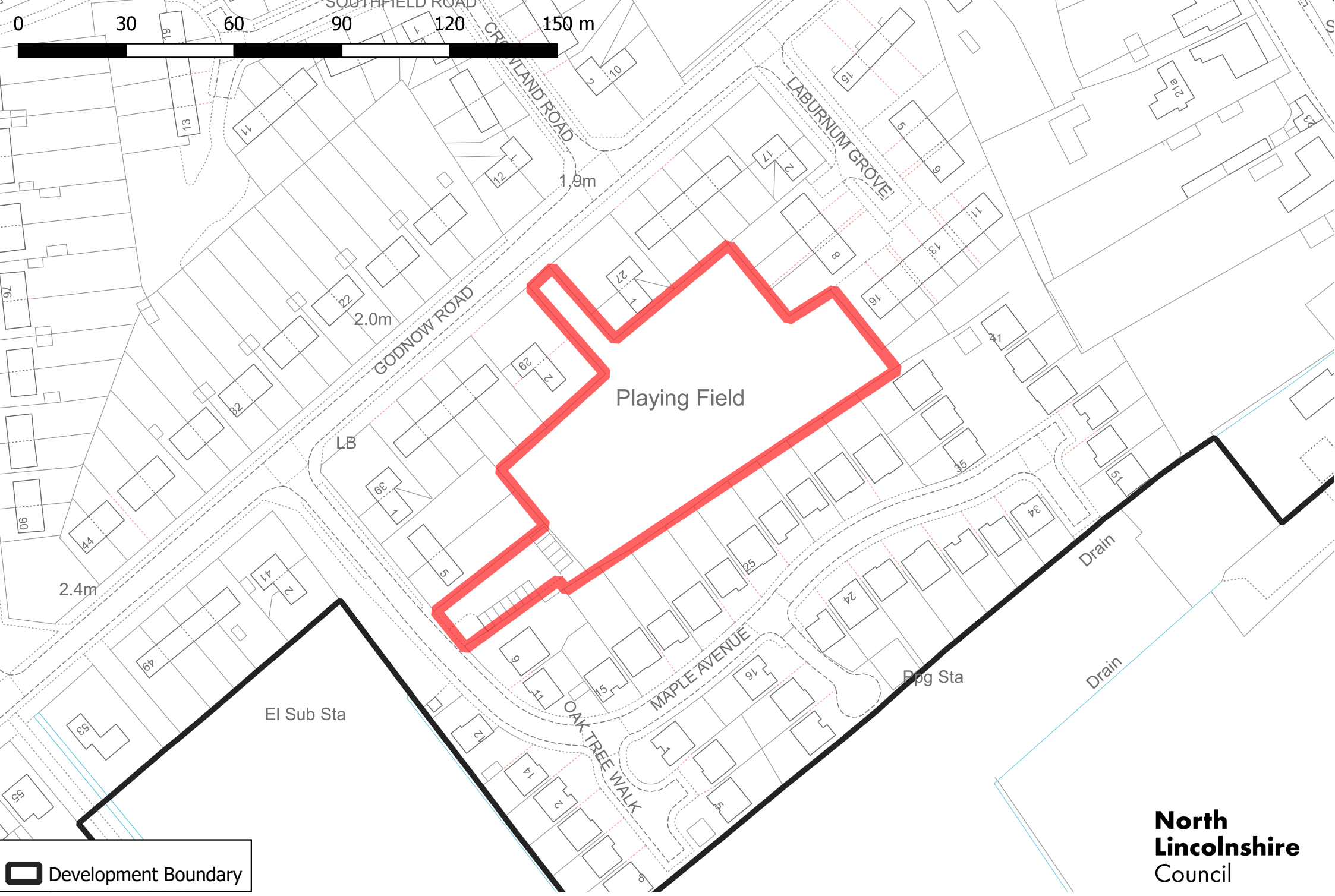
Informative 5

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

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

Informative 6

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.



PA/2022/92

AMENDED

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KEY

EXISTING TREES REMOVED
 EXISTING TREES TO BE REMOVED

NEW TREE PLANTING
 NEW TREE PLANTING

NEW WALLS
 NEW WALLS

NEW FENCES
 NEW FENCES

NEW DRIVEWAYS
 NEW DRIVEWAYS

NEW PATIOS
 NEW PATIOS

NEW TERRACES
 NEW TERRACES

NEW ROOFS
 NEW ROOFS

NEW ROOF TERRACES
 NEW ROOF TERRACES

NEW BALCONIES
 NEW BALCONIES

NEW PORCHES
 NEW PORCHES

NEW STAIRS
 NEW STAIRS

NEW LIFT
 NEW LIFT

NEW CHIMNEYS
 NEW CHIMNEYS

NEW GULLIES
 NEW GULLIES

NEW MANHOLES
 NEW MANHOLES

NEW LIGHTS
 NEW LIGHTS

NEW SIGNAGE
 NEW SIGNAGE

NEW FURNITURE
 NEW FURNITURE

NEW PLANTING
 NEW PLANTING

NEW WALLS
 NEW WALLS

NEW FENCES
 NEW FENCES

NEW DRIVEWAYS
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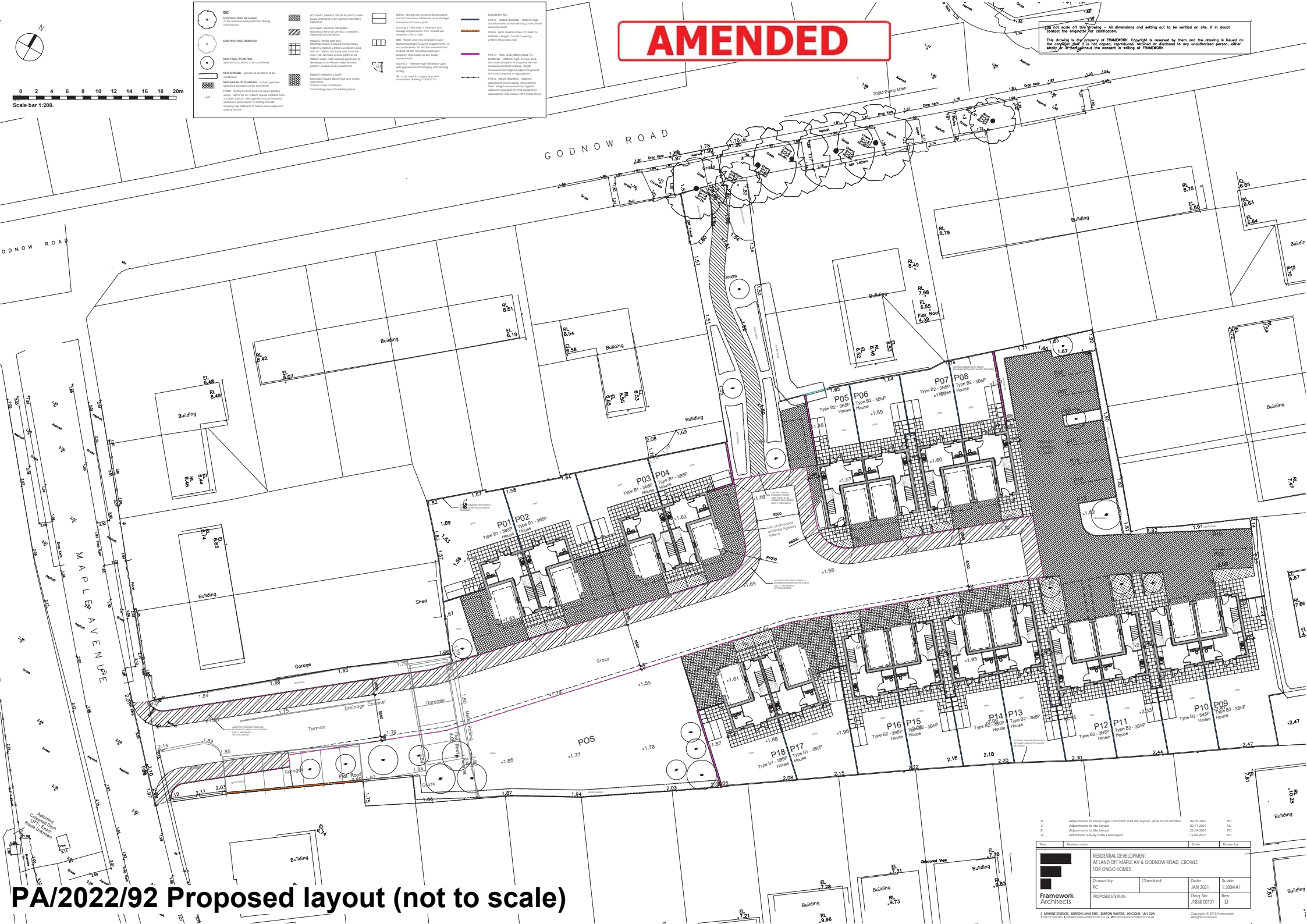
NEW SIGNAGE
 NEW SIGNAGE

NEW FURNITURE
 NEW FURNITURE

NEW PLANTING
 NEW PLANTING

0 2 4 6 8 10 12 14 16 18 20m

Scale bar 1:200.



PA/2022/92 Proposed layout (not to scale)

Rev	Revision notes	Date	Drawn by
D	Adjustments to house types roof form and site layout, grade 19.20 amended	04.09.2022	PC
C	Adjustments to site layout	02.11.2021	MR
B	Adjustments to site layout	28.09.2021	PC
A	Additional Survey Data Downloaded	19.04.2021	PC

RESIDENTIAL DEVELOPMENT
 AT LAND OFF MAPLE AV & GODNOW ROAD, CROWLE
 FOR ONCO HOMES

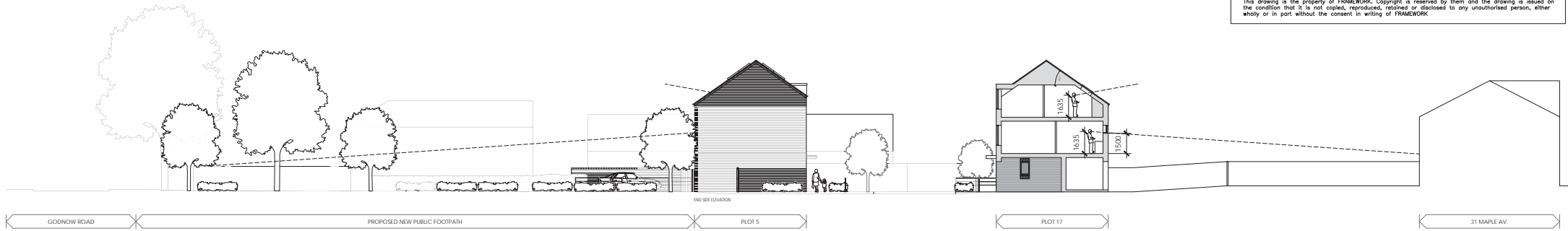
Drawn by: PC
 Checked: []
 Date: JAN 2021
 Scale: 1:2000 A1

PROPOSED SITE PLAN
 Drawn by: D
 Date: 18.08.00/01

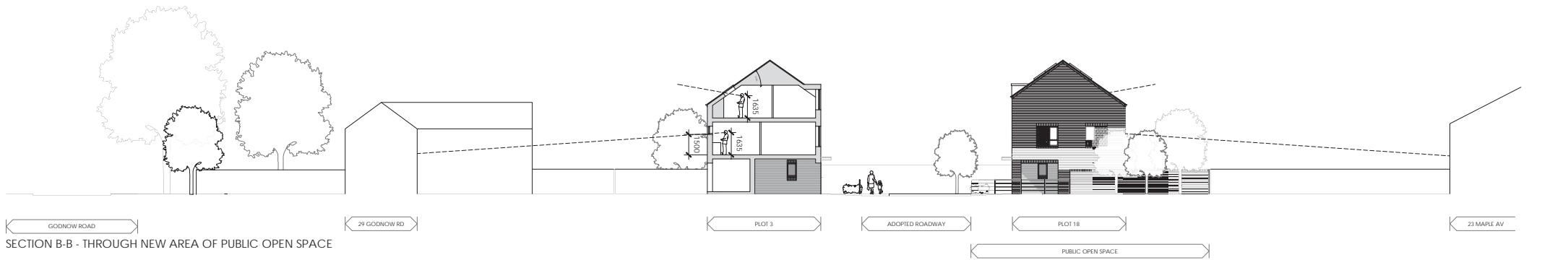
Framework Architects

AMENDED

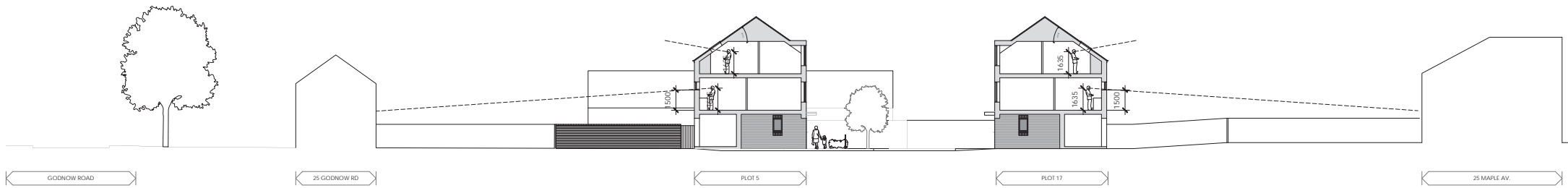
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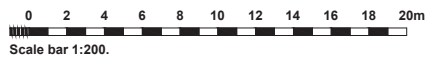
SECTION A-A - FOLLOWING PROPOSED NEW PUBLIC FOOTPATH




SECTION B-B - THROUGH NEW AREA OF PUBLIC OPEN SPACE



SECTION C-C



C	ADDITIONAL SECTIONS ADDED	23.05.2022	PC	
B	HOUSETYPE SECTION AMENDED	26.04.2022	PC	
A	HOUSETYPES AMENDED	13.04.2022	PC	
Rev	Revision note	Date	Drawn by	
 RESIDENTIAL DEVELOPMENT AT LAND OFF MAPLE AV & GODNOW ROAD, CROWLE FOR ONGO HOMES		Drawn by HU	Checked Date NOV 2021	Scale 1:200@A2
PROPOSED SITE ELEVATION		Dwg No J1838 00104	Rev C	

AMENDED

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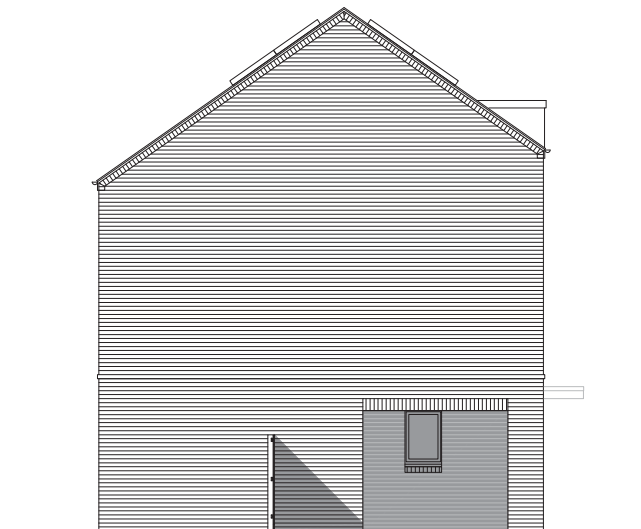
FRONT ELEVATION



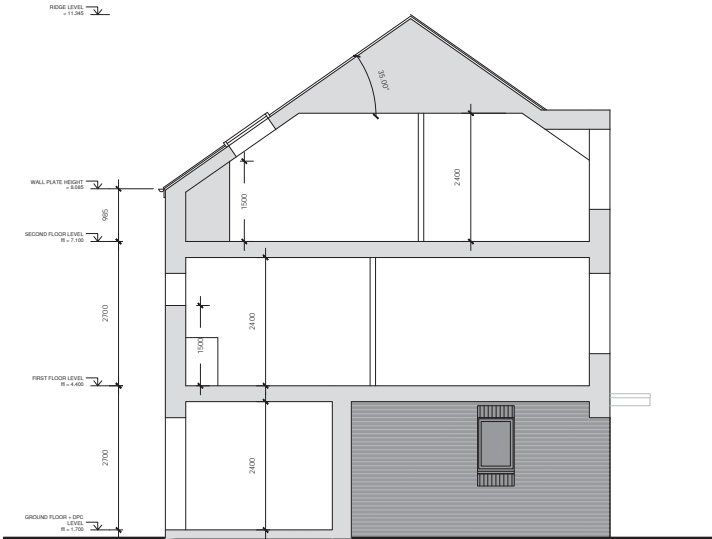
STANDARD SIDE ELEVATION



REAR ELEVATION



END SIDE ELEVATION



SECTION



SAMPLE IMAGE PROJECTING BRICK DETAIL PANELS

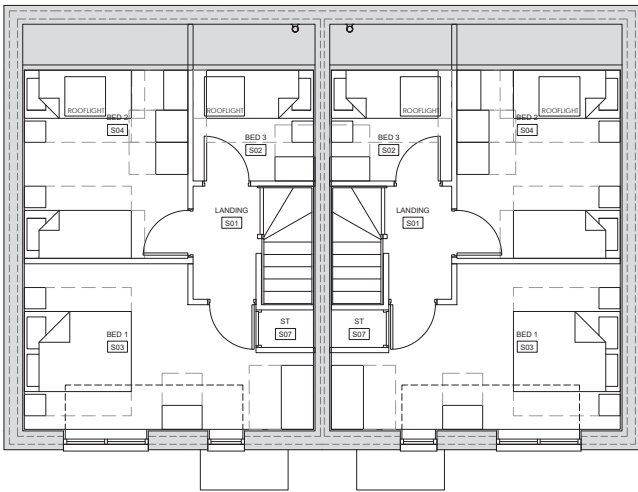
Rev	Revision note	Date	Drawn by
	RESIDENTIAL DEVELOPMENT LAND AT MAPE AV & GODNOW ROAD, CROWLE FOR ONGO HOMES		
	Drawn by PC	Checked	Date MAY22
	2% STOREY HOUSE - TYPE B1 3BSP UNIT - ELEVATIONS		Scale 1:100@A3
			Rev J1838 00046

PA/2022/92 House type B1 floor plans (not to scale)

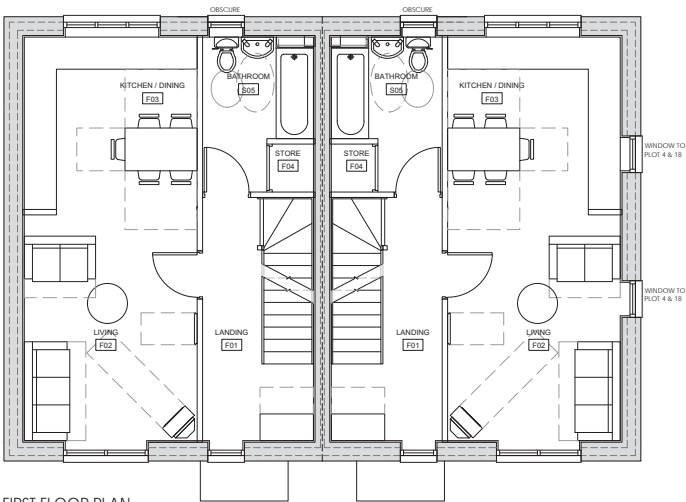
Do not scale off this drawing – All dimensions and setting out to be verified on site. If in doubt contact the originator for clarification.

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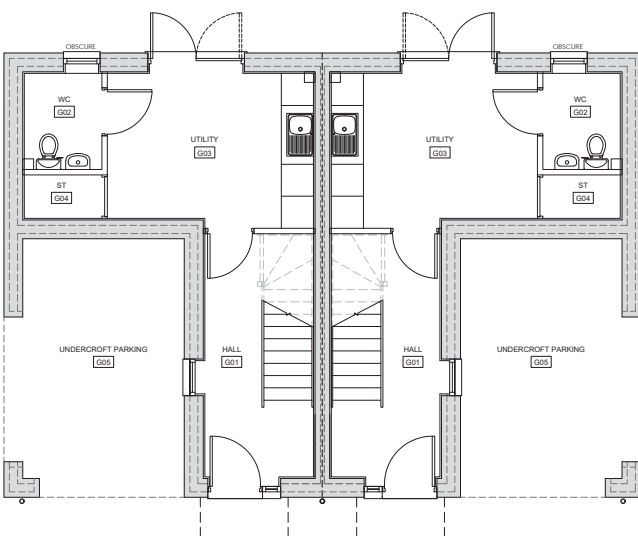
AMENDED



SECOND FLOOR PLAN



FIRST FLOOR PLAN



GROUND FLOOR PLAN

TYPE B1 - 2 1/2 STOREY HOUSE
3-BEDROOM/5-PERSON
101.67m²



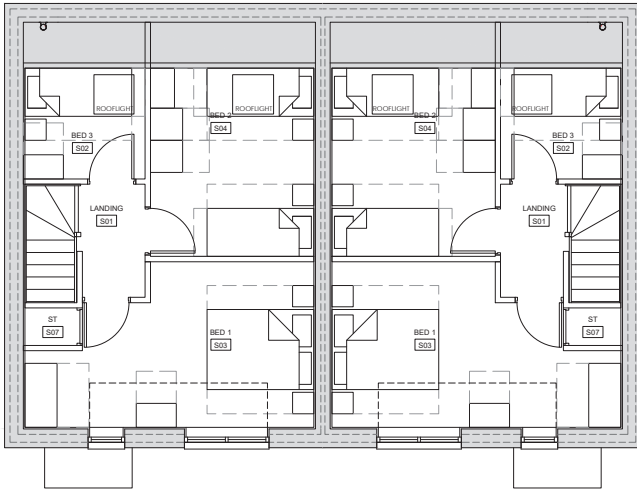
Rev	Revision note	Date	Drawn by
	RESIDENTIAL DEVELOPMENT LAND AT MAPE AV & GODNOW ROAD, CROWLE FOR ONGO HOMES		
	Drawn by PC	Checked	Date MAY '22
	2 1/2 STOREY HOUSE - TYPE B1 3B5P UNIT		Scale 1:100@A3
			Rev J1838 00045

PA/2022/92 House type B2 floor plans (not to scale)

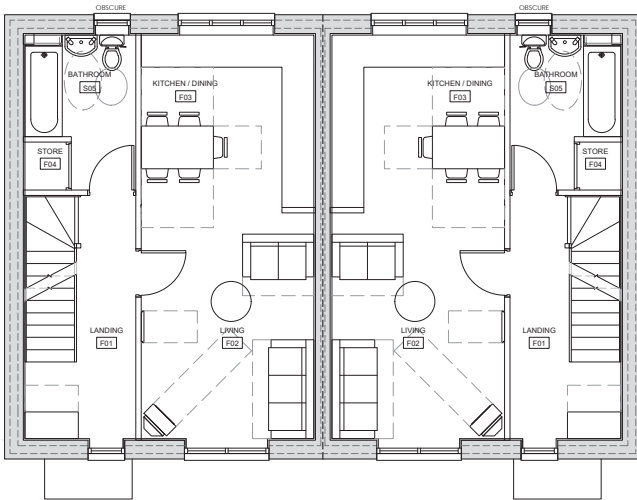
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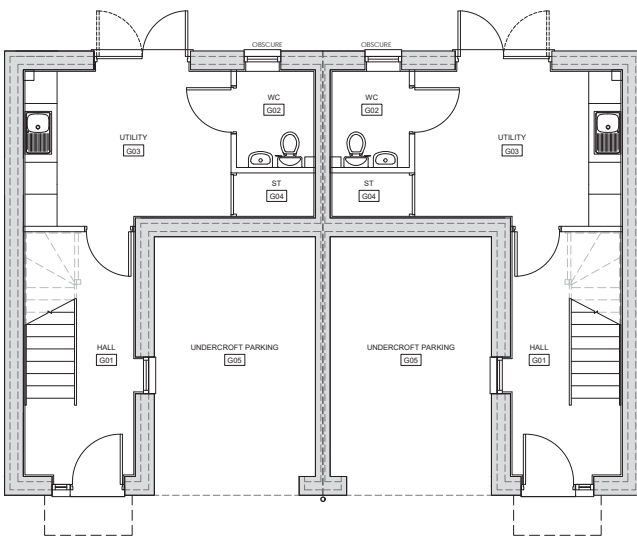
AMENDED



SECOND FLOOR PLAN



FIRST FLOOR PLAN



GROUND FLOOR PLAN

TYPE B2 - 2 1/2 STOREY HOUSE
3-BEDROOM/5-PERSON
101.67m²



Rev	Revision note	Date	Drawn by
	RESIDENTIAL DEVELOPMENT LAND AT MAPE AV & GODNOW ROAD, CROWLE FOR ONGO HOMES		
	Drawn by PC	Checked	Date MAY22
	2 1/2 STOREY HOUSE - TYPE B2 3B5P UNIT	Dwg No J1838 00047	Scale 1:100@A3
	Framework Architects		Rev