

APPLICATION NO PA/2021/1954

APPLICANT Messrs Walter & Huddart

DEVELOPMENT Planning permission to extend existing pond and site a shower/WC cabin

LOCATION Langholme Lake, Langholme Lane, Westwoodside, Haxey, DN9 2EU

PARISH Haxey

WARD Axholme South

CASE OFFICER Rebecca Leggott

SUMMARY RECOMMENDATION Grant permission subject to conditions

REASONS FOR REFERENCE TO COMMITTEE Objection by Haxey Parish Council

POLICIES

National Planning Policy Framework:

Chapter 2: Achieving sustainable development

Chapter 4: Decision-making

Chapter 8: Promoting healthy and safe communities

Chapter 9: Promoting sustainable transport

Chapter 11: Making effective use of land

Chapter 12: Achieving well-designed places

Chapter 15: Conserving and enhancing the natural environment

North Lincolnshire Local Plan:

Policy T1: Location of Development

Policy T2: Access to Development

Policy T6: Pedestrian Routes and Footpaths

Policy T19: Car Parking Provision and Standards

Policy RD2: Development in the Open Countryside

Policy RD5: Alternative Uses of Industrial and Commercial Sites in the Open Countryside

Policy RD7: Agriculture, Forestry and Farm Diversification

Policy R13: Tourism

Policy LC3: Local Nature Reserves

Policy LC5: Species Protection

Policy LC12: Protection of Trees, Woodland and Hedgerows

Policy M2: Secondary Aggregates and Recycles Materials

Policy DS1: General Requirements

Policy DS7: Contaminated Land

Policy DS14: Foul Sewage and Surface Water Drainage

Policy DS16: Flood Risk

North Lincolnshire Core Strategy:

Policy CS1: Spatial Strategy for North Lincolnshire

Policy CS2: Delivering more Sustainable Development

Policy CS3: Development Limits

Policy CS5: Delivering Quality Design in North Lincolnshire

Policy CS11: Provision and Distribution of Employment Land

Policy CS15: Culture and Tourism

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

Policy CS17: Biodiversity

Policy CS18: Sustainable Resource Use and Climate Change

Policy CS19: Flood Risk

Housing and Employment Land Allocations DPD:

Policy PS1: Presumption in Favour of Sustainable Development

CONSULTATIONS

Environment Agency: No objections subject to a condition requiring compliance with the submitted Flood Risk Assessment.

Following the submission of an amended site plan, the EA have further advised that, due to a change in ground levels, reference to 'at approximately 3.00m AOD' from the EA's recommended condition, should be omitted to prevent any potential inconsistency.

Historic Environment Record: Initially, had no objections in principle subject to pre-commencement conditions relating to an archaeological mitigation strategy, archaeological works, site investigation and post site investigation assessment, and copies of all reports being supplied to the Historic Environment Record.

Following the submission of a written scheme of investigation (WSI) further comments have been sought from the Historic Environment Officer. In summary, no objections have been raised and no conditions suggested.

Humberside Fire and Rescue: No objections to the proposed development in principle.

Ecology: Objects to the proposed development.

Response 10/01/2022:

- More detailed measures may be required covering the operation of the site as a sand quarry. For example, birds such as kingfisher and sand martin may nest in exposed sand faces and need to be taken into account. Wading birds may also nest in sand quarries.
- The loss of lowland dry acid grassland. It is noted that new local plan policy DQE3 has been quoted; however, this is premature of the new local plan being submitted for examination or adopted.
- The introduction of fish and ornamental plants appears to have led to the accidental introduction of New Zealand Pigmyweed – an invasive non-native species that, by law, must not be allowed to spread in the wild.
- The proposals would represent a net loss in biodiversity.

The application site lies within the 'remaining areas of ecological value' identified in the adopted Landscape Character Assessment and Guidelines.

Further to the above, the council's ecologist advised at pre-application stage that the proposals were considered to require an environmental impact assessment (EIA). It is noted that the proposals have been reduced within this application. However, EIA should still be considered.

Response 06/04/2022:

Following the submission of additional information, further comments have been sought from the ecologist. In summary, objections have still been raised and the comments state that an EIA is still potentially required. This is due to concerns over the following:

- The proposal would impact an identified 'remaining area of ecological value' and would require a landscape assessment.
- Appropriate recommendations have been provided to minimise the potential for harm to protected and priority species during site clearance. However, more detailed measures may be required covering the operation of the site as a sand quarry.
- Non-native New Zealand Pigmyweed must not be allowed to spread in the wild and requires treatment.

- The site has importance for lowland dry acid grassland priority habitat and birch/oak woodland.
- Parts of the site qualify as a Local Wildlife Site.
- The applicant has now submitted a biodiversity metric calculation which depends upon the new lake achieving moderate habitat condition and the enhancement of significant areas of acid grassland and broadleaved woodland.
- Extreme care is required to avoid harm to existing habitats and species and to achieve a net gain in biodiversity.
- Detailed planning conditions will be required.

Further to the above, the ecologist has advised that if permission were to be granted conditions would be required relating to the submission of, and compliance with, an extraction phase management plan, and the submission of, and compliance with, a biodiversity management plan.

Doncaster East Internal Drainage Board: No objections.

Natural England: No comments to make.

Lincolnshire Wildlife Trust: Objects to the proposed development due to concerns that the proposals will have an adverse impact on ecological networks and biodiversity, both on site and in North Lincolnshire.

However, they advise, should permission be granted, that a full biodiversity enhancement and management plan is required, which includes the construction period and subsequent management and monitoring for the term of the biodiversity net gain period (usually 30 years).

Network Rail: No objections.

Environmental Protection: No objections subject to a condition relating to the reporting of unexpected contamination.

Humberside Police: No objections.

Drainage (Lead Local Flood Authority): No objections subject to conditions relating to compliance with the submitted flood risk assessment and drainage scheme.

Tree Officer: No objections.

Highways: No objections.

PARISH COUNCIL

Objects to the proposed development due to concerns that the shower block proposes a new building within the open countryside and relating to waste disposal. Also note that the council's ecologist has raised objections unless significant biodiversity enhancements are carried out.

PUBLICITY

Advertised by site notice. No responses received.

STATEMENT OF COMMUNITY INVOLVEMENT

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

ASSESSMENT

Planning history

2/1980/0385: Section 53 determination for proposed sand extraction – not required
05/08/1980

MIN/1999/0660: Application for determination of conditions for mineral site under
Environment Act 1995 – deemed approval 08/09/1999.

Site characteristics

The application site is outside of any defined development limits and is therefore within the open countryside. It is also within Flood Zone 3 (North and North East Lincolnshire SFRA 2011) and within an area of woodland. To the north of the site is the railway and the Warping Drain; to the east is Langholme land and open fields; to the south is Langholme, which is a local nature reserve; and to the west are open fields. The site is currently used as recreational fishing lakes.

Proposal

Planning permission is sought to extend the existing pond and site a shower/WC cabin. The application originally included two shower blocks. However, following discussions with the agent and applicant, this has been reduced to one.

The main issues in the determination of this application are:

- **principle of development**
- **design and impact on the character and form of the area**
- **impact on residential amenity**
- **impact on highway safety**
- **flood risk and drainage**
- **contaminated land**
- **nature conservation and protected species**
- **planning obligations.**

Principle of development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. In this instance the development plan consists of the 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).

Policy RD2 of the North Lincolnshire Local Plan states that planning permission will be granted for the following types of development: employment-related development appropriate to the open countryside, essential for the provision of outdoor sport, countryside recreation or local community facilities. This is subject to a number of criteria.

Policy CS1 of the North Lincolnshire Core Strategy sets out the overarching spatial strategy for North Lincolnshire, stating that, in the open countryside, ‘...support will be given to development that promotes rural economic diversification and small-scale employment opportunities, particularly on previously used land or in existing rural buildings. Tourism development will also be supported, in particular the development of green tourism making the most of the area’s important natural and built environments.’

Policy CS2 of the North Lincolnshire Core Strategy sets out that in the open countryside 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 reiterates this.

Policy CS11 of the North Lincolnshire Core Strategy supports development or activities that assist in rural regeneration and that strengthen or diversify rural businesses.

Policy CS15 of the North Lincolnshire Core Strategy states, ‘Existing tourist facilities and infrastructure will be protected and enhanced and the development and promotion of sustainable tourism focusing on the area’s natural and built assets will be supported.’

Policy CS16 of the North Lincolnshire Core Strategy states, ‘The council will protect, enhance and support a diverse and multi-functional network of landscape, greenspace and waterscape.’

The proposals are for the expansion of an existing rural business by extending an existing pond and siting a shower/WC cabin. This would comply with the types of development set out within policy RD2, as it would be for employment-related development appropriate to the open countryside and countryside recreation. Therefore, the proposals are considered to be acceptable in principle in accordance with policy RD2 of the North Lincolnshire Local Plan and policies CS1, CS2, CS11, CS15 and CS16 of the North Lincolnshire Core Strategy. However, proposals that are acceptable in principle are still required to meet all the relevant local and national policy tests.

The impact on the acknowledged interests against the above policy tests is considered in the following sections.

Design and impact on the character and appearance of the area

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

The site is outside of any defined development limits and is therefore within the open countryside. However, it is well screened by thick vegetation, including a number of large specimen trees.

The proposals would involve the creation of an additional smaller lake and the siting of a single-storey amenity block measuring 5.48 metres wide by 3.66 metres deep, with a flat roof. No details have been provided of materials for the amenity block; however, a condition requiring such details to be submitted for approval could reasonably be attached to any permission granted.

In terms of appearance and scale of the proposed building, it would be relatively small in footprint. Due to its position well within the existing site, and given the site itself is well screened, it is not considered that the new building would have a significant adverse impact on the character or appearance of the surrounding rural area. Furthermore, having regard to the context of the site, it is not considered that the proposal would be unduly visually intrusive within the open countryside.

In terms of landscaping and boundary treatments, it is considered the existing boundary treatments are sufficient.

On balance, it is considered that the proposal would be acceptable in terms of impacts on the character and appearance of the area. Therefore, the proposals accord with policy RD2 of the North Lincolnshire Local Plan, CS5 of the Core Strategy and the relevant policies contained within the NPPF.

Impact on residential amenity

Policy DS1 of the North Lincolnshire Local Plan is partly concerned with impacts upon residential amenity and states, ‘no unacceptable loss of amenity to neighbouring land uses should result in terms of noise, smell, fumes, dust or other nuisance, or through the effects of overlooking or overshadowing.’

Due to the massing, separation distances and orientation of the proposed building, the proposals are not considered to have any impacts on surrounding properties by reason of overlooking or overshadowing.

The proposals may introduce more people and movement to the area; however, the proposals are for the expansion of an existing rural business, which is supported by policies CS11 of the Core Strategy and paragraph 84 of the NPPF.

Furthermore, comments have been sought from the Environmental Protection team who have raised no objections nor requested conditions in respect of residential amenity.

Overall, the proposals are not considered to have any adverse impacts on the residential amenity of neighbouring properties. Therefore, they accord with policies DS1 and RD2 of the North Lincolnshire Local Plan and the relevant policies contained within the NPPF.

Highway safety

Policy T1 of the North Lincolnshire Local Plan is concerned with the location of development and aligns with the spatial strategy of the Core Strategy. Policy T2 states that all proposals should be provided with a satisfactory access.

Policy CS19 of the Core Strategy relates to car parking provision and standards, and in summary requires developments which result in additional parking needs to incorporate proposals to fully meet that demand.

Policy CS25 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 council's Highways department has been consulted and does not object to the proposed development, nor have any conditions been suggested. The proposals are for the expansion of an existing business which already benefits from an existing access and ample space within an existing clearing on site for car parking.

Overall, it is considered that the proposal is in accordance with policies T1 and T2 of the North Lincolnshire Local Plan, and policies CS19 and CS25 of the Core Strategy.

Flood risk and drainage

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

Policy CS18 of the Core Strategy states, 'The council will actively promote development that utilises natural resources as efficiently and sustainably as possible.'

Policy CS19 (this policy sits alongside DS16 of the local plan) is concerned with flood risk and states that the council will support development proposals that avoid areas of current or future flood risk, and which do not increase the risk of flooding elsewhere. This will involve a risk-based sequential approach to determine the suitability of land for development that uses the principle of locating development, where possible, on land that has a lower flood risk, and relates land use to its vulnerability to flood.

The site is within Flood Zone 3 of the North Lincolnshire Strategic Flood Risk Assessment. The proposal is for 'less vulnerable' development. Given the proposals are within Flood Zone 3 and the proposals are for water-compatible development, no sequential or exceptions test is required. Therefore, the proposals are acceptable in terms of flood risk.

It is noted that a drainage strategy has been submitted with the application. This states that the applicant intends to use a treatment plant for foul water drainage and existing water courses for surface water drainage.

Comments have been sought from the LLFA, Anglian Water and the Environment Agency. None of the aforementioned consultees have raised objections subject to a number of standard conditions.

Therefore, the proposals are 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.

Contaminated land

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.

Paragraph 178 of the NPPF states that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination.

The application form states that the site is not known to be contaminated. Comments have been sought from the Environmental Protection team who raise no objections in respect of contaminated land subject to a condition relating to unexpected contamination.

Having regard to the above, it is considered there is limited potential for contamination to be present at the site. Subject to the aforementioned condition, the proposal is in accordance with policies DS7 of the Core Strategy and paragraph 178 of the NPPF.

Nature conservation and protected species

Policy CS17 of the North Lincolnshire Core Strategy, as well as paragraph 170 of the NPPF, relates to biodiversity. Paragraph 174 states, in part, that a net gain for biodiversity should be achieved.

Paragraph 180(a) of the NPPF states, 'if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.'

Protected species include those protected under the 1981 Wildlife and Countryside Act and the Conservation of Habitats and Species Regulations 2017. The presence of protected species is a material planning consideration.

Whilst the application site is not designated for nature conservation, the site is within proximity of Langholme Wood, a local nature reserve. However, the site is over 200 metres away with the existing man-made fishing lake between the two sites creating a buffer. A Preliminary Ecological Appraisal has been submitted with the application.

Comments have been sought from the council's ecologist. In summary, despite additional information being provided by the planning agent, an objection has been maintained. There are a number of reasons for this, including additional information being required should the proposals relate to a sand quarry. However, following discussions with the agent and the applicant, there is no intention to run the site as a sand quarry. Furthermore, this is not proposed within the application and permission would be required separately for this.

Therefore, officers can only assess the proposals being applied for: a new fishing lake and the siting of an amenity block. Concerns have also been raised around the site achieving biodiversity net gain. However, the information provided states that the proposals are able to meet biodiversity net gain and this can be secured by condition. A number of other concerns have been raised; however, these can be dealt with by condition, including a scheme of landscaping, measures to minimise harm to protected and priority species, and measures to contain the non-native New Zealand Pigmyweed. Furthermore, the conditions recommended by the council's ecologist are considered reasonable.

In respect of whether the proposals amount to EIA development, the proposals are for an expansion to an existing fishing lake and do not fall within any of the relevant sections requiring a screening opinion. Therefore, based on the proposals within this application, it is not considered that the proposed development constitutes EIA development.

The proposals would expand an existing business and provide enhancements to biodiversity on the site. Whilst it is noted there may be some limited harm to nature conservation within the site, the proposals will provide an overall biodiversity net gain once complete.

The proposed development is not considered to amount to significant harm so as to warrant refusal of this application. Subject to the aforementioned conditions, the proposals are acceptable in respect of nature conservation and protected species. Therefore, the proposed scheme accords with policy CS17 of the North Lincolnshire Core Strategy and paragraph 180 of the NPPF.

Archaeology

Policy HE9 of the North Lincolnshire Local Plan is relevant and states, 'Sites of known archaeological importance will be protected. When development affecting such sites is acceptable in principle, mitigation of damage must be ensured and the preservation of the remains in situ is a preferred solution. When in situ preservation is not justified, the developer will be required to make adequate provision for excavation and recording before and during development.'

A Design and Access Statement and a Heritage Statement have been submitted with the application.

Comments have been sought from the Historic Environment Officer, who initially raised a holding objection with a request for additional information. Following discussions with the agent, additional information was provided. This included a report of the archaeological field evaluation which detailed the results of two trial test pits. These results indicate that the potential for the presence of as yet unrecorded archaeological remains for the site is low. Updated comments were sought from the Historic Environment Officer who confirmed that the additional information provided is sufficient and no further work or conditions are required.

Overall, the proposed development is not considered to have any adverse impacts on archaeology. Therefore, the proposed scheme accords with policy HE9 of the North Lincolnshire Local Plan and the relevant policies contained within the NPPF.

Conclusion

Planning permission is sought to extend an existing pond and site a shower/WC cabin. The application is acceptable in principle and in respect of design and impact on the character and appearance of the area, impact on residential amenity, impact on highway safety, flood risk and drainage, contaminated land, and nature conservation and protected species, and is therefore recommended for approval subject to the conditions outlined in this report. The pre-commencement conditions set out below 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 and documents:

- Proposed Site Plan Langholme Lane Haxey – LILA 011
- Location Plan Langholme Lane Haxey – LILA 010
- Lake Detailed Cross Section View – LILA 003
- Proposed Porta Cabin Shower/Toilet Block Langholme Lane Haxey – LILA 007
- Archaeological Test Pit Evaluation 04/05/2022
- Biodiversity Metric 3 – received 13/01/2022
- Biodiversity Assessment – January 2022
- Sustainable Drainage Statement – October 2021 (notwithstanding the proposed site plans)
- Heritage Statement – 13th October 2021 (notwithstanding the proposed site plans)
- Protocol for Addressing Previously Unidentified ‘Hotspots’ of Contamination
- Preliminary Ecological Appraisal – October 2021
- Flood Risk Assessment – October 2021 (notwithstanding the proposed site plans)
- Design and Access Statement – October 2021.

Reason

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

3.

Prior to any works above slab level, details of all external materials to be used in the construction of the amenity block shall be submitted to and agreed in writing with the local planning authority.

Reason

To protect the character and appearance of the area.

4.

No development shall take place (including ground works and vegetation clearance) until an extraction phase environmental management plan (EPEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The EPEMP: (Biodiversity) shall include the following:

- (a) risk assessment of potentially damaging construction activities, including the spread of invasive non-native species and harm to protected and priority species and habitats
- (b) the identification of 'biodiversity protection zones'
- (c) practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during extraction
- (d) the location and timing of sensitive works to avoid harm to biodiversity features
- (e) the times during construction when specialist ecologists need to be present on site to oversee works
- (f) responsible persons and lines of communication
- (g) the role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person
- (h) use of protective fences, exclusion barriers and warning signs.

Reason

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

5.

The approved extraction phase environmental management plan (EPEMP: Biodiversity) shall be adhered to and implemented throughout the extraction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason

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

6.

Within three months of the grant of permission, a biodiversity management plan shall be submitted to and approved in writing by the local planning authority. The plan shall cover

the areas within the red and blue line boundaries of the submitted location plan and shall include:

- (a) a description and evaluation of features to be enhanced, created and/or managed, including:
 - (i) broadleaved woodland;
 - (ii) ornamental lake;
 - (iii) wetlands and wetland margins;
 - (iv) existing acid grassland of Local Wildlife Site quality;
 - (v) enhanced acid grassland;
 - (vi) habitat for reptiles;
 - (vii) bat boxes and nest boxes in retained trees;
- (b) ecological trends and constraints on site that might influence management, including invasive non-native species;
- (c) aims and objectives of management;
- (d) appropriate management options for achieving aims and objectives;
- (e) prescriptions for management actions;
- (f) preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
- (g) details of the body or organisation responsible for implementation of the plan;
- (h) ongoing monitoring and remedial measures;
- (i) proposals for the updating and implementation of the plan over a 30-year period.

Reason

To conserve and enhance biodiversity in accordance with policies CS5 and CS17 of the Core Strategy and saved Policy LC6 of the Local Plan.

7.

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. 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 five years after the commencement of development and at five-yearly intervals thereafter for a period of 30 years.

Reason

To conserve and enhance biodiversity in accordance with policies CS5, CS17 and CS21 of the Core Strategy, and saved policy LC6 of the North Lincolnshire Local Plan.

8.

The development shall be carried out in accordance with the submitted flood risk assessment (LLL-FRA-0001.F01.00 by Paul Hands Consulting Ltd) and the following mitigation measures it details:

- finished floor levels to be set at least 0.6m above adjacent ground level
- appropriate flood resilience and resistance measures as described to a height of at least 3.6m above Ordnance Datum (AOD).

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 of flooding to the proposed development and future occupants.

9.

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

10.

The development shall be carried out in accordance with the submitted Flood Risk Assessment submitted by Paul Hands, Ref: LLL-FRA-001.F01.00, Job No: 21064, Dated: October 2021 (Drainage Strategy yet to be provided). The development lies within an area identified as at risk of localised flooding and the design should fully consider working adjacent to the railway line to the north and potential displacement of groundwater whilst constructing the ponds.

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.

11.

The drainage scheme shall be implemented in accordance with the approved submitted details required by condition 10 above, completed prior to the occupation of any dwelling or building within each phase or sub-phase of the development on site, and thereafter retained

and maintained in accordance with the scheme for the life of the development unless otherwise agreed in writing with the local planning authority.

Reason

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

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

Ecology and Legal Protection

Bats:

All species of bat are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of The Conservation of Habitats and Species Regulations 2010 making all species of bat European Protected Species. Details of the legislation can be found at:

- Wildlife and Countryside Act:

<http://www.legislation.gov.uk/ukpga/1981/69/contents>

- The Countryside and Rights of Way Act:

http://www.opsi.gov.uk/acts/acts2000/ukpga_20000037_en_7#pt3-pb8-l1g81

- The Conservation of Habitats and Species Regulations 2010:

http://www.opsi.gov.uk/si/si2010/uksi_20100490_en_1.

Nesting birds:

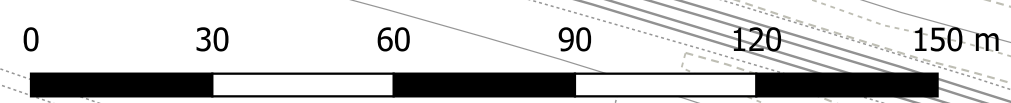
It is an offence under Section 1 of the Wildlife and Countryside Act of 1981(WCA 1981) to intentionally take, damage or destroy the nest of any wild bird while it is use or being built. The WCA 1981 also provides that all wild birds and their eggs are protected and cannot be killed or taken except under licence.

Reptiles:

The adder, common lizard, grass snake and slow worm are protected against intentional killing or injuring under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended).

Badgers:

Planning Circular 06/2005 states, 'The likelihood of disturbing a badger sett, or adversely affecting badgers' foraging territory, or links between them, or significantly increasing the likelihood of road or rail casualties amongst badger populations, are capable of being material considerations in planning decisions.'

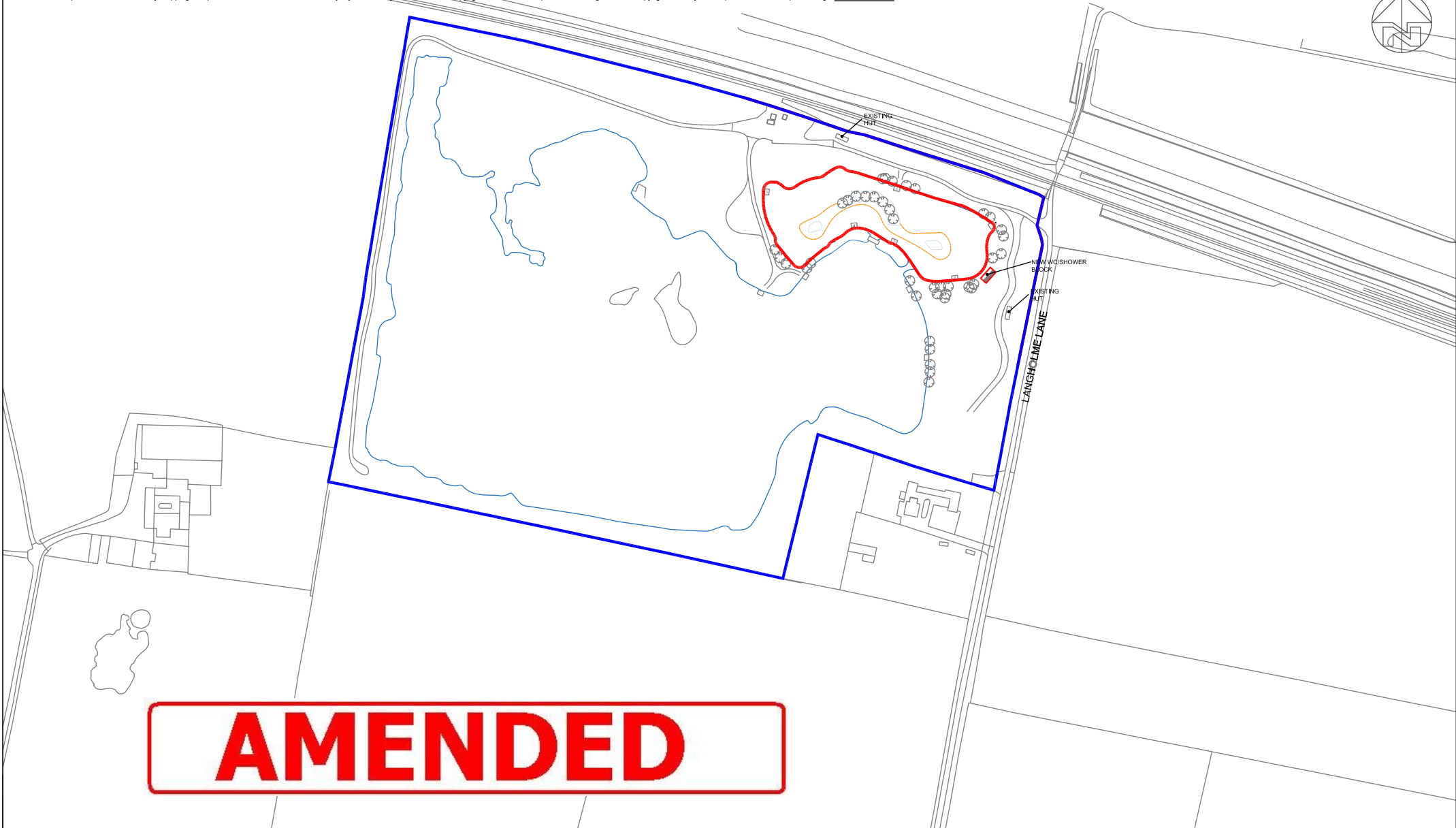


**North
Lincolnshire
Council**

PA/2021/1954

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AMENDED

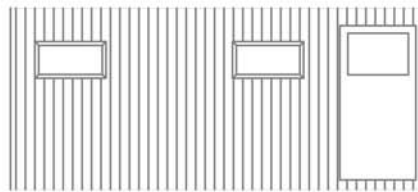
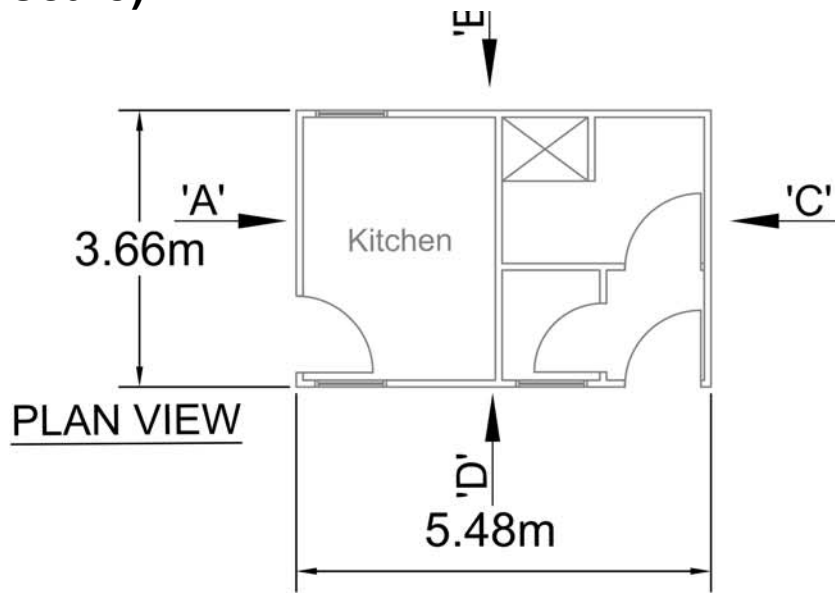
PA/2021/1954 Proposed layout (not to scale)

Drawing Title		
PROPOSED SITE PLAN LANGHOLME LANE HAXEY		
Ref:	Scale @ A3	Date
LILA 011	1:2500	DEC/21

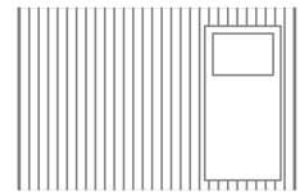
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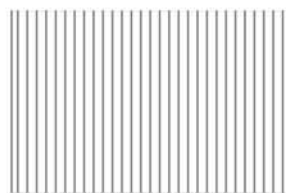
PA/2021/1954 Proposed cabin elevations & floor plan (not to scale)



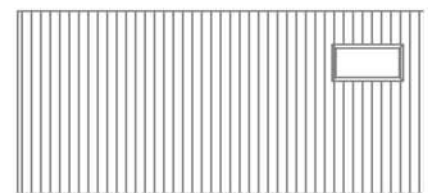
SIDE ELEVATION
VIEW ON 'D'



END ELEVATION
VIEW ON 'A'



END ELEVATION
VIEW ON 'C'



SIDE ELEVATION
VIEW ON 'B'

Drawing Title

PROPOSED PORTA CABIN
SHOWER/TOILET BLOCK
LANGHOLME LANE
HAXEY

Ref:

LILA 007

Scale @ A4

1:100

Date

NOV/21



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