

APPLICATION NO	PA/2022/1408
APPLICANT	Ben Bailey Homes
DEVELOPMENT	Outline planning permission for a residential development of up to 28 dwellings with appearance, landscaping, layout and scale reserved for subsequent consideration
LOCATION	Land rear of Southdown House, Grayingham Road, Kirton in Lindsey, DN21 4EL
PARISH	Kirton in Lindsey
WARD	Ridge
CASE OFFICER	Rebecca Leggott
SUMMARY RECOMMENDATION	Subject to a Section 106 agreement, grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Kirton in Lindsey Town Council

POLICIES

National Planning Policy Framework:

Chapter 2: Achieving sustainable development

Chapter 4: Decision-making

Chapter 5: Delivering a sufficient supply of homes

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 H5: New Housing Development

Policy H7: Backland and Tandem Development

Policy H8: Housing Design and Housing Mix

Policy H10: Public Open Space Provision in New Housing Development

Policy RD2: Development in the Open Countryside

Policy T1: Location of Development

Policy T2: Access to Development

Policy T6: Pedestrian Routes and Footpaths

Policy T19: Car Parking Provision and Standards

Policy R1: Protected Playing Fields

Policy C1: Educational Facilities

Policy LC5: Species Protection

Policy LC6: Habitat Creation

Policy LC7: Landscape Protection

Policy LC12: Protection of Trees, Woodland and Hedgerows

Policy HE9: Archaeological Excavation

Policy DS1: General Requirements

Policy DS7: Contaminated Land

Policy DS14: Foul Sewage and Surface Water Drainage

Policy DS16: Flood Risk

North Lincolnshire Core Strategy:

Policy CS1: Spatial Strategy for North Lincolnshire

Policy CS2: Delivering more Sustainable Development

Policy CS3: Development Limits

Policy CS5: Delivering Quality Design in North Lincolnshire

Policy CS7: Overall Housing Provision

Policy CS8: Spatial Distribution of Housing Sites

Policy 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

CONSULTATIONS

Archaeology: No objections subject to a number of standard conditions relating to mitigation, site investigation and reporting.

NHS: Request Section 106 funding be considered at a rate of £723.16 x 28 housing units = £20,248.48.

Environment Agency: No comments to make.

Environmental Protection: No objections to the proposed development in principle. However, a number of standard conditions have been advised.

Highways: No objections subject to a number of standard conditions. The following comments have also been provided:

'The size of this development will generate a minimal number of trips, which can easily be accommodated on the existing highway network. Whilst visibility splays can be demonstrated, it would be beneficial if the hedgerow across the frontage of Southdown House to the south of the site could be trimmed back to maximise visibility. I would also like to see the provision of crossing points as part of the site access to connect into the existing footways on the other side of Grayingham Road.'

LLFA Drainage: No objection subject to a number of standard conditions.

However, it is noted that agreement with third party land owners would also be required to enter their land to create or re-establish the existing watercourse network.

Humberside Fire and Rescue: No objections to the proposed development in principle, subject to adequate access for fire services and water supplies for fire-fighting.

Humberside Police: No objections.

S106 Officer: No objections to the proposed development in principle subject to the following heads of terms being agreed:

Affordable housing: 20% affordable housing equal to 6 dwellings on site

Education: £8,944 per dwelling excluding affordable products: 28 - 6 = 22 dwellings, 22 x £8,944 = £196,768. Updated response requesting £3,568 per open market dwelling, £78,496 in total (excluding affordable products)

Recreation:	A total contribution of £14,274
Open space:	Off-site contribution of £33,668 and an on-site contribution of 280m ² of informal open space is required on this site and would need to be maintained by a management company
Health:	A contribution of £723.16 per dwelling (excluding affordable): 28 - 6 = 22, 22 x £723.16 = £15,909.52.

Recycling Officer: No objections subject to a number of standard requirements in respect of bin types, refuse vehicle access, unadopted roads, pulling distances for residents and collection crews, and refuse and recycling storage.

TOWN COUNCIL

Objects to the proposed development due to concerns over the following:

- the location of the proposal outside the defined development limits
- contrary to the council's existing spatial strategy and five-year housing land supply
- flood risk and drainage
- insufficient information
- contamination
- loss of habitats and wildlife
- right to light
- highway safety and traffic generation, specifically given the site would only have one access
- contrary to the emerging local plan.

PUBLICITY

A site notice has been displayed resulting in 12 letters of objection, 2 letters of comment and 17 letters of support being received.

In summary, the objections raise the following:

- highway safety: increased traffic, concerns about access, speed limit and blind bends
- the previous application was refused – the objections raised then are still valid
- local infrastructure: school, doctors', parking, drainage
- the development is outside the development limits
- there are already a number of residential applications in the area

- flood risk and drainage
- impact on wildlife, including loss of hedgerows and impacts on local birds
- loss of privacy in respect of overlooking.

In summary, the letters of comment raise points regarding the following:

- impact on the highway – congestion should be addressed.

In summary, the letters of support make the following comments:

- need affordable housing
- the proposals will allow people to stay local
- reputable builder
- employment opportunities
- close to amenities
- well thought out development with a mix of housing
- well designed and in keeping with the area.

STATEMENT OF COMMUNITY INVOLVEMENT

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

ASSESSMENT

Planning history

The following planning history is considered to be relevant:

PA/2021/1788: Outline planning permission to erect up to 28 dwellings, with all matters other than means of access reserved for subsequent consideration—refused 05/05/2022 for the following reasons:

‘The site is outside the defined development limits of Kirton in Lindsey which is a Market Town as defined within the Core Strategy 2011. Therefore, the proposals are in breach of policies CS2, CS3 and CS8 of the Core Strategy and RD2 of the North Lincolnshire Local Plan. These policies are broadly consistent with the National Planning Policy Framework. As such, substantial weight has been given to the conflict with these policies. Overall, the proposals would conflict with the overall spatial strategy of the development plan.’

‘The proposals would cause harm to the character and appearance of the area. In this regard, they would conflict with the requirements of policies CS2 of the Core Strategy and RD2 of the local plan. These policies state that planning permission will only be granted for development provided

that it would not be detrimental to the character or appearance of the open countryside or a nearby settlement. These policies accord with paragraph 130 of the National Planning Policy Framework which requires developments to be sympathetic to local character, and the surrounding built environment and landscape setting. In this regard, the proposals would conflict with the relevant provisions of the Framework. Overall, the proposed development is not considered to be acceptable in terms of its impact on the character and appearance of the area and as such the proposals would be contrary to policies H5, RD2, LC7, LC12 and DS1 of the North Lincolnshire Local Plan and policy CS5 of the Core Strategy.'

PA/2019/1609: Outline planning permission to erect up to 12 dwellings with all matters reserved for subsequent approval – refused 06/01/2020 for the following reason:

'The proposal is located outside the confines of any defined settlement boundary and is therefore located within the open countryside. The introduction of an urban form that extends the built environment beyond the confines of the existing adopted settlement boundary is considered to be harmful to the character and appearance of the open countryside and represents a departure from the strategic policies of the council's local development framework and local plan. The proposal is contrary to the Core Strategy policies CS1, CS2, CS3 and CS8 and policy RD2 of the North Lincolnshire Local Plan.'

This decision was subsequently appealed and dismissed on 29/10/2020.

Site characteristics

The site is outside the defined development boundary of Kirton in Lindsey, which is defined as a market town within the Core Strategy, and within SFRA flood zone 1.

The site is within the open countryside to the south-west of Kirton in Lindsey. It is currently open fields with residential properties to the north and east, and further open fields to the south and west. The site is highly visible on the approach to Kirton in Lindsey from both Gainsborough Road and Grayingham Road.

Proposal

Outline planning permission is sought to erect 28 dwellings with appearance, landscaping, layout and scale reserved for subsequent consideration.

This application is a resubmission of a previously refused application on this site (PA/2021/1788). This was refused for the reasons set out within the planning history above. It should be noted that there are no changes to the submission documents.

A previous application on this site (PA/2019/1609) for outline planning permission to erect up to 12 dwellings, with all matters reserved for subsequent consideration, was refused and subsequently dismissed at appeal. It was refused on the grounds that the proposals were unacceptable in principle. Furthermore, through the appeal, it was noted that the proposals would also have an unacceptable impact on the character and appearance of the area and concerns were raised over the lack of affordable housing.

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**
- **other issues.**

Principle

The majority of the application site is outside of any defined settlement boundary (with the exception of the access point) and the proposal would represent a departure from the development plan for North Lincolnshire. In determining whether the principle of residential development outside the settlement boundary is acceptable, it is necessary to consider whether the proposed development is sustainable in planning policy terms.

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

Policy CS8 deals with the distribution of housing sites and prioritises development in Scunthorpe and the market towns and rural settlements to a lesser extent, with brownfield sites and sites within development boundaries being the primary focus. Policy CS8, whilst restricting housing outside development limits, contemplates some greenfield development as it refers to allowing development on such sites where it can be demonstrated that this would bring additional community benefits, contribute to building sustainable communities and be acceptable in terms of its impact on the high-quality environment and adjoining countryside. This overall approach is supported by policy CS2 which sets out a sequential approach for development.

Policy CS3 provides that development limits will be defined in future development plan documents. Outside these boundaries, development will be restricted to that which is essential to the functioning of the countryside. The development limits were subsequently defined in the HELA DPD, and the application site is located outside the designated development limit for Kirton in Lindsey.

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

Notwithstanding the development plan policies set out above, the NPPF is a material consideration when determining planning applications. Paragraph 10 of the NPPF states that, 'So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.' Paragraph 11(d) of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. Where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites, relevant policies which were most important to determining the application should not be considered up to date.

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

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

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

- (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

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

Economic

Investment in construction and related employment would represent a benefit whilst the dwellings and associated infrastructure were being constructed. The additional population would provide support to the local economy in terms of residents using the facilities, businesses and services located in Kirton in Lindsey. The proposed dwellings would also generate council tax revenue for the council.

Social

In terms of social benefits, the proposal would contribute to the council's housing land supply, and affordable housing would be provided on the site. A contribution towards education, recreation and health facilities in Kirton in Lindsey which would be required would also be a benefit.

Environmental

In terms of the environmental dimension, the proposal would result in biodiversity net gains on the site. Pedestrian and cycle paths would be provided within the development and pedestrian links could be provided onto Grayingham Road which in turn would provide pedestrian routes to the town centre area of Kirton in Lindsey. SuDs would be incorporated into the development. These are all benefits of the scheme. However, the application, whilst in outline form, would significantly alter the character and appearance of the countryside in this area, particularly given the scale of development proposed.

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

Kirton in Lindsey itself is identified as a market town by the Core Strategy and ranks 5th in the Sustainability Survey 2019. It contains all seven (the maximum) key facilities which include a primary and secondary school, doctor's surgery, convenience shops, public houses, and a community hall. It has good public transport links including a railway station and several bus services. These material factors, along with the holistic assessment, including technical analysis, will allow an assessment to be made of the sustainability of this proposed development.

The proposals are for outline permission to erect 28 dwellings. The inability to demonstrate a five-year supply of land for housing means that the council's planning policy relating to housing remains silent. There is clearly a balance to the decision and the proposal should be approved unless the adverse impacts 'significantly and demonstrably' outweigh the benefits. 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.

Design and impact on the character and form of the area

Policy RD2 of the North Lincolnshire Local Plan is concerned with development within the open countryside. The policy is in two parts: firstly, it sets out, in principle, those development types that are acceptable; and secondly, it sets out a criteria-based approach to assessing those developments. The second part is of interest here in that it seeks to ensure that the visual amenity of the countryside is not compromised by poor development. Paragraph 'c' of the policy states:

'...the development would not be detrimental to the character or appearance of the open countryside or a nearby settlement in terms of siting, scale, massing, design and use of materials;'

Policy CS5 of the Core Strategy is relevant and states, '...All new development in North Lincolnshire should be well designed and appropriate for their context. It should contribute to creating a sense of place' and 'Design which is inappropriate to the local area or fails to maximise opportunities for improving the character and quality of the area will not be acceptable.' Policies H5 and H8 the local plan, which are concerned with new housing development, and paragraph 130 of the NPPF, is relevant, though the criteria-based nature of policy H5 lends itself better to the assessment of any subsequent reserved matters application.

Policy LC7 of the local plan is relevant and states, 'Where development is permitted within rural settlements or within the open countryside, special attention will be given to the protection of the scenic quality and distinctive local character of the landscape. Development which does not respect the character of the local landscape will not be permitted.'

Policy LC12 of the local plan is relevant and states, 'Proposals for all new development will, wherever possible, ensure the retention of trees, woodland and hedgerows. Particular regard will be given to the protection of these features within the setting of settlements...'

The site is an open parcel of land which makes a positive contribution to the transitional landscape of this settlement edge. The proposal would be clearly visible from private views from nearby properties and the approaches into the settlement along Grayingham Road and Gainsborough Road. Moreover, it would be visible in some distant views from the B1206. In these views it would generally be seen in combination with the housing under construction, housing along Grayingham Road and a relatively large building in the adjacent parcel of land.

Whilst the details of the scheme, including landscaping, would be reserved matters, the development of the open parcel of land would result in an encroachment of built form within this transitional landscape. The erosion of this transitional landscape would result in harm to its character and appearance.

Comments have been sought from the Tree Officer who has raised objections to the proposed development due to insufficient information being provided. Further information has been provided by way of a report; however, having sought additional comments from the Tree Officer, this report is not considered to be sufficient. Information regarding the mature trees on site is required in the form of a BS5837:2012 arboricultural report to justify the loss of the trees on site. At present this lack of information conflicts with policy LC12 which emphasises the need to protect and enhance trees and hedgerow planting and improve the management of these valuable features.

Therefore, there would be harm to the character and appearance of the area. In this regard, the proposal would conflict with the requirements of policies CS2 of the Core Strategy and RD2 of the local plan. These policies state that planning permission will only be granted for development provided that it would not be detrimental to the character or appearance of the open countryside or a nearby settlement. These policies accord with paragraph 130 of the Framework which requires developments to be sympathetic to local character, and the

surrounding built environment and landscape setting. In this regard, the proposal would conflict with the relevant provisions of the Framework.

Overall, the proposals are considered to have some negative impacts on the character and appearance of the area. However, this harm would not amount to adverse impacts which would 'significantly and demonstrably' outweigh the benefits. Therefore, whilst the proposals would have a negative impact on the character and appearance of the area. This would not tip the planning balance so as to warrant refusal of the application.

Residential amenity

Policy DS1 of the local plan is relevant. At point iii) it states, 'No unacceptable loss of amenity to neighbouring land uses should result in terms of noise, smell, fumes, dust or other nuisances, or through the effects of overlooking or overshadowing.' Paragraph 130(f) of the NPPF similarly seeks to ensure that developments have a 'high standard of amenity'.

The key considerations in respect of residential amenity are considered to be the potential of the proposal to result in overlooking of neighbouring properties and overshadowing of neighbouring properties by virtue of the size, scale and massing of the development proposed.

The appearance, landscaping, layout and scale of the development is reserved for subsequent consideration at the reserved matters stage. However, having considered all relevant information, including the indicative layout plan, given the separation distances of the proposed dwellings and the surrounding properties, it is considered that the site could accommodate a residential development without resulting in adverse impacts on the residential amenities of neighbouring properties in terms of overlooking, overshadowing or being overbearing.

Having regard to the above, it is considered that an appropriate scheme could be achieved at the reserved matters stage which would not result in any significant detrimental impacts on the residential amenities of the occupiers of the existing or proposed dwellings. Therefore, the proposed development is considered acceptable in respect of residential amenity and accords with policy DS1 of the local plan.

Highway safety

Policy T2 of the North Lincolnshire Local Plan states that all development should be served by a satisfactory access; policy T19 is concerned with parking provision as well as general highway safety. Both policies are considered relevant. Policy CS25 of the Core Strategy promotes sustainable transport and is in two parts: firstly, it sets out to manage demand; and secondly, it seeks to manage the transport networks that serve North Lincolnshire's settlements.

The comments from neighbouring properties are noted regarding the impact of the proposals on highway safety.

The application seeks outline planning permission for a development with all matters reserved other than means of access. It is noted that an indicative layout plan has been provided.

Highways have been consulted and have no objections to the proposals in terms of highway safety, subject to conditions. The suggested conditions are considered to be reasonable.

The NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Having regard to the above, it is considered that the proposals would be acceptable in terms of highway safety and accord with policies T1, T2, T6 and T19 of the local plan and CS25 of the Core Strategy.

Flood risk and drainage

Policy DS16 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the Core Strategy, and paragraphs 155, 157, 163 and 165 of the NPPF are considered relevant.

The comments from neighbouring properties regarding the impact the proposals would have on flood risk and drainage are noted.

The application site is within SFRA Flood Zone 1. Paragraph 155 of the NPPF states that 'Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.'

The application form states that surface water will be disposed of via an existing water course and that foul water will be disposed of via mains sewers.

The LLFA, Anglian Water, JBA Consulting (IDB) and the EA have been consulted on the application. None of the aforementioned bodies have raised objections to the proposed development. The LLFA have advised a number of conditions should be attached. This is considered reasonable.

Having regard to the above, it is not considered that drainage would be a reason for refusal at this outline stage.

Archaeology

Core Strategy policy CS6 (Historic Environment) states, 'The council will seek to protect, conserve and enhance North Lincolnshire's historic environment as well as the character and setting of areas of acknowledged importance, including historic buildings, conservation areas, listed buildings (both statutory and locally listed), registered parks and gardens, scheduled ancient monuments and archaeological remains...' and 'Development proposals should provide archaeological assessments where appropriate.'

Policy HE9 of the 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.'

It is noted that a Design and Access Statement has been submitted; however, this make no reference to archaeology.

Comments have been sought from the Historic Environment Officer. In summary, no objections have been made to the proposed outline application in principle. However, it is noted that the site does have some potential for direct impacts on heritage assets dating from the Bronze Age and Roman period. The HER does not object to this application but does advise that appropriate mitigation measures to conserve the archaeological evidence of the site are adopted. Such measures should comprise a programme of monitoring, excavation and recording during the groundworks associated with the proposals, commonly known as a 'watching brief'. The archaeological fieldwork would be followed by post-excavation assessment, reporting, analysis and publication of any results, as required.

The appearance, landscaping, layout and scale of the proposals is reserved for subsequent consideration at the reserved matters stage. However, having considered all relevant information it is considered that the appropriate investigations and additional information could be requested via condition in order to inform a suitable scheme at reserved matters stage.

Protected species and conservation

Policy CS17 of the Core Strategy, as well as paragraph 170 of the NPPF are of relevance.

Paragraph 170(d) of the NPPF expresses support for, 'minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.' However, it is also noted that paragraph 170(f) of the NPPF is relevant in respect of contaminated land. This expresses support for 'remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.'

Paragraph 175(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.

Comments have been sought from the council's ecologist, However, no response has been received at this stage. In considering the previous application which was the original submission of this scheme the council's ecologist raised no objections subject to conditions securing biodiversity net gain on site. Therefore, it is considered reasonable to attach conditions requiring biodiversity net gain to any permission granted.

Having had regard to the above, it is not considered that protected species and conservation would be a reason for refusal at this outline stage.

Contamination and environmental issues

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 is supported by a planning application form and a Contaminated Land Investigation Report. It is noted that this report has been carried out on the premise that the proposals are for 31 dwellings. However, the report provides a satisfactory assessment of the overall use of residential on this site at this outline stage.

The planning application form sets out that the proposed use would be vulnerable to the presence of contamination, which is agreed as the proposed use of the site would be for residential purposes.

Comments have been sought from the Environmental Protection team who raise no objections subject to a number of standard conditions.

Having regard to the above, it is considered that there is limited potential for contamination to be present at the site, but it is not considered that the impact of land contamination would be a reason for refusal at this outline stage.

Affordable housing

Core Strategy Policy CS9 and the accompanying Affordable Housing Supplementary Planning Document (SPD) sets out the affordable housing policy context for North Lincolnshire.

Policy CS9 outlines that for schemes of 15 or more dwellings in the Scunthorpe urban area, 5 or more dwellings in market towns and 3 or more dwellings in rural settlements must make provision for an element of affordable housing. This policy seeks 20% affordable housing in Scunthorpe urban area and market towns and 10% affordable housing in rural settlements. Policy CS9 allows for off-site contributions where affordable units cannot reasonably be provided on site in line with criteria (a) and (b) of policy CS9.

This application proposes the erection of 28 dwellings outside the defined development limits of Kirton in Lindsey, which is a market town. As such 20% affordable housing is required on site.

The Design and Access Statement states that the development would consist of 28 dwellings comprising 25 four-bedroom detached and 3 two-bedroom affordable homes. However, the application form states that 23 units would be for market housing and 5 units would be for starter homes. Furthermore, no viability information has been provided to justify the lack of affordable units on site.

Comments have been sought from the S106 Officer who has confirmed that the 5 starter homes do not meet the 20% requirement for affordable housing.

Following discussions with the agent, the applicant confirmed that 6 affordable units could be provided as required. The 6 affordable units meets the 20% requirement for affordable units. Whilst it is noted that limited information has been provided in respect of the type of affordable units, the proposals are broadly compliant with policy CS9 of the Core Strategy.

Having had regard to the above, the proposals are considered to be acceptable in respect of affordable housing and accord with policy CS9 of the Core Strategy.

Planning obligations

Policy CS27 is concerned with planning obligations and states that where a development proposal generates an identified need for additional infrastructure, North Lincolnshire Council will, through the negotiation of planning obligations pursuant to Section 106 of the Town & Country Planning Act 1990 and in accordance with guidance set out in Circular 05/2005 (now contained within the CIL Regulations), 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 tests are also set out in planning policy under paragraph 56 of the National Planning Policy Framework 2019.

Education

Policy C1 states that where major new housing proposals would result in an increased demand for education facilities which cannot be met by existing schools and colleges, a developer may be required to enter into a planning obligation under Section 106 of the Town and Country Planning Act 1990, to secure the provision of, or contribution towards, new or extended facilities.

Education have raised no objection to the proposed development subject to a contribution from the developer of £78,496.

Recreation and open space

No response has been received from Recreation in respect of any required contributions for recreational open space. However, it is noted that a total contribution of £14,274 is required towards the anticipated costs, which are broken down as follows:

- £1,984 towards developing a new 3G artificial grass pitch to serve the locality
- £4,079 for improvements towards natural turf pitches at Klassic Park
- £8,247 for sports hall and fitness equipment to meet additional demand.

Furthermore, an off-site contribution of £33,668 is required for improvements towards recreation provision in Kirton in Lindsey. The area of informal open space on site required for a development of this size is 10m² per dwelling. Therefore, 280m² of informal open

space is required on this site which would need to be maintained by a management company.

Health

Health have requested a contribution of £723.16 per dwelling (excluding affordable): 28 - 6 = 22, 22 x £723.16 = £15,909.52.

Affordable housing – see above.

The heads of terms have been put to the applicant. The applicant has agreed all the requested S106 contributions required to mitigate the impacts of the development.

Conclusion

This application for outline planning permission to erect up to 28 dwellings, with all matters other than means of access reserved is unacceptable in respect of the principle of development, impact on the character and appearance of the area and open countryside.

Whilst the proposals would have some negative impacts on the character and appearance of the area, given the council's lack of a five-year housing land supply and therefore the tilted balance, these impacts on the character and appearance of the area do not warrant refusal of the application. Therefore, the proposals are considered to be acceptable in respect of residential amenity, highway safety, flood risk and drainage, contaminated land, affordable housing and planning obligations.

Heads of terms

Affordable housing

Number of dwellings or commuted sum	20% of development – 6 dwellings if 28 built
Trigger point	2 dwellings on occupation of the 5 th market dwelling 2 dwellings on occupation of the 15 th market dwelling 2 dwellings on occupation of the 20 th market dwelling
Tenure type	All 6 affordable dwellings as discounted market sale
How many years does the council require to spend the contribution?	Affordable units to be retained in perpetuity

Education

Education	£3,568 per market dwelling, £78,496 in total
Trigger point	30% on occupation of the 6 th dwelling 30% on occupation of the 12 th dwelling

	40% on occupation of the 20 th dwelling
How long the council has to spend the contribution	10 years

Off-site area of play

Off-site open space	£33,668 for improvements to play provision in Kirton in Lindsey
Trigger point	On occupation of the 16 th dwelling
How long the council has to spend the contribution	10 years

On-site open space

On-site open space	10sqm per dwelling
Trigger point	Open space to be laid prior to occupation of the 1 st dwelling
Management	Open space to be maintained by a management company

Recreation (leisure)

Recreation contribution	<p>A total contribution of £14,274 is required if this application is successful towards the anticipated costs, which are broken down as follows:</p> <ul style="list-style-type: none"> • £1,984 towards developing a new 3G artificial grass pitch to serve the locality • £4,079 for improvements towards natural turf pitches at Klassic Park • £8,247 for sports hall and fitness equipment to meet additional demand
Trigger point	On occupation of the 16 th dwelling
How long the council has to spend the contribution	10 years

Health

Health contribution	<p>£723.16 per dwelling (excluding affordable) towards Primary Care at Kirton in Lindsey Practice</p> <p>Total of £15,909.52</p>
Trigger point	On occupation of the 5 th dwelling

How long the council has to spend the contribution	10 years
----------------------------------------------------	----------

RECOMMENDATION

Subject to the completion of a formal agreement under Section 106 of the Town and Country Planning Act 1990 providing for affordable housing, education, off-site open space, on-site open space, recreation (leisure) and health, 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 2 April 2023 the Development Management Lead be authorised to refuse the application on grounds of no affordable housing and no recreational open space; and**
- (iv) the permission so granted be subject to the following conditions:**

1.

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

Reason

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

2.

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

Reason

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

3.

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

Reason

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

4.

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

Reason

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

5.

The development hereby permitted shall be carried out in accordance with the following approved plans: 021 / 031 / SLP – Site Location Plan.

Reason

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

6.

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

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

Reason

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

7.

The applicant shall notify the local planning authority in writing of the intention to commence the archaeological site works at least 7 days before commencement. Thereafter, the archaeological mitigation strategy shall be carried out in accordance with the approved details and timings. No variation shall take place without the prior written consent of the local planning authority.

Reason

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

8.

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

Reason

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

9.

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

Reason

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

10.

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

Reason

To protect human health.

11.

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

- 8am to 6pm Monday to Friday

- 8am to 1pm on Saturdays.

No construction, 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 the residential amenity of the occupiers of surrounding residential properties.

12.

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 and 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) the location of potential temporary floodlights;

- (iv) the 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 ensure the site is safe for future users and construction workers.

13.

No development shall begin until details of:

- (i) the layout, drainage, construction, services and lighting of the proposed access road, including the junction with Grayingham Road;
- (ii) the number and location of vehicle parking spaces on site;
- (iii) footway connections into the existing footway on the eastern side of Grayingham Road;

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

Reason

In the interest of highway safety.

14.

No dwelling on the site shall be occupied until the vehicular access to it and the vehicle parking facilities serving it have been completed in accordance with details to be submitted to and approved in writing beforehand with the local planning authority and once provided, the vehicle parking facilities shall be retained.

Reason

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

15.

No loose material shall be placed on any driveway or parking area within 10 metres of the adopted highway unless measures are taken to the satisfaction of the local planning authority to prevent the material from spilling onto the highway. Once agreed and implemented these measures shall be retained.

Reason

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

16.

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.

17.

No dwelling on site shall be occupied until the access road and footway 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.

18.

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.

19.

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

Reason

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

20.

No development, whether permitted by the Town and Country Planning (General Permitted Development) Order or not, shall take place within any service strip adjacent to any Shared Surface Road, and any planting or landscaping within this service strip shall be of species which shall be agreed in writing with the local planning authority prior to planting.

Reason

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

21.

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.

22.

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

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

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

The drainage scheme shall be implemented in accordance with the approved submitted details required by this condition and shall be 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.

23.

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.

24.

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.

25.

No development shall take place until the applicant or their successor in title has submitted a biodiversity metric assessment and biodiversity management plan to the local planning authority for approval in writing. The document shall include:

- (i) details of measures required to provide more than 1% biodiversity net gain in accordance with the Defra biodiversity metric 3.0 compared to the baseline assessment described in the submitted Ecological Impact Assessment report reference MAN.1298.005.EC.R.001;
- (ii) details of sensitive working practices to avoid harm to bats, hedgehogs, badgers and nesting birds;
- (iii) details of bat boxes and bat bricks to be installed on at least 15% of dwellings;
- (iv) details of swift boxes and sparrow terraces to be installed on at least 15% of dwellings combined;
- (v) details of nesting sites to be installed to support a variety of other species, including barn owl, starling, house sparrow and tree sparrow;
- (vi) restrictions on lighting to avoid impacts on bat roosts, bat foraging areas, bird nesting sites and sensitive habitats;
- (vii) provision for hedgehogs to pass through any fencing installed between gardens and between areas of grassland;
- (viii) prescriptions for the retention, planting and aftercare of native trees, shrubs, hedgerows and UK origin perennial wildflowers of high biodiversity value;
- (ix) details of wetland habitat, including ponds, to be created and managed as part of sustainable drainage;
- (x) procedures for monitoring and ongoing management of created habitats;

- (xi) prescriptions for the provision of a wildlife gardening leaflet for each new resident;
- (xii) proposed timings for the above works in relation to the completion of the dwellings.

Biodiversity units should be delivered on site, within the red line boundary shown on submitted location plan number 021 / 031 / SLP.

Reason

To conserve and enhance biodiversity in accordance with policies CS5 and CS17 of the North Lincolnshire Core Strategy, and paragraphs 170, 174 and 175 of the National Planning Policy Framework.

26.

The biodiversity management plan shall be carried out in accordance with the approved details and timings, and the approved features shall be retained thereafter, unless otherwise approved in writing by the local planning authority. Prior to the occupation of the 20th dwelling hereby approved, the applicant or their successor in title shall submit a report to the local planning authority, providing evidence of compliance with the biodiversity management plan.

Reason

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

Informative 1

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

Informative 2

Access for the Fire Service:

It is a requirement of Approved Document B5, Section 15 Commercial Properties or B5, Section 13 for Domestic Premises that adequate access for fire-fighting is provided to all buildings or extensions to buildings. Where it is a requirement to provide access for high reach appliances, the route and hard standing should be constructed to provide a minimum carrying capacity of 24 tonnes.

Water supplies for fire-fighting:

Adequate provision of water supplies for fire-fighting appropriate to the proposed risk should be considered. If the public supplies are inadequate, it may be necessary to augment them by the provision of on-site facilities. Under normal circumstances hydrants for industrial unit and high-risk areas should be located at 90m intervals. Where a building which has a compartment of 280m² or more in area is being erected more than 100m from an existing fire hydrant, hydrants should be provided within 90m of an entry point to the building and not more than 90m apart. Hydrants for low-risk and residential areas should be located at intervals of 240m.

Informative 3

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

Informative 4

The proposals indicate a new connection into the watercourse. This must be consented by North Lincolnshire Council's LLFA Drainage Team, in their capacity as Lead Local Flood Authority, and/or the local Internal Drainage Board through an Ordinary Watercourse Consent and appropriate discharge rates must be agreed. Please contact the LLFA Drainage team via email 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; and
- 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

Bin storage capacity:

Due to the number of potential residents, the property requires a minimum of four 1100 general waste wheeled bins, three 1100 plastic card and cans wheeled bins, two 240 glass wheeled bins and one 240 paper wheeled bin.

Please note that charges for the containers will apply and notice of at least six weeks would be required to ensure stock of the relevant containers.

Refuse and recycling storage:

- The council requires signs to be provided to inform residents where storage areas for non-recyclable waste and recyclable materials are located, with signs placed in a suitable prominent position to clearly identify the bin storage area. The branding and the message placed on signs will be provided by the council.
- To enable occupants to manage their non-recyclable waste and recyclable materials, developers should provide the necessary internal storage space for the separation of non-recyclable waste and recyclable materials into three separate containers, prior to the transfer of that material to an external bin.
- Bin storage areas should be sensitively located and designed so that they accommodate the residents' bins. Communal bin stores should be laid out in a linear form to aid refuse collection so residents can stand at the front and centre of the containers to deposit waste.
- Storage areas for larger waste bins should be sited so that the distance householders are required to carry refuse does not exceed 30m, in line with the Building Regulations 2002, Part H, and to ensure collection vehicles would be able to approach in a straight line to within a minimum distance of 8m of the bin store/agreed collection point.
- Surfaces that bins need to be moved over should be of a smooth continuous finish and free from steps or other obstacles; this includes traffic calming measures. Any steps should incorporate a dropped-kerb. Doorways should provide at least 1.4m clearance (including thickness of doors). The construction of bin stores should be able to withstand the rigours of refuse collection, remembering stores are there for decades rather than just years.
- A walkway of at least 1.4m wide should be provided within a bin store that allows access to each of the individual waste containers and ensures that individual bins can be removed from the store without the need to shuffle around any of the other bins.
- Collection vehicles cannot collect bins that are placed on a slope exceeding 1:12. Also the gradient of a slope that bins need to be moved over should not exceed 1:12.

Security:

Crews will not carry keys. Combination locks or keypads are acceptable.

Bulky waste storage:

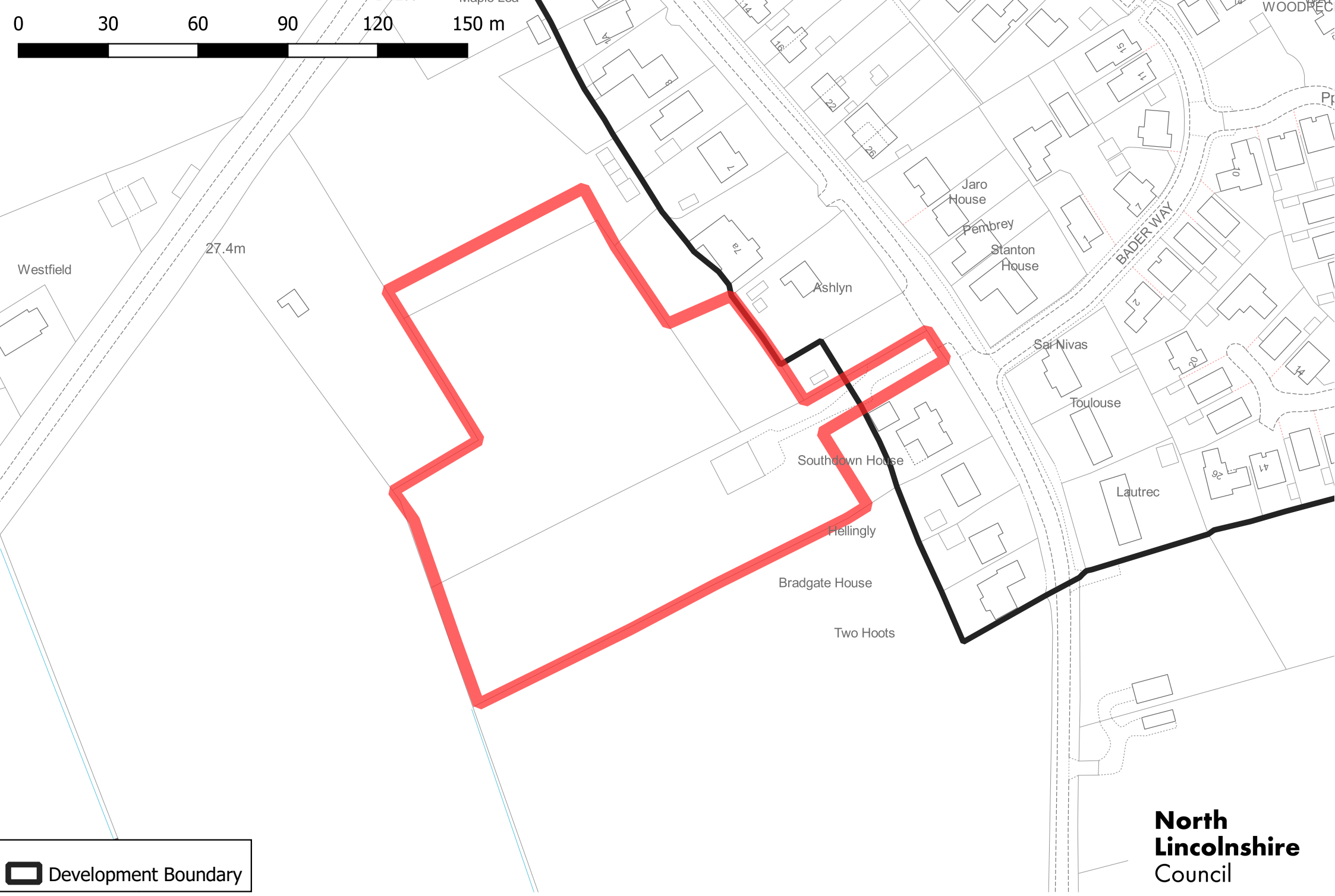
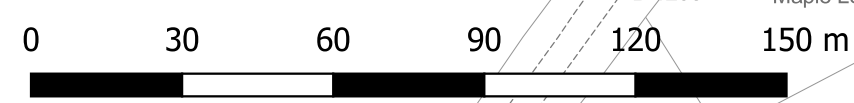
Large residential developments must be provided with space for non-reusable bulky household goods. These items will only be collected on request and there may be a charge. Unwanted goods of this type in good condition may be collected for reuse by various charities. There are several groups which can collect or accept items for reuse in North Lincolnshire. For more information on these schemes see the Furniture Reuse Schemes page on our website.

Responsibility:

Arrangements must be put in place for a management agent/housing association to be responsible for the waste and recycling bins. This would include ensuring clear access to the collection point on collection days and that bins only contain the materials specified by North Lincolnshire Waste Management. The management agent/housing association would also be responsible for the cost of replacement lids/fired/stolen bins.

Informative 7

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



 Development Boundary

PA/2022/1408

**North
Lincolnshire
Council**

PA/2022/1408 Indicative layout (not to scale)



C CHAUER	6
M MANNINGTON	4
E EGREMONT	6
B BRAMLEY	1
F FARNLEY	7
H	2
H1	1
OXD OXFORD	1
TOTAL	28

- OPEN SPACE
- TREE & HEDGE SCREENING

REVISIONS
 MARCH 2022 P24 BOUNDARY POSTS & TREE & HEDGE SCREENING ADDED TO WESTERN BOUNDARY POSTS & FORD ADJUSTED

CLIENT: BEN BAILY HOMES LTD
 DRAWING TITLE: SITE LAYOUT
 PROJECT: PROPOSED DEVELOPMENT OF GRAYINGHAM ROAD KIRTON IN LINDSEY
 DRAWING NO: 021 / 051 / SL / A
 DRAWING DATE: MARCH 2022
 DRAWN BY: IKB SCALE: 1:500 @ A1



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