

APPLICATION NO	PA/2022/535
APPLICANT	Jemma Godfrey-East
DEVELOPMENT	Outline planning permission to erect four dwellings with scale, layout, appearance and landscaping reserved for subsequent consideration
LOCATION	Land to the rear of The Jolly Miller, Brigg Road, Wrawby, DN20 8RH
PARISH	Wrawby
WARD	Brigg and Wolds
CASE OFFICER	Scott Jackson
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Wrawby Parish Council Departure from the development plan

POLICIES

National Planning Policy Framework:

Section 5 (Delivering a sufficient supply of homes)

Section 12 (Achieving well-designed places)

Section 15 (Conserving and enhancing the natural environment)

Section 16 (Conserving and enhancing the historic environment)

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

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

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

Policy SS1: Presumption in Favour of Sustainable Development

Policy SS2: A Spatial Strategy for North Lincolnshire

Policy SS3: Development Principles

Policy SS5: Overall Housing Provision

Policy SS6: Spatial Distribution of Housing Sites

Policy SS11: Development Limits

Policy RD1: Supporting Sustainable Development in the Countryside

Policy DQE3: Biodiversity and Geodiversity

CONSULTATIONS

Highways: No objection, but recommend conditions.

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

LLFA Drainage: No objection, but recommend conditions.

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

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

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

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

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

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

PARISH COUNCIL

Object to the application on the following grounds:

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

PUBLICITY

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

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

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

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

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

ASSESSMENT

Site location and context

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

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

Planning history

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

Designations/constraints

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

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

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

Proposal

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

The main considerations of relevance in assessing this application include:

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

Principle of development

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

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

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

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

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

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

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

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

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

Paragraph 11(d) of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. Where the local planning authority cannot demonstrate a five year supply of deliverable housing sites, relevant policies which were most important to determining the application should not be considered up-to-date.

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

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

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

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

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

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

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

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

Allowing additional dwellings at the edge of a settlement would bring social benefits by way of encouraging new social interactions, leading to growing local communities and supporting local services.

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

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

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

Access and highway safety

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

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

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

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

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

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

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

Residential amenity

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

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

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

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

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

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

Trees

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

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

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

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

The proposed development therefore accords with policy LC12.

Ecology

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

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

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

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

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

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

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

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

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

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

Archaeology

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

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

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

Flood risk and drainage

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

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

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

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

Conclusion

It is considered, given the assessment above, that no adverse impacts related to the development exist that would significantly and demonstrably outweigh the benefits that would follow from a well-executed residential scheme in this location. Overall, it is considered that the proposal represents sustainable development in the context of the NPPF and Housing and Employment Land Allocations DPD policy PS1, which sets a presumption in favour of sustainable development.

Pre-commencement conditions

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

RECOMMENDATION Grant permission subject to the following conditions:

1.

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

Reason

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

2.

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

Reason

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

3.

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

Reason

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

4.

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

Reason

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

5.

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

Reason

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

6.

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

Reason

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

7.

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

Reason

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

8.

Nothing shall at any time, whether permitted by the town and Country Planning (General Permitted Development) Order or not, be erected, retained, planted or allowed to grow over 1.05 metres in height above the level of the adjoining carriageway for a distance of 2m from the highway boundary across the site frontage.

Reason

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

9.

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

Reason

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

10.

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

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

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

Reason

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

11.

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

Reason

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

12.

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

Reason

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

13.

No above-ground works shall take place until details showing an effective method of preventing surface water run-off from hard paved areas within the site onto the highway have been approved in writing by the local planning authority. These facilities shall be implemented prior to the access and parking facilities being brought into use and thereafter so retained.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraph 163 of the National Planning Policy Framework.

14.

No above-ground works shall take place until details showing an effective method of preventing surface water run-off from the highway onto the developed site have been submitted to and approved in writing by the local planning authority. These facilities shall be implemented prior to the access and parking facilities being brought into use and thereafter so retained.

Reason

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

15.

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

Reason

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

16.

No development shall take place until parts 1 to 4 below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the local planning authority in writing until part 4 has been complied with in relation to that contamination.

Part 1: Site Characteristics

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

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

This must be conducted in accordance with Environment Agency's Land Contamination Risk Management (LCRM) guidance October 2020.

Part 2: Submission of Remediation Scheme

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

Part 3: Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation,

unless otherwise agreed in writing by the local planning authority. The local planning authority must be given two weeks' written notification of commencement of the remediation scheme works.

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

Part 4: Reporting of Unexpected Contamination

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

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

Reason

To protect residential amenity.

17.

Development shall take place in accordance with the 'Written Scheme of Investigation: Archaeological Monitoring and Recording, Land to the rear of The Jolly Miller, Brigg Road, Wrawby, North Lincolnshire' prepared by PCAS Archaeology Ltd, dated June 2022, and the approved details and timings. No variation shall take place without the prior written consent of the local planning authority.

Reason

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

18.

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

Reason

To comply with paragraph 205 of the National Planning Policy Framework, policy CS6 of the Core Strategy and policy HE9 of the North Lincolnshire Local Plan because the site potentially contains archaeologically significant remains that the development would otherwise destroy; the archaeological scheme of investigation is required in order to

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

19.

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

Reason

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

20.

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

Reason

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

21.

Prior to the commencement of development, the applicant or their successor in title shall submit a biodiversity metric assessment and biodiversity management plan to the local planning authority for approval in writing. The document shall include:

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

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

Biodiversity units should be delivered on site, within the red line boundary shown on the submitted location plan. Those that cannot viably be delivered on site should be delivered locally, according to a local plan or strategy.

Reason

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

22.

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

Reason

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

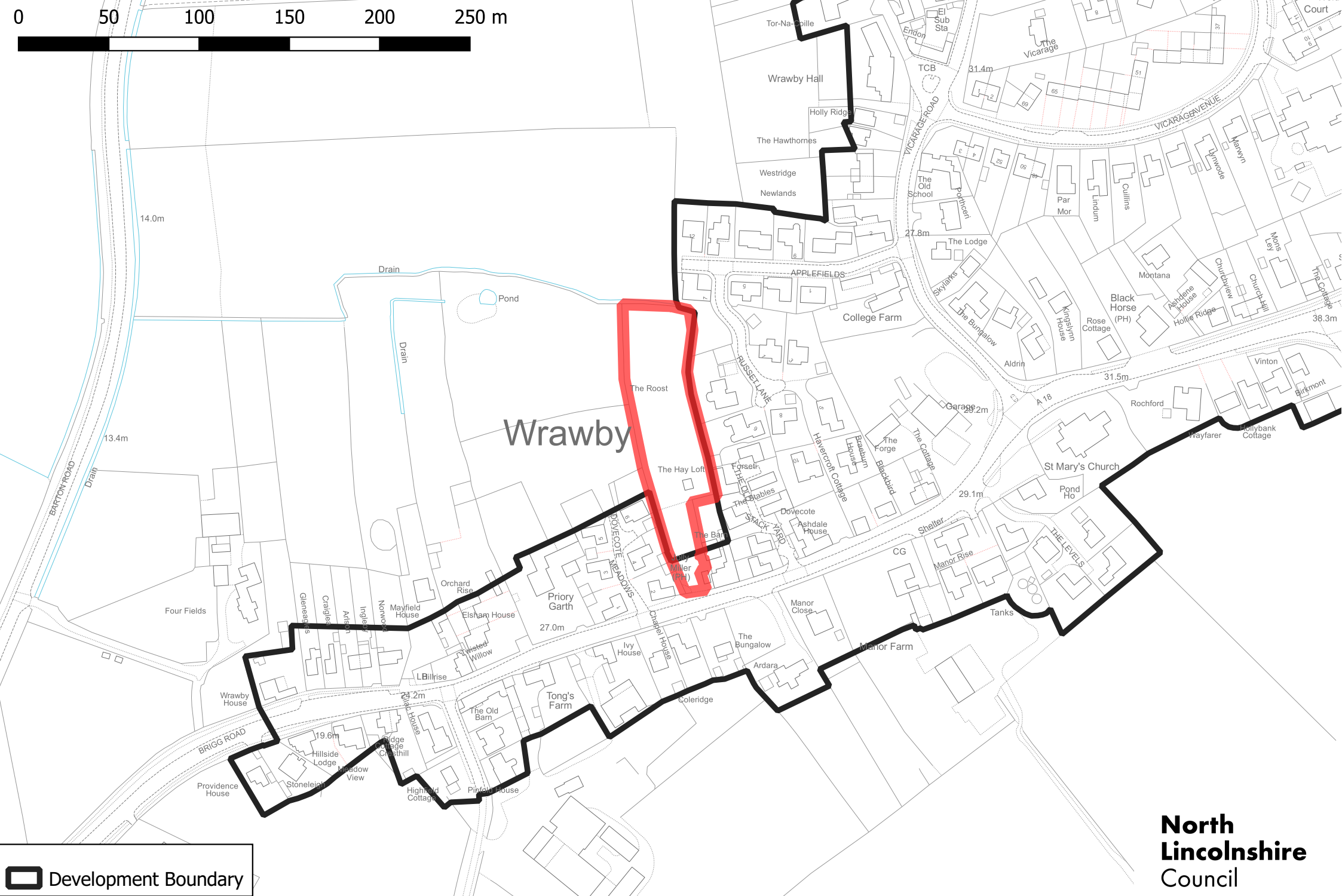
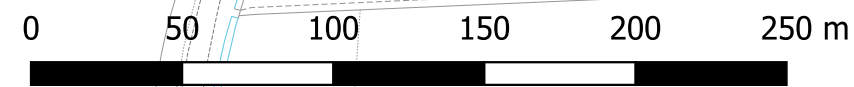
Informative 1

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

Informative 2

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

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



 Development Boundary

PA/2022/535

**North
Lincolnshire
Council**

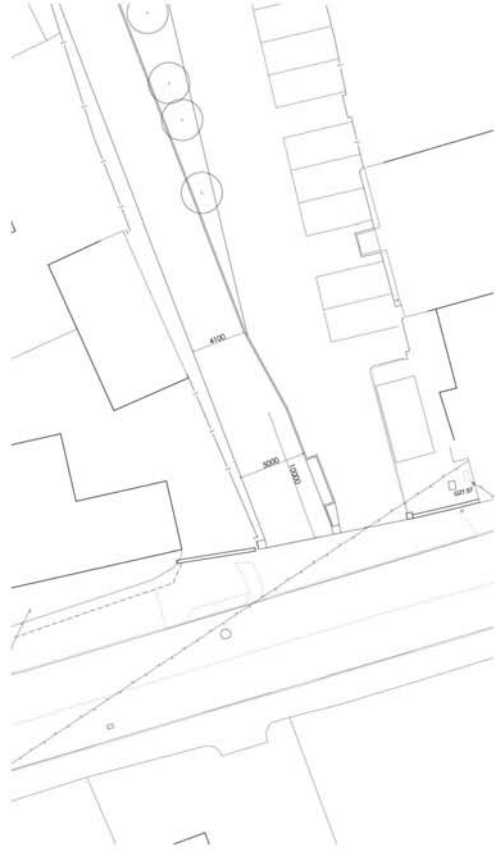
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PA/2022/535 Indicative layout (not to scale)



Proposed Site Section

scale 1:200



Proposed Access Plan

scale 1:200



Proposed Site Plan

scale 1:500

REV A ACCESS DRIVERS AND SERVICES 14.08.2022



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

DATE August 2021
SITE PROPOSED

SCALE As shown
ORIGINAL SIZE A1

DRAWING NUMBER LDC3683-PL-02A

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