

<b>APPLICATION NO</b>	<b>PA/2022/1064</b>
<b>APPLICANT</b>	Mr Chris Prince, Prinknow Trading Ltd
<b>DEVELOPMENT</b>	Outline planning permission for a residential development of 9 dwellings with all matters reserved for subsequent consideration
<b>LOCATION</b>	Car sales and storage land, Engine Street, Brigg, DN20 8LT
<b>PARISH</b>	Brigg
<b>WARD</b>	Brigg and Wolds
<b>CASE OFFICER</b>	Tanya Coggon
<b>SUMMARY RECOMMENDATION</b>	<b>Grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Objection by Brigg 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 14 – Meeting the challenge of climate change, flooding and coastal change

Chapter 15 – Conserving and enhancing the natural environment

Chapter 16 – Conserving and enhancing the historic environment

### **North Lincolnshire Local Plan:**

Policy 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 HE2 (Development in Conservation Areas)

Policy HE9 (Archaeological Excavation)

Policy T1 (Location of Development)

Policy T2 (Access to Development)

Policy T6 (Pedestrian Routes and Footpaths)

Policy LC5 (Species Protection)

Policy LC7 (Landscape Protection)

Policy LC12 (Protection of Trees, Woodland and Hedgerows)

Policy DS1 (General Requirements)

Policy DS3 (Planning Out Crime)

Policy DS7 (Contaminated Land)

Policy DS11 (Polluting Activities)

Policy DS13 (Groundwater Protection and Land Drainage)

Policy DS14 (Foul Sewage and Surface Water Drainage)

Policy DS16 (Flood Risk)

**North Lincolnshire Core Strategy:**

Policy CS1 (Spatial Strategy for North Lincolnshire)

Policy CS2 (Delivering More Sustainable Development)

Policy CS3 (Development Limits)

Policy CS5 (Design)

Policy CS6 (Historic Environment)

Policy CS7 (Overall Housing Provision)

Policy CS8 (Spatial Distribution of Housing Sites)

Policy CS9 (Affordable Housing)

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

Policy CS17 (Biodiversity)

Policy CS18 (Sustainable Resource Use and Climate Change)

Policy CS19 (Flood Risk)

Policy CS23 (Sport, Recreation and Open Space)

**North Lincolnshire Housing and Employment DPD:**

Policy PS1 (Presumption in Favour of Sustainable Development)

Inset 10: Brigg

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

Policy SS1: Presumption in favour of Sustainable Development

Policy SS2: A Spatial Strategy for North Lincolnshire

Policy: SS3: Development Principles

Policy SS5: Overall Housing Provision

Policy:SS6: Spatial Distribution of Housing Sites

Policy:SS11: Development Limits

Policy H2: Housing Mix and Density

Policy DQE3: Biodiversity and Geodiversity

Policy DQE5: Managing Flood Risk

Policy DQE6: Sustainable Drainage Systems

Policy DQE7: Climate Change and Low Carbon Living

Policy DQE12: Protection of Trees, Woodland and Hedgerows

Policy CSC1: Health and Wellbeing

Policy T1: Promoting Sustainable Transport

Policy T3: New Development and Transport

Policy T4: Parking

Policy DM1: General Requirements

Policy DM3: Environmental Protection

Inset 10: Brigg

## CONSULTATIONS

**Highways:** No objection subject to conditions relating to access, visibility, car parking and turning.

**Environment Agency:** No objections subject to conditions relating to flood risk, contamination and drainage. They have not objected to the application on flood risk grounds, but comment that this does not remove the need to apply the sequential test and to consider whether it has been satisfied. Where a flood risk assessment shows the development can be made safe throughout its lifetime without increasing risk elsewhere, there will always be some remaining risk that the development will be affected either directly or indirectly by flooding. A failure to satisfy the sequential test can be grounds alone to refuse planning permission.

**LLFA Drainage:** No objection subject to conditions relating to the submission of a detailed surface water drainage scheme for the site and details to prevent surface water from the site onto the highway and vice versa.

**Anglian Water:** No response.

**Environmental Protection:** No objection subject to conditions relating to contamination, restrictions on hours of construction and site clearance, submission of a CEMP and imposition of noise mitigation measures, and submission of a verification report.

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

**Health and Safety Executive:** Does not advise, on safety grounds, against the granting of planning permission.

**Ecology (Doncaster Metropolitan Borough Council):** As NLC's ecologist is unable to provide comment on this application due to a conflict of interest, DMBC have been consulted. However, no response has been received.

**Archaeology:** The application site is within an area of high archaeological potential but previous development may have affected the survival of remains in parts. Archaeological evaluation must be undertaken prior to the submission of reserved matters to identify the presence of any remains and their significance. The results of the evaluation will inform the detailed layout and design of the development to conserve important archaeological remains. Mitigation measures will be required to record any archaeological remains that the development would otherwise disturb or destroy. A written scheme of investigation for any further archaeological excavation and recording in advance of and/or during development groundworks must be submitted with the application for reserved matters. An outline planning permission for this development should be subject to conditions to secure the implementation of this programme of archaeological investigation.

**Waste & Recycling:** General advice on bin types, vehicle access, highway construction, unadopted roads, pulling distances for residents and crew, refuse and recycling storage.

**S106 Officer:** No S106 contributions required as the 'proposed development' on the planning application has been changed to outline planning permission for 9 dwellings.

## **TOWN COUNCIL**

Objects to this application as it has grave concerns over flood risk and over-intensive development of this area.

## **STATEMENT OF COMMUNITY INVOLVEMENT**

No Statement of Community Involvement has been submitted with this application.

## **PUBLICITY**

Advertised by site and press notices. Two letters of objection and one generally in favour have been received raising the following material planning considerations:

- good for wildlife
- does not reflect the original plan for Brigg in the 1980s
- North Lincolnshire Council needs to look at the whole area and provide a plan
- flooding
- drainage
- additional traffic
- need a bypass
- more suitable sites in Brigg.

## **ASSESSMENT**

### **The proposal**

The proposal has been amended since the original application was submitted. The proposal is now for outline planning permission for a residential development of 9 dwellings with all matters reserved for subsequent consideration. Therefore, the applicant is seeking agreement in principle that the site can be developed for 9 dwellings. All matters (access, scale, layout, appearance and landscaping) are reserved for future consideration.

### **The site**

The site is within the development boundary of Brigg. It is within flood zone 2/3a (fluvial) and is therefore at high risk of flooding, and is within 30m of Brigg conservation area. It is currently used for storage and the sale of motor vehicles, with much of the site covered by hardstanding areas and some scrubland/grassland to the western side of the site. Historically the site was part of the old Iron Works. Adjoining the southern boundary of the site is a parcel of land (outlined in blue) where biodiversity net gain is proposed. The applicant also owns a strip of adjoining land adjacent to the eastern boundary of the site.

### **Planning history**

PA/2020/1974: Outline planning permission for residential development with all matters reserved for subsequent consideration – refused 01/10/2021

- PA/1999/0526: Outline planning permission for residential development – refused 03/11/2000
- 7/1987/0963: Outline planning permission for an extension to existing factory – approved 07/01/1988
- 7/1979/0112: Residential development – no decision
- 7/1989/0560: Erection of single-storey office accommodation – approved 03/08/1979
- 7/1979/0221: Continue the use of a building without complying with condition 3 – approved 22/05/1979
- 7/1988/0389: Erection of extension to workshop – approved 23/06/1988
- PA/2019/640: Planning permission to retain a change of use of land for motor vehicle sales and storage, and retain portable offices – approved 05/08/2019
- PA/2017/522: Outline planning permission to erect 8 dwellings with associated and ancillary infrastructure – approved 27/06/2017.

## **Principle**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. In this instance the development plan consists of the North Lincolnshire Local Plan (NLLP) which was adopted in May 2003, the North Lincolnshire Core Strategy (NLCS) which was adopted in June 2011 and the Housing and Employment Land Allocations (HELA) DPD which was adopted in March 2016. The new North Lincolnshire Local Plan was submitted for public examination to the Planning Inspectorate on 11 November 2022. The submitted North Lincolnshire Local Plan can now be given some weight as a material planning consideration in the determination of planning applications. Material considerations exist in the form of national planning policy and guidance contained within the National Planning Policy Framework (NPPF) and the suite of documents comprising the Planning Practice Guidance (PPG).

The site is within the development boundary of Brigg as defined in the HELA DPD and therefore the principle of residential development on this site is considered to be acceptable. Brigg is identified as a market town in the NLCS comprising a full range of services and facilities with good public transport links to the larger settlements of Scunthorpe and Barton. The site is in a highly sustainable location within walking and cycling distance of a range of local facilities, services and employment opportunities.

Policy CS1 of the NLCS identifies Scunthorpe as being the focus for the majority of new development and growth, including for housing, followed by a greenfield urban extension with a focus on areas to the west of the built-up area, followed by the market towns. Policy CS1 states, 'North Lincolnshire's Market Towns will continue to provide important services for the area's rural communities and support the higher-level services provided by Scunthorpe. Levels of growth and development will be more limited reflecting their position in the settlement hierarchy. All growth will take account of existing infrastructure, environmental constraints and ensure that the distinctive character of the town is protected. North Lincolnshire's Market Towns will continue to provide important services for the area's rural communities and support the higher-level services provided by Scunthorpe. An

appropriate level and range of new housing development will be provided to support the Market Towns as sustainable communities.’ Policy CS1 promotes high quality, well-designed new housing to be provided on a range of previously developed sites within the urban area.

Policy CS8 of the NLCS further sets out that there is a requirement to deliver 844 dwellings in Brigg specifically. These figures are a minimum target and do not form a maximum threshold for the delivery of housing, which would run contrary to the provisions of the NPPF which seeks to significantly boost the supply of housing. There is clearly an identified need for housing in Brigg.

Policy CS7 of the NLCS sets out an aspirational minimum density of 40 to 45 dwellings per hectare on sites within market town development limits. However, this policy also states that whilst housing developments should make efficient use of land, the density of new developments should be in keeping with the character of the area. The proposed development of 9 dwellings results in a density of approximately 14 dwellings per hectare which falls below the minimum density sought by policy CS7 (40 to 45 dwellings per hectare). However, the proposal is in outline form only with the applicant wishing to ascertain the principle of development on the site. Nine dwellings will also not result in any S106 contributions which may affect the viability of the site. In terms of a development of 9 dwellings, the area comprises both high and low housing densities. Therefore, it is not considered that 9 dwellings on this site would be out of character with this part of Brigg. The site is essentially a brownfield site, in a very sustainable location and will make a contribution, albeit a fairly modest one, to the council’s five-year housing land supply. Therefore, in this case, the density of the development is considered to be acceptable.

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. In this case, the proposal will make a modest contribution to the council’s housing land supply and the site is considered to be a sustainable location for development which is a key material consideration in the determination of this application.

Paragraph 120(c) of the NPPF states that planning policies and decisions should ‘give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land. In this case the site is essentially a brownfield site proposed for housing which will meet a housing need on land that will need to be remediated. The site is in Brigg (a market town) where, through NLCS policies CS1, CS2 and CS8, there is a clear focus for new residential development to be located.

It must also be noted that in the new emerging local plan for North Lincolnshire this site remains within the development boundary of Brigg (Inset 10). Policy SS11 (Development Limits) applies. Policy SS2 (Spatial Strategy for North Lincolnshire) identifies Brigg as a principal town, with Brigg being a focus for growth, including new housing, employment, retail, cultural facilities, leisure and service provision. Non-allocated sites within the defined development limit will also contribute accordingly where it meets the policies of this plan. Policy SS6 (Spatial Distribution of Housing Sites) seeks to allocate 1,045 dwellings in Brigg during the plan period. Policy SS1 of the council’s emerging local plan relates to a

presumption in favour of sustainable development. It requires that a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF should be taken when considering development proposals. Although there are objections to these policies, there is a clear focus for housing growth in Brigg on allocated and non-allocated sites within the development boundary. The proposal therefore aligns with the strategic policies of the new emerging local plan.

The proposal is considered to represent sustainable development and aligns with the strategic policies of the CS, the HELA DPD and the new local plan. The presumption in favour set out in paragraph 11(c) of the Framework is triggered. In determining the principle and sustainability of the proposed development, an assessment is required on the technical elements of the proposal which will be discussed below.

## **Highways**

Policy T2 of the NLLP states that all development should be served by a satisfactory access. Policy T19 is concerned with parking provision and general highway safety. Both are considered relevant. Policy CS25 of the Core Strategy is also relevant and seeks to support and promote a sustainable transport system in North Lincolnshire that offers a choice of transport modes and reduces the need to travel through spatial planning and design and by utilising a range of demand and network management tools.

In terms of highway safety, Highways have raised no objections subject to conditions relating to the access, car parking, turning and traffic management plans, for example. These conditions will be imposed on any permission granted. There is no evidence to suggest that Engine Street cannot accommodate the additional vehicle movements associated with the proposals. The existing commercial and storage use of the site, which will also attract a significant number of vehicles, including a high number of caravans on the site, must also be taken into consideration. The site is close to a bus stop which provides links to Scunthorpe, other areas of Brigg and the smaller settlements of Broughton and Hibaldstow. The site is accessible by public transport and is within walking/cycling distance of Brigg town centre where there are a full range facilities and services for everyday needs. Subject to conditions, the proposal therefore aligns with policies CS25 of the CS, and T2 and T19 of the NLLP.

## **Flood risk and drainage**

Policy CS19 (which 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. Paragraphs 159 to 169 (inclusive) of the NPPF are concerned with both the sequential and exception tests; all policies are considered relevant. The site is within flood zone 2/3a of the North Lincolnshire Strategic Flood Risk Assessment. The proposal is for 'more vulnerable' development and there is a requirement for the sequential and exceptions tests to be applied and both tests passed for the proposed dwellings.

A flood risk assessment (FRA) has been submitted with the application. This states that the ground levels on the site vary from 1.474 metres AOD (above Ordnance Datum) to 2.446 metres AOD. The FRA recommends that the habitable floor levels of the proposed residential dwellings are elevated a minimum 300 millimetres above the estimated 1 in 1,000-year flood level. Hence, a level of 2.91 metres AOD plus 300 millimetres equals 3.21 metres AOD. This will ensure that the habitable rooms are elevated above the extreme



flood level of 2.91 metres AOD. Therefore, any residential development on this site will have to be designed to ensure these habitable floor levels can be achieved to align with the FRA and prevent flooding to the proposed dwellings. The Environment Agency recommends a planning condition to ensure that the development is carried out in accordance with the submitted FRA and that finished floor levels of all habitable accommodation is set no lower than 3.21 metres AOD.

Paragraph 162 of the NPPF states, '...The aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The strategic flood risk assessment will provide the basis for applying this test. The sequential approach should be used in areas known to be at risk now or in the future from any form of flooding.'

Paragraph 163 of the NPPF states, '...If it is not possible for development to be located in areas with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may have to be applied. The need for the exception test will depend on the potential vulnerability of the site and of the development proposed, in line with the Flood Risk Vulnerability Classification set out in Annex 3.' The applicant has submitted a flood risk assessment as well as sequential and exception test in support of the proposal.

### ***Sequential test***

The applicant has submitted a sequential test with the application and the site search is limited to Brigg (market town). The applicant has assessed sites in the HELA DPD, SHEELA online sites for sales and assessed sites for sale via estate agents. The allocated sites in the HELA DPD (BRIH allocations) have been assessed and are 'screened out' as they are all too large, some are not available and some are in flood zone 2/3a. Sites in the SHEELA have been assessed and are also discounted as they are too large, too small, are not available/already being developed or are in flood zone 2/3a. It should be noted that the committed and proposed housing allocation in the new local plan also are 'screened out' due to being too large, too small, are not available/already being developed or are in flood zone 2/3a. The applicant has demonstrated that there are no reasonably available sites in areas at a lower risk of flooding. As a result, the sequential is passed for this application.

### ***Exceptions test***

The exceptions test is in two parts: the test requires the proposed development to show that it will provide wider sustainability benefits to the community that outweigh flood risk, and that it will be safe for its lifetime, without increasing flood risk elsewhere and where possible reducing flood risk overall.

The applicant has provided additional information in support of the planning application. This supporting information sets out how the development is sustainable in terms of proximity to local services and transport routes and the site is a brownfield site. A residential use of the site is a betterment of the existing commercial use of the site. A well-designed scheme for residential properties will improve the aesthetic appearance of this area of Brigg. In terms of community benefits, the supporting statement highlights the fact that the proposal will provide additional housing (the council does not currently have a five-year housing land supply) and will support local businesses and services. The first part of

the exceptions test is passed as the proposal is considered to provide wider sustainability benefits to the community that outweigh flood risk.

The applicant has also submitted a flood risk assessment which puts forward mitigating measures that would be designed into the scheme. The Environment Agency has reviewed the information and has no objections subject to a condition linking the permission to the submitted FRA. Therefore, the second part of the exceptions test is passed.

The site is within flood zone 2/3a and is therefore a high risk of flooding. The applicant has demonstrated that there are no reasonably available sites in areas at lower risk of flooding. As a result, the sequential is passed for this application. The proposal will provide wider sustainability benefits for the community of Brigg that outweigh the flood risk and the FRA demonstrates that the development will be safe for its lifetime, without increasing flood risk elsewhere and where possible reducing flood risk overall. The exceptions test for this development is also passed. As a result, the proposal will align with policies DS16 of the NLLP, CS18 and CS19 of the NLCS, and Chapter 14 of the NPPF.

In terms of surface water, the LLFA, Environment Agency and Anglian Water have been consulted on the proposals. Anglian Water have not responded to the consultation. The Environment Agency and the LLFA are not objecting to the proposals. The LLFA are recommending planning conditions requiring the submission of a surface water disposal strategy to be submitted to the council for approval. The Environment Agency are requesting planning conditions in relation to the submitted FRA, contamination conditions and a condition requiring no drainage systems for the infiltration of surface water to the ground to be permitted other than with the written consent of the local planning authority. These recommended conditions will be imposed on any permission granted and the LLFA, Environment Agency and Anglian Water will be consulted on the details submitted pursuant to these conditions. The proposal is acceptable in drainage terms and accords with policies CS18 and CS19 of the NLCS, and DS16 of the NLLP, subject to the conditions recommended at the end of this report.

In terms of foul water, the application is in outline form with all matters reserved and therefore no details of the foul water proposals have been submitted with the application. Anglian Water have been consulted on the proposals but have not responded to the consultation. However, Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore have to take the necessary steps to ensure that there is sufficient treatment capacity should planning permission be granted. Therefore, it is appropriate for details of the foul water drainage to be submitted to the council for approval and Anglian Water would be consulted on these details. Subject to a condition requiring details of the foul water drainage to be submitted for approval, the proposal will align with policy DS14 of the NLLP.

Given the lack of objection by the relevant drainage body, the Environment Agency and the council's own LLFA, and no response from the water company, it is considered, subject to the recommended conditions, that the proposed development will not result in an unacceptable risk of flooding and will not have a detrimental impact on the local drainage network and therefore the proposal is acceptable in drainage terms and accords with policies CS18 and CS19 of the NLCS, and DS16 of NLLP.

## **Character**

This area of Brigg comprises a mix of residential and commercial premises. The proposal would result in 9 dwellings on the site with car sales and storage area removed from the site. This would be a benefit to adjoining residents. The area, in terms of residential properties, comprises a mix of housing types, designs and ages. There are some high density housing developments and low density housing developments in the vicinity of the site. The proposed scheme for 9 dwellings would not appear out of context with the surrounding area. Whilst the density is much lower than the density required by policy CS7 of the NLCS of 40 to 45 dwellings per hectare, policy CS7 does state, 'Housing development will be required to make efficient use of land but the density of new development should be in keeping with the character of the area and should support the development of sustainable, balanced communities.' The proposal therefore aligns with policy CS7. In terms of the detailed layout, scale and appearance of the dwellings these details will be assessed within the reserved matters application. The council will seek to ensure a high standard of design for the proposed 9 dwellings through any subsequent reserved matters application.

## **Impact on residential amenity**

In terms of residential amenity, this is more pertinent for any subsequent reserved matters application when details of the scale, appearance and layout of the 9 dwellings are known. That said, the construction of 9 dwellings on the site will be a betterment in terms of use as the existing use (vehicle storage/car sales) would cease on this site. The residential use of the site would have a lesser impact in terms of noise and disturbance than the current use. In addition, a well-designed good quality residential scheme on the site would be an improvement in visual terms than the current hardstanding and car storage/sales. It is considered that a scheme could be designed to ensure overlooking to neighbours was avoided and each dwelling would have adequate private amenity space. The proposal aligns with policies CS5 and CS7 of the NLCS, and policies H5, H8 and DS1 of the NLLP.

## **Archaeology**

In terms of archaeology, HER originally requested a heritage statement and field evaluation comprising auger and geophysical surveys, deposit modelling and trial trenching. This is because the site lies within an area where there is potential for good preservation of highly significant archaeology and palaeoenvironmental remains of prehistoric date in deposits beside the Old River Ancholme. In response to HER's comments the applicant has submitted a preliminary archaeological desk-based assessment that recommends an archaeological borehole survey is carried out on the site.

The applicant had concerns about carrying out these works as much of the site comprises hardstanding and the proposal has now been changed to outline planning for 9 dwellings only (the number of dwellings (9) can be stipulated by the use of planning conditions). After careful consideration of the application site and the amount of development proposed, it is considered that the borehole survey and other archaeological works can be dealt with by planning conditions. These will require the archaeological works to be carried out either before the reserved matters application is submitted, or with any reserved matters application. The proposal, subject to the proposed archaeological planning conditions, will align with policies HE9 of the NLLP and CS6 of the CS, and paragraph 205 of the NPPF.

## **Ecology and biodiversity**

The applicant has submitted a preliminary ecological appraisal, a biodiversity mitigation and enhancement plan, and a biodiversity metric 3.0. No priority habitat occurs within or immediately adjacent to the application site. No evidence of badgers, breeding birds, reptiles or any suitable aquatic habitat for amphibians has been recorded within the application site boundary. The site was recorded as containing negligible suitable habitat for use by bats for commuting/foraging. Buildings on site recorded negligible roost suitability as did trees within the development boundary. No species which feature on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) have been recorded within the site boundary or immediately adjacent. The biodiversity metric 3.0 indicates that a net gain of 2.14 habitat units and a net gain of 2.35 hedgerow units can be achieved on the site and on the adjoining site (in the applicant's ownership). As a result the proposal will align with policies LC5 of the NLLP and CS17 of the NLCS, and the NPPF in terms of protection of species and achieving biodiversity net gain on the site. Planning conditions are recommended to secure biodiversity enhancements through a biodiversity management plan which brings the proposal in line with policy CS17 of the Core Strategy.

## **Noise**

Policy DS11 of the NLLP relates to noise. Paragraph 187 of the NPPF seeks to ensure that new development can be integrated effectively with existing businesses and community facilities. Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant should be required to provide suitable mitigation before the development has been completed.

In terms of noise, a noise survey has been submitted due to the surrounding commercial uses. Existing sound levels were measured at the site by monitoring for approximately one week. Additional attended measurements were taken at a selection of positions across the proposed site. The conclusion of the noise survey report is that low impact is predicted from the nearby commercial operations on the proposed site. The noise report recommendations include that plots have timber fencing around gardens, glazing to habitable rooms and bedrooms comprising float glass and acoustic glass, trickle vents and single/double 12.5 millimetres plasterboard ceilings for bedrooms on the top floor. Environmental Protection have assessed the report and consider the proposal is acceptable in terms of noise subject to the recommendations of the noise survey being implemented and a verification report submitted to the council which demonstrates the effectiveness of the mitigation measures to be undertaken. Subject to these conditions, the proposal is considered to be acceptable in terms of noise and aligns with policies DS1 and DS11 of the NLLP, and CS5 of the NLCS.

## **Contamination**

Policy DS13 of the NLLP relates to the protection of groundwater. Policy DS7 is concerned with contaminated land and 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. Both the Environment Agency and Environmental Protection recommend contamination conditions based on the previous and existing land uses on the site. The Environment Agency are concerned with potential risk of contamination that could be mobilised during construction to pollute

controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is located upon a Secondary A aquifer. As a result, the contamination condition proposed by the Environment Agency (which is very similar to Environmental Protection's proposed contamination condition) will be imposed on any permission granted. The proposal, subject to this condition, will align with policies DS7 and DS13 of the NLLP, and the NPPF.

### **Other matters raised**

Comments from neighbours are noted. The council has recently submitted in new draft local plan to the Planning Inspectorate for examination This provides details for proposed development in Brigg. Comments about alternative sites are noted, however the applicant has provided a sequential test with the application which has been passed in relation to flood risk (see flood risk section above). This development of 9 dwellings does not require a bypass/relief road to be construction. The proposed bypass/relief road for Brigg is required in connection with the allocated Brigg housing sites. The comments made by the town council are noted and have been addressed in earlier sections of this report.

### **Pre-commencement conditions**

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

### **Planning balance and conclusion**

In terms of the planning balance, the proposal accords with the development plan. The site is within the development boundary of Brigg close to a wide range of services and facilities. It is served by public transport and the town centre is accessible in terms of walking and cycling. The site is a very sustainable location for residential development. In terms of technical matters these have been addressed in the main report and can be mitigated by planning conditions where necessary. The proposal will remove the existing car sales and storage use from the site which will improve residential amenity and the visual appearance of the site. The proposal will also make a modest contribution to the council's five-year housing land supply. No material considerations or technical matters have been identified that could properly be considered to outweigh the statutory presumption in favour of the development plan and the presumption in favour of sustainable development as set out in the NPPF. When the planning balance is applied the benefits of the scheme demonstrably outweigh the dis-benefits and therefore the application is recommended for approval subject to the conditions set out below.

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

1.

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

#### **Reason**

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

2.

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

Reason

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

3.

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

Reason

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

4.

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

Reason

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

5.

The development hereby permitted shall be carried out in accordance with the following approved plans: location and block plans drawing no 4/4.

Reason

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

6.

No more than 9 dwellings (Class C3 use) shall be erected on the site.

Reason

In the interests of clarity and to define the terms of this planning permission. Any increase in 9 dwellings will attract S106 contributions as set out in policy H10 and SPG:8 of the North Lincolnshire Local Plan, and policies CS9, CS22 and CS23 of the Core Strategy.

7.

No development shall take place until details of:

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

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

Reason

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

8.

No dwelling on the site shall be occupied until the vehicular access to it and the vehicle parking and turning 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 and turning 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.

9.

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

Reason

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

10.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), nothing shall at any time be erected, retained, planted or allowed to grow over 1.05 metres in height above the level of the adjoining carriageway for a distance of 2 metres from the highway boundary across the site frontage.

Reason

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

11.

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

Reason

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

12.

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

Reason

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

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 the adjacent highway; and
- (ii) the number and location of vehicle parking space(s) on the site;

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

Reason

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

14.

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

Reason

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

15.

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. Once established, the required visibility splay shall thereafter be retained.

Reason

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

16.

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

Reason

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

17.

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

Reason

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



18.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 (or any order revoking and re-enacting that order with or without modification), no development shall take place within any service strip adjacent to any shared surface road, and any planting or landscaping within this service strip shall be of species which shall be agreed in writing with the local planning authority prior to planting.

**Reason**

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

19.

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.

20.

No development shall take place until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall be based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development. This must be based upon the submitted Flood Risk Assessment, Rev: 0, submitted by: EWE Associates Ltd, Dated: November 2020.

The drainage scheme shall demonstrate that surface water run-off generated up to and including the 1 in 100-year critical storm (including an allowance for climate change which should be based on current national guidance) will not exceed the run-off from the existing site. It shall also include details of how the resulting completed scheme is to be maintained

and managed for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime so that flood risk, both on and off the site, is not increased. SuDS must be fully considered in accordance with current PPG guidance. Reference should be made to North Lincolnshire Council's SuDS and Flood Risk Guidance Document. Should infiltration not be feasible at the site, alternative sustainable drainage should be used, focusing on above-ground solutions. Full consideration must be given to developing an overdesigned surface water drainage system for the site, given the location and historic flooding adjacent to the River Ancholme and the outfalls being unable to discharge surface water from the surrounding catchment at times of high river levels.

#### 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.

21.

The drainage scheme shall be implemented in accordance with the approved submitted details required by condition 20 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.

22.

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.

23.

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.

24.

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

#### Reason

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

25.

The development shall be carried out in accordance with the submitted flood risk assessment (November 2020/Draft Rev0/EWE Associates Ltd). In particular, finished floor levels of all habitable accommodation shall be set no lower than 3.21m above Ordnance Datum (AOD).

#### Reason

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

26.

No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted has been submitted to and approved in writing by the local planning authority. This strategy will include the following components:

- (a) a preliminary risk assessment which has identified:
  - all previous uses
  - potential contaminants associated with those uses
  - a conceptual model of the site indicating sources, pathways and receptors
  - potentially unacceptable risks arising from contamination at the site
- (b) a site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site
- (c) the results of the site investigation and the detailed risk assessment referred to in (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken

- (d) a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

#### Reason

To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 174 of the National Planning Policy Framework, policies DS7, DS11 and DS13 of the North Lincolnshire Local Plan, and policies CS18 and CS19 of the Core Strategy.

#### 27.

Prior to any part of the permitted development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

#### Reason

To ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 174 of the National Planning Policy Framework, policies DS7, DS11 and DS13 of the North Lincolnshire Local Plan, and policies CS18 and CS19 of the Core Strategy.

#### 28.

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

#### Reason

To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 174 of the National Planning Policy Framework, policies DS7, DS11 and DS13 of the North Lincolnshire Local Plan, and policies CS18 and CS19 of the Core Strategy.

#### 29.

No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason

To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 174 of the National Planning Policy Framework, policies DS7, DS11, DS13 and DS16 of the North Lincolnshire Local Plan, and policies CS18 and CS19 of the Core Strategy.

30.

Prior to the occupation of the development, the scheme of mitigation measures as detailed in the technical document S & D Garritt Ltd, Acoustic Report for proposed residential development at Land off Engine Street, Brigg, DN20 8LP dated 25th March 2022 shall be installed in full and retained thereafter.

Reason

To protect the residential amenity of occupiers of the new dwellings in accordance with policies DS1 and DS11 of the North Lincolnshire Local Plan and policy CS5 of the Core Strategy.

31.

Following the installation of the mitigation measures detailed within condition 31 above, a verification report that demonstrates the effectiveness of the mitigation measures shall be undertaken. The verification report shall be submitted to and approved in writing by the local planning authority.

Reason

To protect the residential amenity of occupiers of the new dwellings in accordance with policies DS1 and DS11 of the North Lincolnshire Local Plan and policy CS5 of the Core Strategy.

32.

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 safeguard residential amenity during construction in accordance with policies DS1 of the North Lincolnshire Local Plan and CS5 of the Core Strategy.

33.

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

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

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

Light – the CEMP shall set out the particulars of:

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

Dust – the CEMP shall set out the particulars of:

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

Reason

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

34.

The details submitted in pursuance of the outline planning permission (the reserved matters) shall be accompanied or preceded by the submission to the planning authority of the following:

- (a) the results of a field evaluation of the extent, character and significance of any archaeological remains within the application area; the evaluation shall comprise borehole survey followed by the excavation of trial trenches in accordance with a brief provided by the North Lincolnshire Historic Environment Record and a written scheme of investigation prepared by the applicant's archaeological contractor to be submitted and approved in writing prior to the commencement of fieldwork
- (b) an assessment of the impact of the proposed development on any identified archaeological remains based on a foundation design, including details of foundations, piling configuration, SUDs and drainage strategies, and provision of services, and method statements relating to carrying out these works
- (c) further to the results of the evaluation and where the planning authority requires, the submission of an updated written scheme of investigation for mitigation for the approval in writing of the local planning authority setting out mitigation proposals that may include the following:
  - (i) measures to ensure the preservation in situ or by record of archaeological features of identified importance
  - (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, including the North Lincolnshire Museum Service and the ADS (Archaeological Data Service)
  - (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 identify and preserve any archaeological remains within the development site in accordance with paragraph 205 of the National Planning Policy Framework, policy CS6 of the Core Strategy and policy HE9 of the North Lincolnshire Local Plan.

35.

No development shall take place until the applicant, or their agents or successors in title, has provided written confirmation to the planning authority that they have secured the implementation of the archaeological mitigation strategy as defined in the approved written scheme of investigation, in accordance with the approved details and timings.

Reason

To identify and preserve any archaeological remains within the development site in accordance with paragraph 205 of the National Planning Policy Framework, policy CS6 of the Core Strategy and policy HE9 of the North Lincolnshire Local Plan.

36.

The development shall not be occupied until any archaeological mitigation 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 preserve by record any archaeological remains within the development site in accordance with paragraph 205 of the National Planning Policy Framework, policy CS6 of the Core Strategy and policy HE9 of the North Lincolnshire Local Plan.

37.

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 and the archive at the North Lincolnshire Museum within 12 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 preserve by record any archaeological remains within the development site in accordance with paragraph 205 of the National Planning Policy Framework, policy CS6 of the Core Strategy and policy HE9 of the North Lincolnshire Local Plan.

38.

On submission of the first reserved matters application the applicant or their successor in title shall submit a biodiversity enhancement plan to the local planning authority for approval in writing. These enhancements are to be based on the recommendations in paragraph 7.2 of the preliminary ecological (Estrada Ecology July 2020). The plan shall include:

- (a) details of bat roosting features to be installed;
- (b) details of nesting sites to be installed to support swifts and house sparrows;
- (c) restrictions on lighting to avoid impacts on bat roosts, bat foraging areas, bird nesting sites and sensitive habitats;



- (d) provision for hedgehogs to pass through any fencing installed between gardens and between areas of grassland;
- (e) prescriptions for the planting and aftercare of trees, shrubs and flowering plants of high biodiversity value;
- (f) details of how the measures proposed will provide at least 1% biodiversity net gain in accordance with the Defra Small Sites Metric;
- (g) proposed timings for the above works in relation to the completion of the buildings.

**Reason**

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

39.

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 8th dwelling, the applicant or their successor in title shall submit a report to the local planning authority, providing evidence of compliance with the biodiversity management plan.

**Reason**

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

**Informative 1**

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

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

**Informative 2**

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

**Informative 3**

Our records indicate that the proposed development site is bounded by, or has running through it, a watercourse (surface water pipe/culvert or ditch). Following inspection, the watercourse may need to be cleared, replaced, protected or diverted by the landowner at their expense in accordance with their riparian responsibilities. An easement adjacent to the watercourse may need to be provided for future maintenance. Any other drainage feature

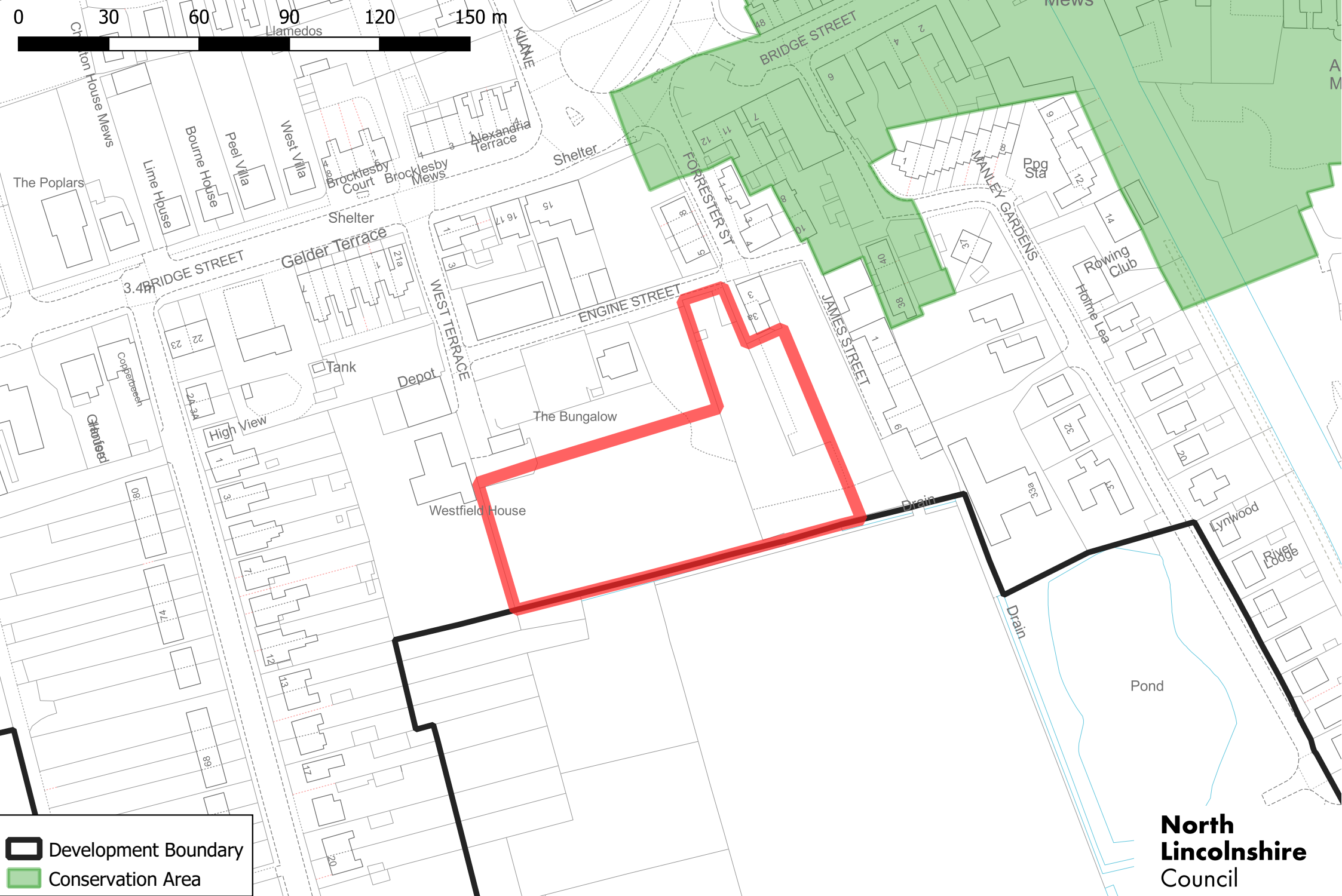
found during excavations must be immediately reported to the LLFA Drainage Team via email to [llfadrainageteam@northlincs.gov.uk](mailto:llfadrainageteam@northlincs.gov.uk) prior to any further construction works being carried out. Please refer to North Lincolnshire Council's 'Guide to Watercourses and 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.



Alterations and/or connections into the watercourse 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](mailto: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.

For your information, the LLFA Drainage Team no longer permit the use of connected private surface water drainage systems which are reliant on one outfall/property owner, unless a robust adoption and maintenance plan is produced and made known to all property owners. The reliance on one owner to maintain a drainage system, if not maintained, can cause civil and legal disputes moving forward, with several neighbouring properties. Other local authorities are adopting this approach. There is no reason why each property cannot have their own individual surface water drainage outfall. This is not a good solution unless it is a public sewer and adopted by the water company.

#### **Informative 4**

The applicant's attention is drawn to the comments made by the Environment Agency in their consultation response dated 1 July 2022, and Humberside Fire and Rescue Service in their consultation response dated 27 June 2022.



 Development Boundary  
 Conservation Area

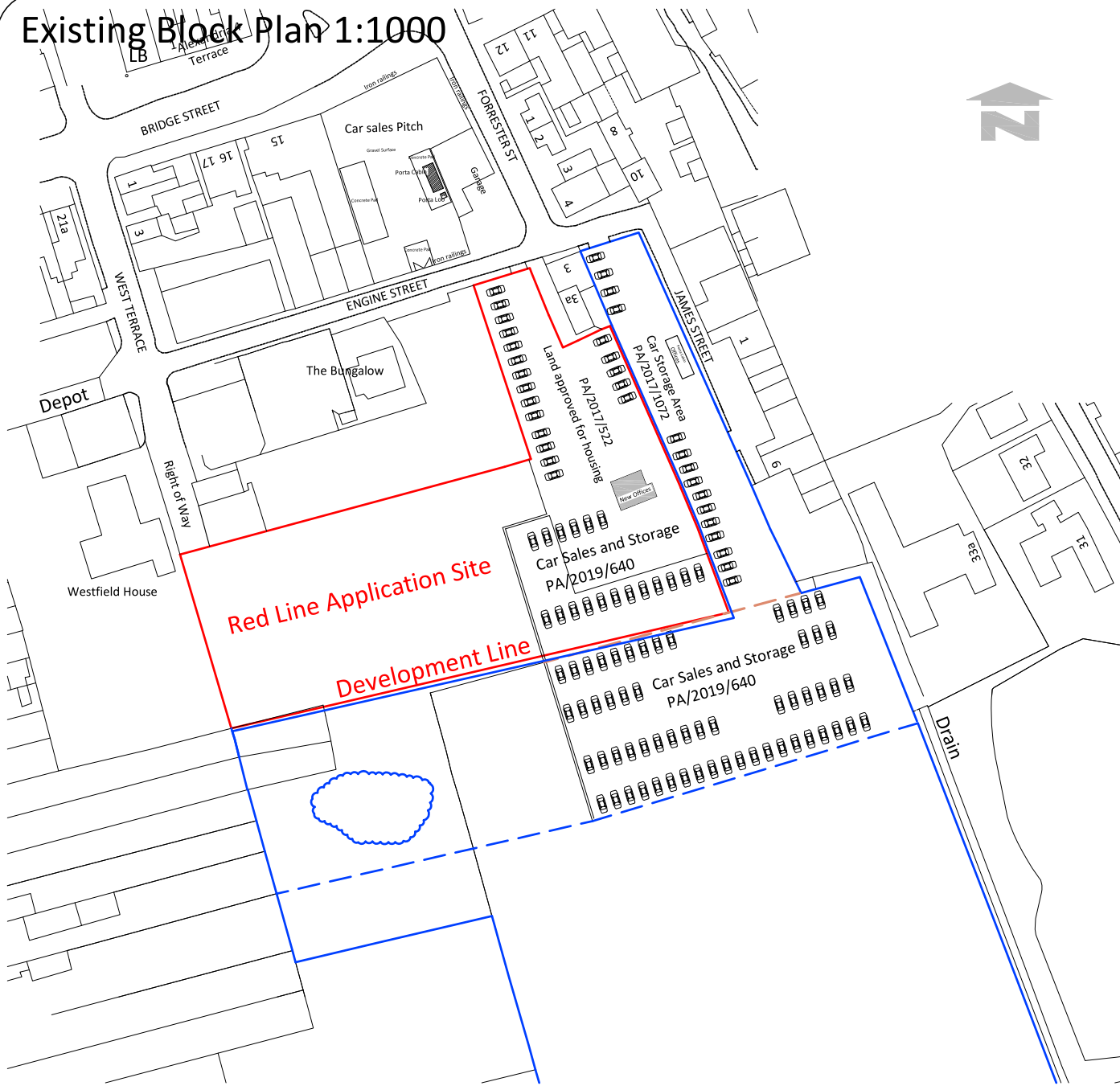
**North  
Lincolnshire  
Council**

**PA/2022/1064**

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# PA/2022/1064 Existing layout (not to scale)

## Existing Block Plan 1:1000



## Location Plan 1:2500

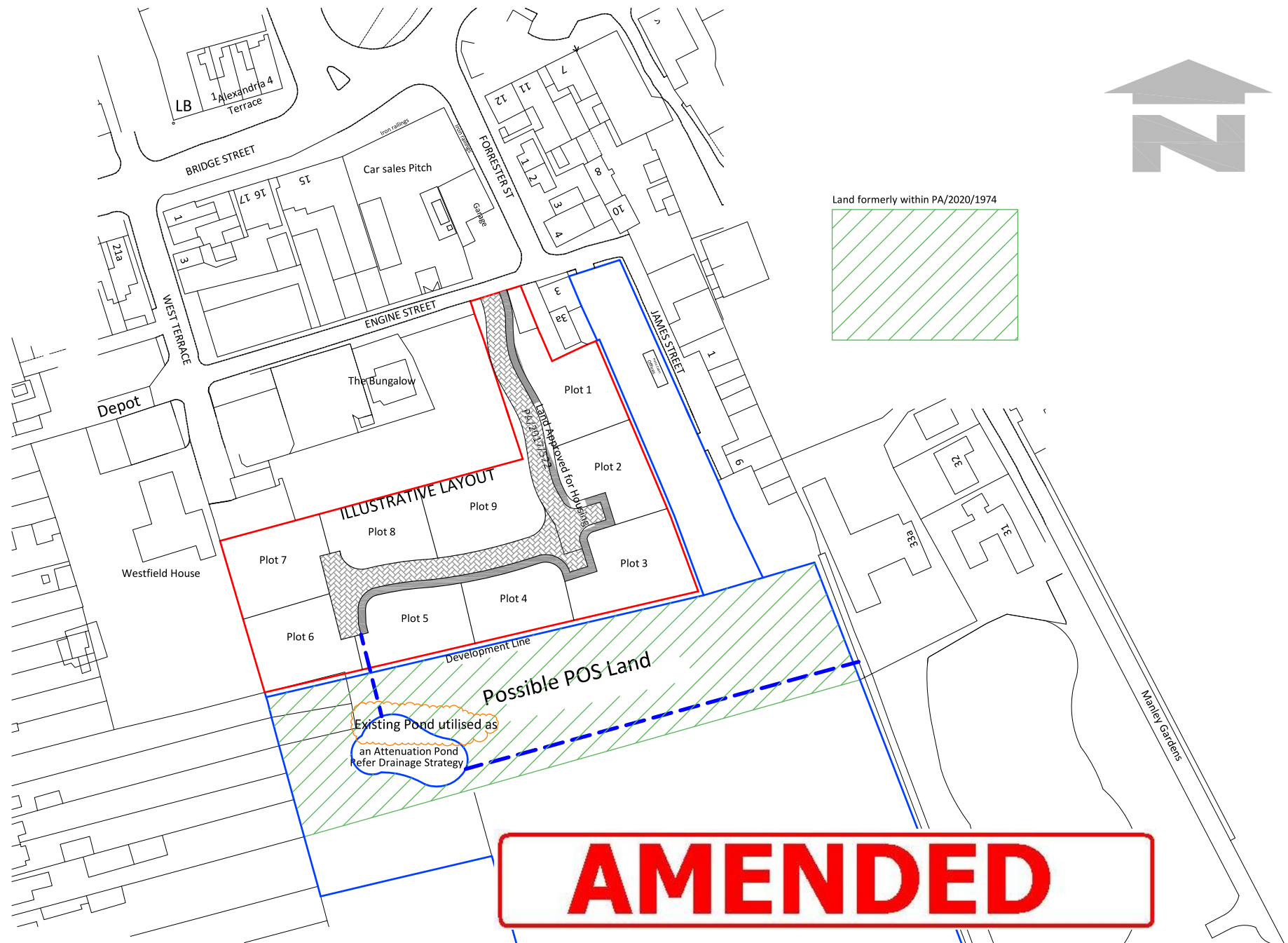


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Howard J Wroot BSc MRICS Chartered Surveyor 240 Wharf Road, Ealand Scunthorpe DN17 4JN	Tel 01724 711068 Fax 01724 710174 Mob 07947 226577	Client	Prinknow Trading Ltd			Proposal	Residential Development off Engine Street Brigg, DN20 8LP
		Date	7/6/22	Dwg No	4 of 4		
		Scale	As noted	Ref No	634-22		



# PA/2022/1064 Illustrative layout (not to scale)



Howard J Wroot BSc MRICS  
Chartered Surveyor  
240 Wharf Road, Ealand  
Scunthorpe DN17 4JN



Client	Prinknow Trading Ltd		
Date	3/11/22	Dwg No	3 of 4
Scale	1:1000	Ref No	634-22

Proposal  
Drawing

Proposed residential development land  
off Engine Street, Brigg, DN20 8LP  
Illustrative Layout Plan

