

<b>APPLICATION NO</b>	<b>PA/2022/1918</b>
<b>APPLICANT</b>	James Pearson, Charworth Homes Ltd
<b>DEVELOPMENT</b>	Planning permission to erect two dwellings with associated landscaping
<b>LOCATION</b>	Dondoreen, Marsh Lane, Barton upon Humber, DN18 5HF
<b>PARISH</b>	<b>BARTON UPON HUMBER</b>
<b>WARD</b>	Barton
<b>CASE OFFICER</b>	Jennifer Ashworth
<b>SUMMARY RECOMMENDATION</b>	<b>Approve with conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Significant public interest Objection by Barton upon Humber Town Council

## **POLICIES**

### **National Planning Policy Framework:**

- 2 Achieving sustainable development
- 4 Decision-making
- 5 Delivering a sufficient supply of homes
- 9 Promoting sustainable transport
- 12 Achieving well-designed and beautiful places
- 14 Meeting the challenge of climate change, flooding and coastal change
- 15 Conserving and enhancing the natural environment
- 16 Conserving and enhancing the historic environment

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

- H5 New housing development (part saved)
- H7 Backland and tandem development
- H8 Housing design and mix
- HE2 Development in conservation areas
- HE3 Demolition in conservation areas

HE9 Archaeological excavation

DS1 General requirements

DS3 Planning out crime

DS7 Contamination

DS14 Foul sewage and surface water drainage

DS16 Flood risk

T2 Access to development

T19 Car parking provision and standards and Appendix 2

LC12 Protection of trees, woodland and hedgerows

**North Lincolnshire Core Strategy:**

CS1 Spatial strategy for North Lincolnshire

CS2 Delivering more sustainable development

CS3 Development limits

CS5 Delivering quality design in North Lincolnshire

CS6 Historic environment

CS7 Overall housing provision

CS8 Spatial distribution of housing sites

CS9 Affordable housing

CS17 Biodiversity

CS18 Sustainable resource and climate change

CS19 Flood risk

CS25 Promoting sustainable transport

**Housing and Employment Land Allocations DPD:** The site lies within the development limits of Barton upon Humber and within the conservation area (policy HE2) as shown on Proposals Map Inset 07.

PS1 Presumption in favour of sustainable development

**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 2024.

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:

SS1 Presumption in favour of sustainable development

SS2 A spatial strategy for North Lincolnshire

SS3 Development principles

SS11 Development limits

DM1 General requirements

H11 Backland and tandem development

DQE5 Managing flood risk

HE1 Conserving and enhancing the historic environment

## **CONSULTATIONS**

**Highways:** Highways have reviewed the proposals and advise conditions be applied to any permission granted.

**Environment Agency:** Originally objected to the proposals; however, following receipt of the amended plans and amended flood risk assessment, have withdrawn their objection subject to the inclusion of a condition to ensure finished floor levels are set no lower than 5.60m AOD.

**LLFA Drainage:** Following numerous discussions with the developer, there are fundamental design, and adoption and maintenance issues, to resolve. No objection to the proposed development, subject to the imposition of conditions to address surface water drainage and the drainage scheme on the site, and an informative comment and notes for the developer.

**Anglian Water:** Consulted but commented that the site falls outside the remit for comments by Anglian Water.

**Environmental Protection:** The applicant has submitted a Phase 1 Desk Study and Phase 2 Ground Investigation Report. The team requested the submission of a remediation scheme prior to determination. This report has not been provided and so the inclusion of the full contamination condition is required. No objections subject to this condition.

**Archaeology:** The HER have no objection to the development on this site subject to the inclusion of planning conditions to secure the completion of the archaeological mitigation strategy in accordance with the agreed written scheme of investigation.

**Tree Officer:** Although within the conservation area where trees are offered protection, the arboricultural report indicates trees within and adjacent to the site are of overall poor quality and not worthy of retention. Further mitigation green infrastructure should be conditioned with good quality landscaping undertaken if the council is minded to grant consent on this application.

**Conservation:** The Conservation Officer has reviewed the proposals and considers they would have a neutral effect on Tyson Close which is already made up of similar sized

bungalows in red brick with pantile roofs. Recommends materials should be conditioned to allow details such as vertically oriented garage doors in a black (not anthracite) finish, and a change in colour of the rainwater goods and windows to be brought forward. No objection subject to the inclusion of a condition to secure materials on the site.

**Recycling and Waste:** In preparing schemes for new development, the developer will need to ensure that the recycling objectives of the council are met. The layout and design of such schemes will have to incorporate measures for the provision and servicing of recycling facilities.

Where a road is waiting to be adopted or is privately owned and maintained, householders will be required to take their waste to the nearest adopted highway (often to a pre-agreed collection point); alternatively, up-to-date indemnity cover must be provided to indemnify the council's waste collection services from any damage caused to the road surfaces. Therefore, bins will need to be presented for collection on Tyson Close rather than Fredrick Fields as our collection vehicles do not enter Fredrick Fields.

## **TOWN COUNCIL**

Previous objections still stand – there should be no access from Tyson Close as this is a private road and the height of the development is still too high.

## **PUBLICITY**

Publicised by site notice, including following final amendments to the scheme and submission of the revised Flood Risk Assessment. Eight responses have been received, all objecting to the scheme. The points raised are summarised below:

- The development will negatively affect the surrounding buildings, residents' access and privacy.
- The proposed elevated site would give new residents a clear view into my rear garden, invading my privacy.
- The builder has outstanding issues on the site to the rear including a collapsed foul drain.
- Will the planning department insist that any further development will be held responsible for reinstating the road which has already been poorly reinstated?
- Concerns that the builder applying for permission is already developing substandard properties leading to issues for people living in them.
- Poorly designed overbearing houses in a bungalow area. Plans only reduce the height by 1m.
- The development does not provide wider sustainability benefits to the community and the area that outweigh flood risk. The development is not on previously developed land and no assessment of alternative development sites has been undertaken. The development fails to fulfil the requirements of the NPPF or policy CS19 of the North Lincolnshire Core Strategy.

## **ASSESSMENT**

This application was deferred at a previous meeting of the planning committee to allow members to visit the site before making a decision.

### **Planning history**

Appeal Ref: APP/Y2003/C/22/3306674 – appeal dismissed 09/05/2023 (enforcement notice upheld and planning permission refused on the application deemed to have been made under section 177(5) of the Act)

PA/2021/1087: Planning permission to erect three dwelling houses and three detached single garages with associated landscaping (including demolition of existing outbuildings) – refused 04/08/2022

PA/2003/1660: Planning permission to erect a detached bungalow with integral garage – approved 12/03/2004.

The following permissions relate to Frederick Fields to the rear of the site:

PA/2019/397: Planning permission for a first-floor extension with replacement windows and doors – approved 22/05/2019

PA/2017/1109: Planning permission to erect five dwellings including demolition of outbuildings to rear – approved 13/04/2018

PA/2019/832: Planning application to vary condition 2 of planning permission PA/2017/1109 namely to re-configure the layout of plot 4 and the internal layout to plot 5 together with alterations to the roof of these plots – approved 05/07/2019

7/1989/0610: Planning permission to erect a detached house – approved 14/09/1989

PA/2004/1444: Planning permission to erect a detached house – refused 07/12/2004

PA/2017/1576: Outline planning permission for four dwellings with associated access road and landscaping with all matters reserved – approved 21/06/2018

PA/2019/1798: Planning permission for access and associated parking – approved 20/05/2020.

### **Planning designations/considerations**

The site lies within the development limits of Barton upon Humber and within the conservation area. There are existing trees outside, but very close to, the boundary of the site and their location within the conservation area offers them some protection.

There are no known listed buildings within close proximity of the site.

The site is within SFRA flood zone 2/3a which is considered to be at high risk of flooding.

## **The site**

The site lies to the south of Tyson Close, a small cul-de-sac comprising five detached single-storey bungalows with a further two properties (Dondoreen and 7b Marsh Lane) fronting and being accessed off Marsh Lane, albeit the main body of the properties and side elevations sit within Tyson Close.

The style of both these properties is reflective of the five properties off Tyson Close. Bramley Close is further north of the site and comprises largely single-storey bungalows with a handful of two-storey detached properties at the end of the development. Frederick Fields is to the south of the site and includes eight detached two-storey properties, all fronting onto and accessed off Frederick Fields.

Development had commenced on the site and the footprint of three dwellings is visibly evident. This work has ceased.

Google Maps dated 2009 shows evidence of the site being an extension of the garden space for Dondoreen with a brick-built detached garage with apex roof, small storage shelters with what appears to be an asbestos roof, two further sheds, a greenhouse and hardstanding for a caravan, as well as the wider site being laid to grass.

Planning permission was granted in 2004 for the erection of a detached bungalow with integral garage. This was never built out.

## **The proposal**

The applicant commenced development on the site for three residential properties without the benefit of planning permission. A planning application for three dwellings was refused on 04/08/2022. An appeal was submitted and dismissed on 9 May 2023.

This application relates to the erection of two detached four-bedroom dwellings on the site. The properties include an open plan kitchen/dining/living area to the rear and two rooms to the front at ground floor. The first floor includes three double bedrooms and one single bedroom. To the rear is a good-sized garden. Due to flooding concerns within the area the dwellings have a finished floor level of 5.6m AOD. The submitted Flood Risk Document sets out that a topographic survey of the development site has been undertaken by the applicant, which shows that existing ground levels over the area of the development site vary from approximately 4.29m to approximately 4.56m OD(N). Existing average carriageway levels along Tyson Close fronting the site to the north are shown to vary from approximately 4.48m OD(N) in the west up to approximately 4.55m OD(N) in the east.

The overall increase would be a difference of 1.04m–1.31m across the site.

For new developments which lie within the flood zone it is a requirement to provide an additional 300mm of flood resilience above the elevated ground floor construction level in order to minimise any flood damage and provide ease of reconstruction, should flood waters enter the building. For this development, this would equate to a flood resilience level of 5.9m OD(N) (floor level of 5.6m + 0.3m).

The applicant has sought to work with and address the comments raised by the local planning authority. This application seeks to step the two properties back from the highway (Tyson Close) as well as reducing the overall height of the units, altering the design of the buildings to appear less overbearing within the street scene, and positioning the single-storey detached

garages at either end of the site to create a greater separation distance between the proposed properties and adjacent properties.

The two dwellings will be accessed off Tyson Close, providing two off-street parking spaces as well as internal garage space for a further two vehicles per dwelling. No vehicle access is proposed to the rear of the dwellings via Frederick Fields.

**This assessment will therefore focus on the following issues:**

- **principle of development**
- **historic environment/archaeology/conservation**
- **design/character/appearance**
- **residential amenity**
- **flood risk**
- **contamination**
- **highway safety and access**
- **trees and landscape.**

#### **Principle of development**

The development plan for North Lincolnshire comprises three parts: those policies of the North Lincolnshire Local Plan (2003) (LP) which were saved by a direction of the Secretary of State in September 2007, the North Lincolnshire Core Strategy DPD (2011) (CS), and the Housing and Employment Land Allocations DPD (2016) (HELAP).

The combined effect of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 is that a planning application should be determined in accordance with the development plan unless material considerations indicate otherwise.

Saved policy H5 covers new residential development, which requires development to be located within settlements or to represent infill.

The site is within the development limits of Barton upon Humber as identified within the adopted Housing and Employment Land Allocations Development Plan Document Proposals Map.

Policies CS1, CS2 and CS8 of the adopted Core Strategy seek a sequential approach to development focussing first on land within the Scunthorpe urban area followed by previously developed land and other suitable infill opportunities to meet identified local need within the market towns (Barton upon Humber). Policies CS1 and CS2 support the market towns of Barton upon Humber, Brigg, Crowle, Epworth, Kirton in Lindsey and Winterton as thriving places to live, work and visit, and as important service centres serving the needs of local communities across North Lincolnshire. An appropriate level and range of new housing development will be provided to support the market towns as sustainable communities.

Policy H7 relates to backland and tandem development. Backland development or tandem development will be permitted provided that:

- (i) there is no adverse effect on the amenities of any residential premises or adjoining use through:
  - (a) overlooking and loss of privacy;
  - (b) loss of amenity area to the adjoining dwellings;
  - (c) the level of nuisance resulting from the movement of vehicles to and from the proposed development;
- (ii) it would not affect the general quality and character of the area in which it is located by:
  - (a) unacceptably increasing the density of development in that area;
  - (b) resulting in the loss of important natural and man-made features;
  - (c) leading to an unacceptable proliferation of vehicular accesses to the detriment of the street scene and/or road safety.

The principle of backland and tandem development is considered acceptable; however, this is subject to other matters being acceptable. These will be considered later within this report.

The application site is within the development limits of Barton upon Humber. The site represents a vacant plot of land at the end of an existing residential garden (Dondoreen). The site was originally garden space relating to the existing property on the wider site and has been fenced off over the years and laid vacant other than recent development undertaken without the benefit of planning permission.

It is therefore considered that the principle of residential development is broadly acceptable on the site.

The Government released an updated NPPF in December 2023. Paragraph 226 makes clear that for decision-making purposes only, certain local planning authorities will only be required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of four years' worth of housing against the housing requirement (rather than five years). This includes authorities like North Lincolnshire, which have an emerging local plan that has been submitted for examination. These arrangements apply for a period of two years from the publication date of the revised NPPF. Therefore, full weight can be attributed to the Local Plan and Local Development Framework policies and the 'tilted balance' set out in paragraph 11(d) of the NPPF is not engaged.

### **Historic environment/design/character**

Paragraph 131 of the NPPF states, 'The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So



too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.'

Paragraph 135 of the NPPF states, '...planning policies and decisions should ensure that developments:

- (a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- (b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- (d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- (e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- (f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users;
- (g) and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.'

Paragraph 139 states that development that is not well designed should be refused. Significant weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

Policies H5 (part saved), CS5 and DS1 seek to deliver quality design in North Lincolnshire. As the site is within the conservation area, the design of the properties would need to respect the criteria set out within the relevant policies. Policy H7 permits backland and tandem development where there is no adverse effect on the amenities of any residential premises through adjoining uses and where development would not affect the general quality and character of the area.

Policy CS5 of the North Lincolnshire Core Strategy is concerned with delivering quality design in North Lincolnshire. It states, '...All new development in North Lincolnshire should be well designed and appropriate for their context. It should contribute to creating a sense of place. The council will encourage contemporary design, provided that it is appropriate for its location and is informed by its surrounding context. Design which is inappropriate to the local area or fails to maximise opportunities for improving the character and quality of the area will not be acceptable.' This is reinforced by local plan policy DS1. Policies H7, H8 and DS1, and paragraph 132 of the NPPF, are also considered relevant.

Policy CS6 states, '...The council will seek to protect, conserve and enhance North Lincolnshire's historic environment, as well as the character and setting of areas of

acknowledged importance including historic buildings, conservation areas, listed buildings (both statutory and locally listed), registered parks and gardens, scheduled ancient monuments and archaeological remains.

All new development must respect and enhance the local character and distinctiveness of the area in which it would be situated, particularly in areas with high heritage value.

Development proposals should provide archaeological assessments where appropriate.'

Whilst policy HE2 requires, '...All development proposals in, or which affect the setting of, conservation areas should preserve or enhance the character and appearance of the area and its setting. Development should harmonise with adjoining buildings. Building materials should be appropriate to the locality and context and sympathetic to those of existing and nearby buildings in terms of type, texture, colour and size. Walls, gates and fences should be of a type traditionally used in the locality. Development should be of a standard of design which respects the appearance and character of the conservation area in terms of its bulk, height, mass, vertical and horizontal emphasis, proportions, layout, siting, landscaping and other matters of design such as roofscape and architectural style and detailing.'

Policy HE3 relates to demolition in conservation areas and sets a series of criteria against which a building will be assessed...and consent for demolition of a building will be conditional on it not being demolished until either:

- (a) detailed planning permission for the redevelopment of the site has been obtained and the council has had sight of an agreed contract for the carrying out of works of redevelopment; or
- (b) a landscaping and improvement scheme is submitted and an agreement is entered into to maintain the scheme, if the site is to be kept in open space use.
- (c) Whenever appropriate, proposals which would entail the loss of historic fabric from a listed building will be conditional upon a programme of recording being agreed and implemented.

Whilst the site is within the conservation area, there are no listed buildings within close proximity. There is a mix of styles of properties within the wider area and as such it is considered that development of this site should look to the existing immediate area for inspiration. This includes Tyson Close, Frederick Fields and Marsh Lane.

### **Conservation**

The Conservation Officer has considered the proposals and, subject to the inclusion of a condition addressing materials at the site, has no objection.

The Conservation Officer notes that Tyson Close includes similar sized bungalows in red brick with pantile roofs. They consider the fenestration and door pattern of existing development in this location to be neither here nor there, and the proposed development, although not an enhancement, will be no worse. The use of similar materials on the proposed development will allow for a semblance of uniformity. The areas which would benefit from improvement are changing the garage doors to vertically oriented doors, which would give a more traditional appearance, in black rather than anthracite; and changing the colour of the rainwater goods from anthracite to black; and for the dwellings, similarly changing the

windows and doors, and rainwater goods to black would be a more traditional colour against the use of red brick/pantile which are a traditional combination.

## **Archaeology**

The Archaeological Officer has considered the proposals and notes that the change from three to two dwellings does not affect the original advice given.

Archaeological evaluation trenches were excavated in 2021 in connection with the latter application to provide sufficient information in the decision-making process. Archaeological remains of medieval activity were identified and a mitigation scheme to offset the harm from the proposed development was agreed with the applicant. This scheme was detailed in the Written Scheme of Investigation (WSI) submitted in support of the current application.

The WSI defines the area of the archaeological work and sets out the methodology to be followed. A programme of pre-construction archaeological excavation is proposed to comprise:

- an archaeological excavation of the footprint of the development area; and
- proportionate assessment, analysis, reporting and archiving in accordance with the requirements of the planning archaeologist.

The HER received a draft copy of the WSI in March 2022 from the applicant's archaeologist and confirmed the scope and content of the scheme of investigation to be satisfactory. The HER advised that the WSI should be submitted to the planning authority for consideration in determining the 2021 application. The WSI (section 9.0) states, 'Planning permission for the development is currently pending, therefore no excavation works will commence until permission has been granted and preparations can be made.'

The applicant subsequently commissioned their archaeologist to undertake the programme of work and the on-site archaeological fieldwork commenced in April 2022 and was completed in early May. The HER was given the opportunity to visit the site during the work and advise on the excavation and sampling strategy. The on-site works were completed satisfactorily.

The post-excavation stages of the work programme are now in progress in accordance with the agreed WSI. These comprise the assessments and writing-up of the excavation records, the pottery, other finds and environmental samples etc. A post-excavation assessment report will be produced with any proposals for further analysis of the archive, such as scientific dating or pottery residue analysis, to meet the research objectives of the project, and for the appropriate publication of the final results of the excavation. These final stages would be undertaken to complete the agreed scheme of works prior to the deposition of the site archive with North Lincolnshire Museum.

In relation to the archaeology of the site, the HER has no further objection to the residential development subject to planning conditions securing the completion of the archaeological mitigation strategy in accordance with the agreed WSI.

The archaeological considerations should inform the planning decision and be given due weight in the planning balance in accordance with paragraph 209 of the NPPF.

## Design/character/appearance

The previous application was refused for the following reason:

'The proposal, by virtue of the amount of development, its siting and proximity to existing dwellings, would lead to unacceptable overbearing and overlooking impacts. In fitting three, large detached dormer bungalows onto the site there are considered to be a number of indications that this is overdevelopment of the site. The proposed dwellings would be considerably higher than the dwellings off Tyson Close resulting in the proposal being out of character with its immediate surroundings. The proposed development would also cause harm to the street scene through the positioning of dwellings in front of the existing building line/set too close to Tyson Close, which would not reflect the character of Tyson Close where all dwellings are set further back from the main highway. This form of development is out of keeping with the existing development pattern of Tyson Close. For these reasons it is considered that the proposed development would have an unacceptably detrimental impact on the existing street scene off Tyson Close as well as the wider character and appearance of the area, contrary to policies HE2, DS1, H5, H7 and H8 of the North Lincolnshire Local Plan, and policies CS5 and CS6 of the North Lincolnshire Core Strategy, as well as section 12 of the NPPF.'

This application is for two dormer bungalows on the site with detached garages. The applicant has sought to address the reasons for refusal of previously refused application PA/2021/1087.

It is accepted that the buildings in Tyson Close are mostly modern and therefore, in principle, having a new development that reflects a more modern style of build is acceptable, but the buildings still need to be sympathetic to the overall character of the conservation area.

The site represents an infill plot off Tyson Close. In terms of policies CS5, H5, H7 and H8 the proposal is regarded in part as backland/tandem development: part of the land comprises land which formed the rear garden of Dondoreen, whilst another part of the site benefits from an extant planning permission for a single dwelling. The scheme submitted should take account of dwellings off Frederick Fields as well as Tyson Close. The properties will be 1.5-storeys high with a dormer bungalow design at the rear, which, in theory, would create a natural transition from the single-storey detached bungalows off Tyson Close through to the two-storey detached dwellings off Frederick Fields. As a result of raised floor levels (5.6m AOD) required by the Environment Agency to satisfy flood risk requirements, the dwellings would be much higher than a standard 1.5-storey dormer bungalow. The elevations provided show the ridge height of the proposed dwellings slightly below the height of the houses off Frederick Fields but still much higher than the existing properties off Tyson Close.

The applicant has stepped the dwellings away from the highway allowing the buildings to follow a similar building line to existing properties off Tyson Close. The setting back of the properties and the siting of the single-storey detached garages adjacent existing dwellings allows for a softer transition between the existing and proposed properties. The proposed garages are lower in height than the adjacent existing properties. It is accepted that the proposed dwellings are higher than the existing properties on the site, which is in part to take account of flood risk at the site whilst also creating bedroom space within the first floor.

The applicant has sought to reflect the style of the properties off Tyson Close by respecting and reflecting the existing building line and plot sizes as well as through the use of similar materials, albeit the Conservation Officer recommends a few minor changes and therefore

external materials should be addressed via an appropriately worded condition. The applicant has also reduced the size of the rear dormer windows and included small rooflights to allow additional light without appearing out of character with the wider street scene.

The proposals include a similar amount of garden space as existing properties off Tyson Close which is considered to be an acceptable amount of amenity space for future occupiers. The design also includes adequate space to the frontage as well as off-street parking spaces for two cars and a further two spaces within the detached garage.

Whilst the properties are higher than the existing bungalows on site, the proposal is considered to be designed to take account of the existing properties. As such, it is considered to be designed to a high standard taking account of the local character of the area and is thus acceptable in terms of policies CS5 of the Core Strategy, and H5, H7 H8 and DS1 of the North Lincolnshire Local Plan.

### **Residential amenity**

Policy H7, part-saved policy H5 and policy DS1 all refer to amenity. Policies H5 and H7 require development to not result in overlooking or loss of privacy to existing developments, or any other loss of amenity to existing dwellings, including levels of nuisance from movement of vehicles. Policy DS1, in relating to amenity, states that there should be no 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.

Concerns have been raised regarding overlooking of existing rear gardens as well as impacts on privacy for existing properties off Tyson Close, and concerns about overbearing impacts.

It is accepted that the dwellings are higher than the existing bungalows on site. It is considered that the applicant has carefully designed the scheme to ensure a soft transition between existing properties either side of the proposed properties by placing the garages either side of the two properties. These garages are set at a lower height than the existing bungalows and given the proposed dwellings are set back from the main highway and their roofline slopes away from the properties on the opposite side of Tyson Close, the overall height of the two properties is not considered to lead to overbearing impacts.

In relation to overlooking and privacy impacts raised by members of the local community, the applicant has sought to address these concerns. The rear dormers of both plots largely overlook the blank façade of properties off Frederick Fields as well as the parking area off Frederick Fields. The siting of the garages has also reduced the potential for overlooking of rear gardens/adjacent properties. There are areas where glimpses could be achieved into rear gardens of properties off Frederick Fields; however, these are not considered to result in undue harm.

In relation to impact on privacy of properties on the opposite side of Tyson Close, the proposals include one rooflight which sits above the staircase and is not considered to result in harm. The main living space with large windows and patio doors is located to the rear of the properties. The large window to the front is at ground-floor level and serves the proposed hall/entranceway and two small windows serve the two front rooms. It is therefore not considered that the proposals would result in issues of overlooking or privacy impacts.

The dwellings are set a similar distance from properties as existing properties on Tyson Close. The development is not considered to result in any overshadowing or loss of light to existing properties.

It is considered that the proposed dwellings are of a high standard and would help raise the quality in the area. It is not considered that the proposals would result in any amenity impacts in terms of loss of light, overshadowing, overlooking or privacy impacts.

## **Flood risk**

Paragraph 165 of the NPPF is clear in that ‘inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.’

Paragraph 162 notes, ‘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 highlights the need for the exceptions test to be carried out if it is not possible for development to be located in areas at lower risk of flooding. To pass the exceptions test it should be made clear that the development would provide wider sustainability benefits to the community that outweigh flood risk and that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, wherever possible, will reduce flood risk overall. Both elements of the exceptions test should be satisfied for development to be allocated or permitted (paragraph 165).

Paragraph 167 states, ‘When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

- (a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
- (b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;
- (c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
- (d) any residual risk can be safely managed; and
- (e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.’

Policy CS19 is concerned with flood risk, whilst policy DS14 is concerned with foul sewage and surface water drainage. The application site is within flood zone 2/3a and is therefore considered to be at high risk of flooding. Policy CS19 is consistent with the NPPF and states:

‘The council will support development proposals that avoid areas of current or future flood risk, and which do not increase the risk of flooding elsewhere. This will involve a risk-based sequential approach to determine the suitability of land for development that uses the

principle of locating development, where possible, on land that has a lower flood risk, and relates land use to its vulnerability to flood. Development in areas of high flood risk will only be permitted where it meets the following prerequisites:

1. It can be demonstrated that the development provides wider sustainability benefits to the community and the area that outweigh flood risk.
2. The development should be on previously used land. If not, there must be no reasonable alternative developable sites on previously developed land.
3. A flood risk assessment has demonstrated that the development will be safe, without increasing flood risk elsewhere by integrating water management methods into development.'

The applicant has submitted a flood risk assessment which sets out that the primary risk to the site is from tidal flooding from the River Humber resulting from the river defences being breached or overtopped during an extreme flood event. The report notes that for new developments which lie within the flood zone it is a requirement to provide an additional 300mm of flood resilience above the elevated ground floor construction level in order to minimise any flood damage and provide ease of reconstruction, should flood waters enter the building. Section 6.2.2 of the report states, 'For this development, this would equate to a flood resilience level of 5.60m OD(N) (Flood Level of 5.30m + 0.3m).

The report recommended the following measures be adopted:

- The ground floors should be of solid concrete or an appropriate precast concrete flooring system incorporating a waterproof membrane.
- The external walls should be of water-resistant construction up to 300mm above ground floor level.
- There should be no voids within the external walls, other than doorways and windows within 300mm of finished floor level which would allow flood waters to enter the dwellings.
- All partition walls constructed at ground floor level should be of suitable robust construction or metal stud partitions fixed with plasterboard, with the lower boarding laid horizontally for ease of replacement.
- All electrical apparatus or other flood sensitive equipment should be elevated to a minimum of 300mm above finished floor level to prevent damage occurring should flood waters enter the buildings.
- All cables should be routed at high level with vertical drops to the fittings.
- The ground floor electric circuits should be suitably isolated such that the upper floors of the development can remain in operation should the ground floor electrical installation become damaged.
- Floor finishes provided at ground floor level should be suitable for ease of cleaning after flooding, should this situation occur.

The site is located within flood zone 3.

The Environment Agency has been consulted and considers the revised scheme, which confirms finished floor levels will be raised to 5.6m AOD, satisfactorily addresses their concerns and, subject to the imposition of conditions, the scheme is acceptable in flood risk terms. Section 6 of the submitted Flood Risk Assessment sets out the proposed flood mitigation measures to be adopted.

A separate sequential and exceptions test has been submitted by the applicant. The original report did not consider alternative sites, and a case was put forward for the development of this vacant plot of land which previously benefitted from planning permission. Much of Barton upon Humber is within the flood zone. The applicant argued that the development of this site is key in completing the larger development of Frederick Fields. The planning team disagree with this statement and consider that the site relates to Tyson Close and not Frederick Fields. The land in question was originally former garden land relating to Dondoreen. Planning permission was granted in 2004 for a detached bungalow on the site, accessed off Tyson Close. A previous application for three dwellings accessed in part from Frederick Fields was refused partly on the basis that the development relates to Tyson Close and not Frederick Fields.

Development of the site will allow for a vacant site within an existing residential estate to be brought back into use; however, the site should not be viewed as part of the wider Frederick Fields development site.

Whilst land further south does sit outside the area of flood risk, development on this site would bring forward a vacant site within an existing residential estate.

The applicant has submitted an updated sequential test. This statement now proceeds to apply the sequential test by considering if there are any suitable alternative sites for the development in flood zones 1 or 2, and then applies the exception test by considering if the wider sustainability benefits of the scheme to the community outweigh flood risk and if it can be demonstrated that the development will be safe. The search area was agreed and is limited to Barton upon Humber.

In addition to restricting the search area to the Barton development limit, other criteria have been applied to ensure the search is meaningful and effective. Only sites capable of accommodating the proposed development, whilst allowing for reasonable flexibility on the part of the developer, have been examined. As such, sites of less than 0.1 hectares have been discounted.

Much of Barton upon Humber is within flood zone 3. As the aim of the sequential test is to direct sites towards flood zone 1 first, and then flood zone 2 if no suitable sites exist within zone 1, all other sites within flood zone 3 have been discounted. This effectively narrows the search to sites to the south of the proposed development site. The applicant has considered a list of sources when considering alternative sites and these are identified within the report.

The report undertakes a robust assessment of alternative sites, all of which are discounted, and concludes that there are no alternatively available sites on which this development can be brought forward.

The sequential test is therefore passed.

In relation to the exceptions test, the site is within the development limits of the market town of Barton upon Humber. Barton upon Humber is a sequentially preferable location for housing development and has a range of services and facilities on hand. The site would bring



additional economic benefits as well as sustainable benefits. The exceptions test is considered to have been passed.

It is considered that the applicant has fulfilled the requirements of the NPPF and policy CS19 in relation to flood risk. They have demonstrated that the development provides wider sustainability benefits to the community and the area that outweigh flood risk. An assessment of alternative development sites has been undertaken. The applicant has also satisfied the Environment Agency and the council that the development will be safe without increasing flood risk elsewhere.

The LLFA Drainage team have reviewed the proposals and whilst they have removed their objection they do consider there still remain many issues to be resolved on the site. They have set out a schedule of notes for the developer to consider and recommend the imposition of a series of planning conditions to address surface water drainage and a drainage scheme at the site.

In terms of surface water disposal, concerns from residents are noted. The LLFA has carefully assessed all the submitted information and has some concerns but recommend planning conditions requiring the submission of a detailed surface water drainage scheme, together with details showing an effective method of preventing surface water run-off from hard paved areas within the site onto the highway. Subject to conditions, this aspect of the proposal will accord with policies CS18 and CS19 of the Core Strategy, and DS14 and DS16 of the North Lincolnshire Local Plan.

## **Contamination**

Policy DS7 of the North Lincolnshire Local Plan is concerned with land contamination. It states that in the case of proposals for development on land known or strongly suspected as being contaminated, applicants will be required to demonstrate that the level of contamination can be overcome by remedial measures or improvements.

The council's Environmental Protection team have reviewed the proposal and note that this development of residential properties is a sensitive end use. The following reports have been reviewed by the team:

- Humberside Materials Laboratory Limited, Phase 1 (Desk Study) Report, Land off Tyson Close, Barton Upon Humber, Dated: May 2022, Ref: 1151/576/P/P1
- Humberside Materials Laboratory Limited, Phase 2 (Ground Investigation) Report, Land off Tyson Close, Barton Upon Humber, Dated: May 2022, Ref: 1151/576/P/P2.

## ***Phase 1 Desk Study***

The site is located off Tyson Close and is approximately 0.1ha in size. To the north is Tyson Close with residential properties, to the east is Marsh Lane with industrial land beyond. To the south and west is residential housing. There was no visual or olfactory evidence of contamination, although the ground surface contained some construction waste – mainly bricks and brick fragments. On site the 1886 and 1888 maps show a tree-lined field. There were no significant changes until 1978 when no trees are shown on site. The 1992 maps show the former garage to the southeast of the site. The 1999 map shows former outbuildings. No further significant changes are shown until 2022 when the garage and outbuildings are removed from the site. Off-site historical mapping shows St Mary's cycle

works 40m east and tanks 50m southeast on the 1930 and 1932 maps. Tyson Close is present on the 1992 historic map.

The superficial deposits on site could include tidal flat deposits, alluvium, glacial till and head, and form an unproductive aquifer. The bedrock consists of the Welton Chalk Formation and forms a principal aquifer. The site is in an area where less than 1% of homes are estimated to be above the action level; therefore, no radon protection measures are required. There is no made ground indicated on the BGS maps; however, fill material was identified on the site.

The conceptual site model indicates a low to moderate risk of contamination impacting the site users from the made ground. Therefore, further investigation is required. A Phase 2 site investigation report has been submitted with the application.

### ***Phase 2 Site Investigation***

The investigation consists of three boreholes with samples taken and tested for metals, PAHs, and asbestos. Groundwater was found in all three boreholes at depths ranging from 1.30m to 1.80m; after 20 minutes ground water levels had risen to depths of between 0.98m and 1.32m. Although groundwater was observed in all three boreholes, no sampling was undertaken.

The results for the chemical testing were compared to Generic Assessment Criteria (GAC) for residential with plant uptake. No elevated levels of metals were detected above the GAC, and no elevated levels of PAHs were detected above the GAC. Asbestos fibres were detected in WS3 between 0.10m bgl and 0.50m bgl. This was Chrysotile from insulation material. As asbestos was found, a relevant contamination linkage exists and remediation of the site is required.

Taking into account the above advice, the Environmental Protection team considered the applicant should submit a remediation scheme for their consideration prior to the application being determined in accordance with national policy guidance. This would allow the council to decide whether or not further assessment of the site is required and ensure that appropriate conditions are applied which render the development safe and suitable for use prior to use.

A further report was not provided and as such the Environmental Protection team recommend that parts 2 and 4 of the contamination condition be complied with and the full condition be imposed on any future planning permission.

The condition is not considered unreasonable. Therefore, subject to the aforementioned planning condition, the proposal is in accordance with policy DS7 of the North Lincolnshire Local Plan.

### **Highway safety/access**

Policy T2 of the North Lincolnshire Local Plan states that all development should be served by a satisfactory access. Policy T19 of the local plan is concerned with parking provision as well as general safety and is also considered relevant.

The site has good access to public transport links and some local services are within reasonable walking distance. The location of the site therefore complies with national and local objectives of creating sustainable patterns of development. The proposal would utilise the existing private road of Tyson Close. No access would be taken via Frederick Fields. Significant objection was raised as part of the previous application from residents off

Frederick Fields. The council's planning team were also concerned regarding safety/access to the rear of properties as well as considering that the site related to Tyson Close and not Frederick Fields.

An objection has been received from Barton upon Humber Town Council who consider there should be no access from Tyson Close as this is a private road. No further justification is provided.

The development fronts onto Tyson Close and access is naturally gained from the front of properties, especially by visitors. The plot of land is considered to relate to Tyson Close rather than Frederick Fields. This matter was addressed as part of the previous application and the recent appeal which was dismissed by the Planning Inspector.

The proposed development provides off-street parking for two vehicles on the driveway of both properties as well as a detached garage at both properties providing an additional two vehicle spaces. Concerns were raised by local residents as part of the previous application that visitors would park on the existing narrow Tyson Close blocking residents accessing/exiting their properties as well as emergency vehicles, delivery vehicles and other users. However, this issue currently exists and the development provides adequate off-road parking.

Previous concerns have also been raised regarding the upkeep and maintenance of both Tyson Close and Frederick Fields. Residents from both estates have confirmed that they are required to contribute to the maintenance of the road at their own cost and expense. Complaints have been received from residents that construction vehicles used to build out the site have already damaged the road and that the developer has not made any effort to replace or repair. Concerns are raised regarding the long-term maintenance of the two private roads and where liability lies. Given the scale of the proposed development it is not considered that the scheme would result in a significant or unacceptable increase in vehicular movements in the locality. Adequate off-street parking will be provided within the site. With these factors in mind, and in the absence of an objection from the council's Highways section, it is considered that the proposal, with the recommended conditions, would be acceptable in highway terms.

### **Trees and landscape**

Policy LC12 requires proposals for all new development to ensure the retention of trees, woodland and hedgerows. Particular regard will be given to the protection of these features within the setting of settlements, the protection of ancient woodlands and historic hedgerows and the amenity value of trees within built-up areas. Tree preservation orders will be made where trees which contribute to local amenity or local landscape character are at risk. Landscaping and tree and hedgerow planting schemes will be required to accompany applications for new development where it is appropriate to the development and its setting.

Following a site visit and review of the site layout plan, it is evident that there are existing trees on the boundary but outside the site. The applicant has submitted an arboricultural report and the trees mentioned are within the ownership of adjacent landowner and not on the site; this means the applicant does not have a legal right to remove these trees without specific permission from the tree owners.

These trees are also within the conservation area, which offers them some protection. Unless the removal of these trees is required to implement any planning permission given, which it

appears it is not, the applicant would need to submit an application giving notice of intended works to trees within a conservation area. Although the location of the trees is such that making a tree preservation order on them is probably not likely to occur, they do need to go through this process, as removal of trees without doing so is an offence under the legislation.

The Tree Officer has commented and notes that if the council is minded to give consent, there is a need to ensure that the character of the conservation area is retained, and this may include good quality landscaping. It is recommended that both hard and soft landscaping works are secured by condition in the interests of visual amenity at the site and to take account of the site's location within the Barton upon Humber conservation area.

The planning application does not require the removal of the trees and as such no further works are required in relation to trees. In terms of the impact on adjoining trees, the proposal accords with policies LC12 of the North Lincolnshire Local Plan and CS5 of the Core Strategy.

## **Conclusion**

The proposal has been subject to a full assessment, giving due consideration to responses from technical consultees and third parties, as well as comments raised initially by previous officers. The proposal is within a sustainable location with access to a range of transport modes, services and facilities. The site benefits from an extant planning permission. The principle of development is acceptable.

There has been significant local opposition to the proposal and the material points have been considered under the relevant sections within this report. The applicant has sought to work with the case officer to address concerns regarding the siting of buildings and reducing the number of units to two properties. It is considered that the scheme has been developed to a high standard taking on board comments from the planning case officer as well as statutory consultees. The development takes account of all technical matters and, with appropriately worded conditions, the development is considered suitable for the site.

## **Pre-commencement conditions**

Pre-commencement conditions have been agreed with the applicant.

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

1.  
The development must be begun before the expiration of three years from the date of this permission.

### **Reason**

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

2.  
The development hereby permitted shall be carried out in accordance with the following approved plans:

- Site Location Plan - A066-PL-001 Rev B
- Existing Site Plan - A066-PL-002 Rev B
- Proposed Site Plan - A066-PL-003 Rev B
- Proposed Garage Details - A066-PL-007 Rev A
- Indicative Views - A066-PL-005 Rev A

- House Type A Floor Plans & Elevations - A066-PL-006 Rev A
- Proposed Site Sections - 003-PL-004 Rev A.

#### Reason

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

3.

Unless otherwise agreed by the local planning authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts 2 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

A Phase 1 desk study shall be carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk study shall establish a 'conceptual model' of the site and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/Quantitative Risk Assessment (or state if none required). Two full copies of the desk study and a non-technical summary shall be submitted to the local planning authority for approval prior to proceeding to further site investigation. An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the local planning authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the local planning authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
  - human health;
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes;
  - adjoining land;
  - groundwaters and surface waters;
  - ecological systems;
  - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and a proposal of the preferred option(s). This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the management of Land Contamination, CLR 11'.

## Part 2: Submission of Remediation Scheme

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

## Part 3: Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation unless otherwise agreed in writing by the local planning authority. The local planning authority must be given two weeks' written notification of commencement of the remediation scheme works.

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

## Part 4: Reporting of Unexpected Contamination

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

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

### Reason

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

4.

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

### Reason

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

5.

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.

6.

The development shall be carried out in accordance with the submitted flood risk assessment (September 2023, reference JAG/AD/JD/45736-Rp001-REV A, by Alan Wood & Partners) and the following mitigation measures it details:

- finished floor levels of the dwellings shall be set no lower than 5.60 metres above Ordnance Datum (AOD)
- flood resistance and resilience measures to be incorporated as stated
- the dwellings to have at least two storeys.

These mitigation measures shall be fully implemented prior to occupation and subsequently retained and maintained thereafter throughout the lifetime of the development.

Reason

To reduce the risk of flooding to the proposed development and future occupants, in accordance with policy CS19 of the North Lincolnshire Core Strategy.

7.

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 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 so that flood risk, both on and off the site, is not increased.

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 165 to 175 of the National Planning Policy Framework.

8.

The drainage scheme shall be implemented in accordance with the approved submitted details required by condition 7 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 165 to 175 of the National Planning Policy Framework.

9.

Development shall take place in accordance with the archaeological mitigation strategy 'Written Scheme of Investigation: Archaeological Strip, Map and Record, PCAS Archaeology, March 2022', and the approved details and timings.

Reason

To comply with paragraph 211 of the National Planning Policy Framework, policy CS6 of the Core Strategy, and policy HE9 of the North Lincolnshire Local Plan because the site contains archaeologically significant remains that the development would otherwise destroy; the archaeological mitigation strategy is required in order to preserve archaeological evidence by means of a comprehensive record and creation of a permanent archive, to advance public understanding.

10.

The development shall not be occupied until the post-excavation stages have been completed in accordance with the programme set out in the approved archaeological mitigation strategy, comprising:

- (i) the submission of a post-excavation assessment report and relevant proposals for further analysis and publication of results proportionate to the research objectives for the site; the proposals shall be approved in writing by the local planning authority, followed by:
- (ii) subsequent analysis, publication and dissemination of results and archive deposition.

Reason

To comply with paragraph 211 of the National Planning Policy Framework, policy CS6 of the Core Strategy and policy HE9 of the North Lincolnshire Local Plan because details pursuant to the post excavation assessment are required to ensure satisfactory provision and the timely undertaking of the final stages of the approved archaeological mitigation strategy.

11.

A copy of any analysis, reporting, publication or archiving required as part of the approved archaeological mitigation strategy shall be deposited at the North Lincolnshire Historic Environment Record and the site archive deposited at the North Lincolnshire museum under site code BNG N within 12 months of the date of this consent or such other period as may agreed in writing by the local planning authority.

Reason

To comply with paragraph 211 of the National Planning Policy Framework, policy CS6 of the Core Strategy and policy HE9 of the North Lincolnshire Local Plan, and place the results of the archaeological excavations in the public domain in a timely fashion within an agreed timetable.

12.

Notwithstanding the hereby approved plans (condition 2 above), no above-ground development shall take place until details have been submitted to and approved in writing by the local planning authority of the make, type and colour of all external facing materials, including the detailing of the garage doors (to be vertically-oriented doors), for the development, and only the approved materials shall be used.



## Reason

To ensure that the buildings are in keeping with their surroundings in the interests of visual amenity, in accordance with policies DS1 and HE2 of the North Lincolnshire Local Plan, and CS6 of the Core Strategy.

13.

Prior to occupation of the hereby approved dwellings, full details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority, and these works shall be carried out as approved.

## Reason

In the interests of visual amenity, in accordance with policies DS1 and HE2 of the North Lincolnshire Local Plan, and CS6 of the Core Strategy.

## Informatives

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.

2.

### *Signing up for flood warnings*

The applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning, or visit <https://www.gov.uk/sign-up-for-flood-warnings>. This is a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or text message. Anyone can sign up. Flood warnings can give people valuable time to prepare for flooding – time that allows them to move themselves, their families and precious items to safety. Flood warnings can also save lives and enable the emergency services to prepare and help communities.

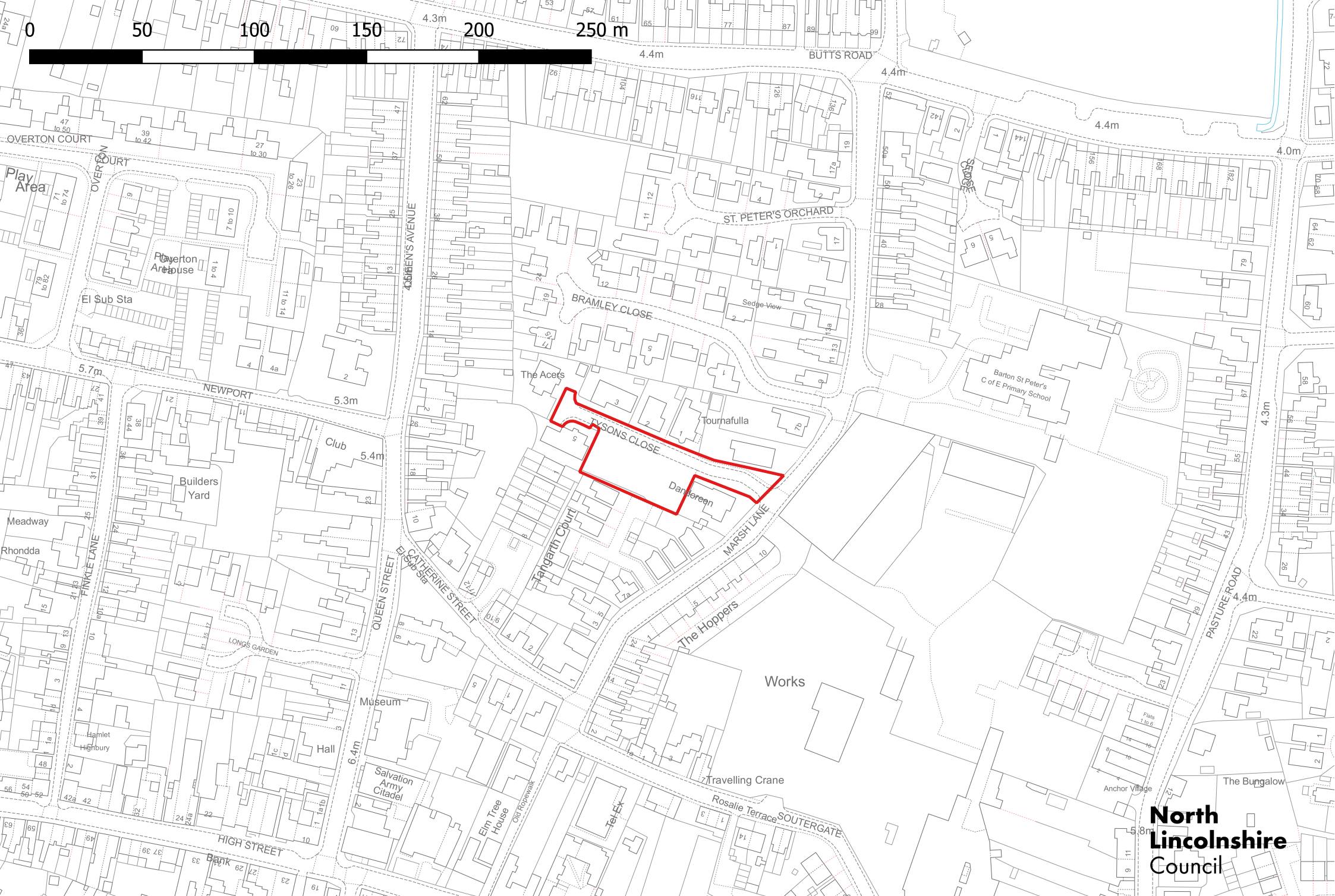
- For practical advice on preparing for a flood, visit <https://www.gov.uk/prepare-for-flooding>.
- To get help during a flood, visit <https://www.gov.uk/help-during-flood>
- For advice on what do after a flood, visit <https://www.gov.uk/after-flood>.

3.

The proposals indicate a new (restricted discharge) connection into the private surface water sewer on Tyson Close. This is not a public sewer and therefore the developer has no 'as of rights' connection into this drain. Any additional flows into this drain must be fully modelled by the developer and upgrades to this drainage system may be required to facilitate the connection (at the developer's expense). This must be consented by the current landowners and North Lincolnshire Council's LLFA Drainage team, in their capacity as Lead Local Flood Authority through an Ordinary Watercourse Consent and appropriate discharge rates must be agreed. Please contact the LLFA Drainage team on 01724 297522 or 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.

4.

In preparing schemes for new development the developer will need to ensure that the recycling objectives of the council are met. The layout and design of such schemes will need to incorporate measures for the provision and servicing of recycling facilities. Where a road is waiting to be adopted or is privately owned and maintained, householders will either be required to take their waste to the nearest adopted highway (often to a pre-agreed collection point), or, alternatively, up-to-date indemnity cover must be provided to indemnify the council's waste collection services from any damage caused to the road surfaces. Therefore, bins will need to be presented for collection on Tyson Close rather than Fredrick Fields as the council's waste collection vehicles do not enter Fredrick Fields.



PA/2022/1918

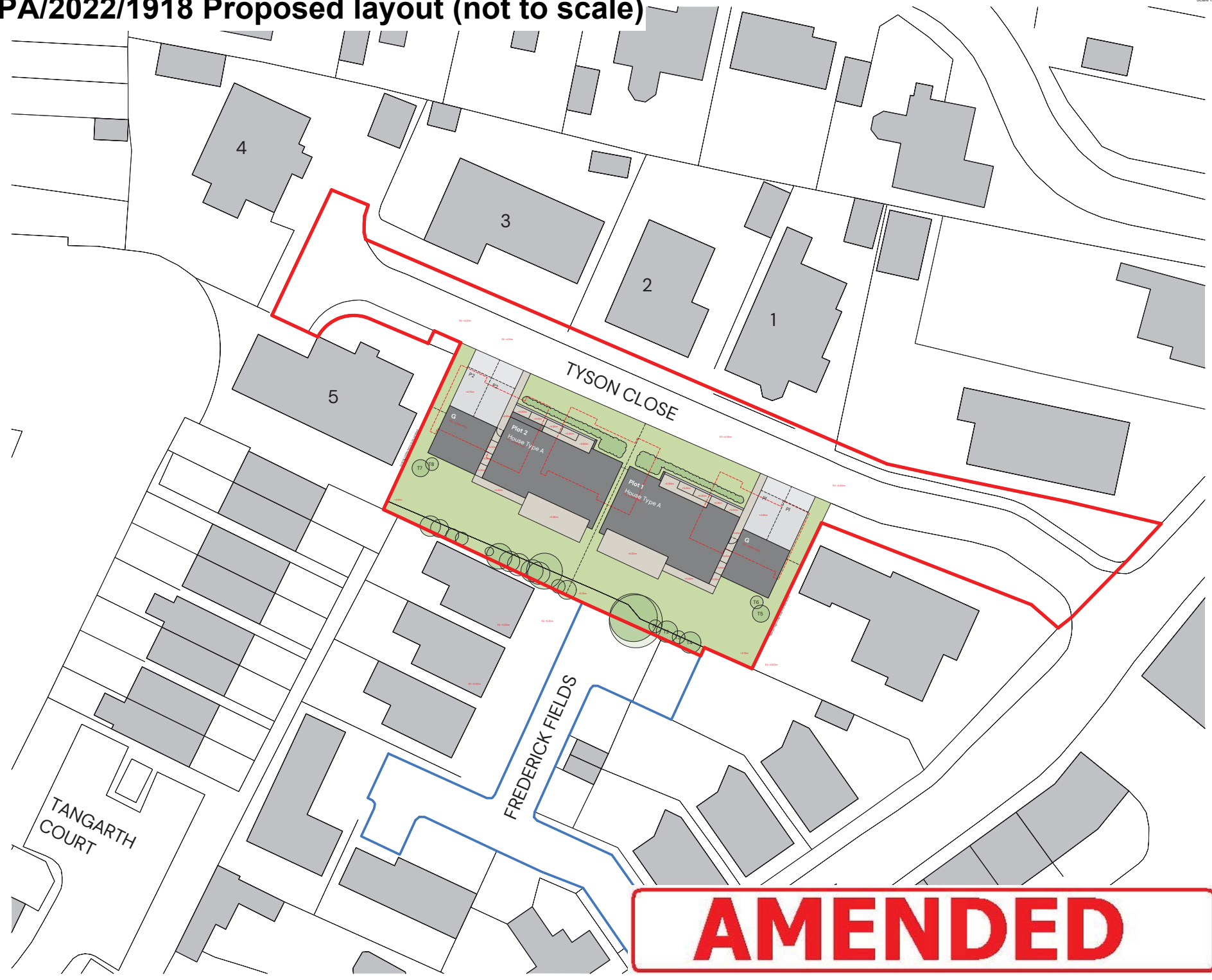
# PA/2022/1918 Proposed layout (not to scale)

Scale 1:200 0 10m 20m

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 - All dimensions in millimeters unless noted otherwise

Rev	Description	Date
A	Red line boundary amended	13.10.2023
B	Blue line boundary added	20.10.2023

- Proposed Site Plan Key.**
- Shared Driveway:**  
Plasmor Paspave, Colour: Granite Stone
  - Private Driveway:**  
Plasmor Paspave, Colour: Granite Stone
  - Hard Landscaping:**  
Riven Indian Sandstone Paving Slabs, Colour: Grey
  - Grass**
  - Soft Landscaping**
  - Existing Trees**
  - Proposed Trees**
  - Previous Scheme (As Submitted)**



<b>Auburn Architecture</b>		
Project: Proposed Development, Tyson Close, Barrow-upon-Humber		
Drawing: Proposed Site Plan		
Project / Drawing No.	Revision	
A066 - PL - 003	B	
Date: 01.03.2023	Scale: 1:200 @ A1	Status: Planning

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# PA/2022/1918 Indicative views (not to scale)



V01 - View from Marsh Lane



V02 - View from Tyson Close

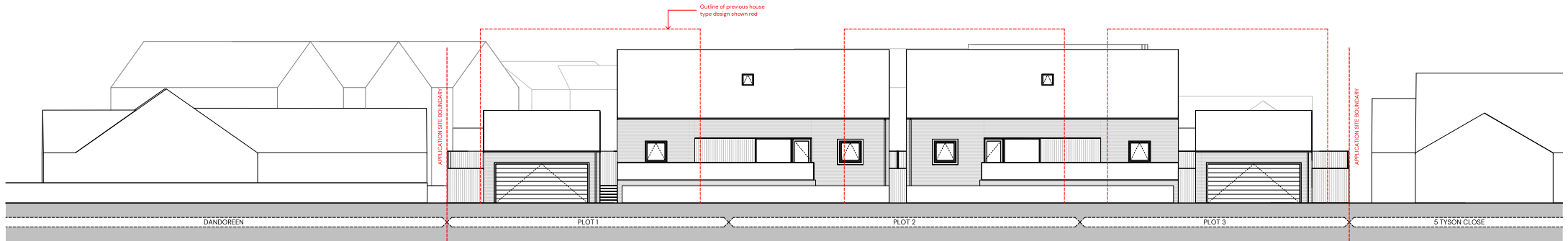


V03 - Aerial View

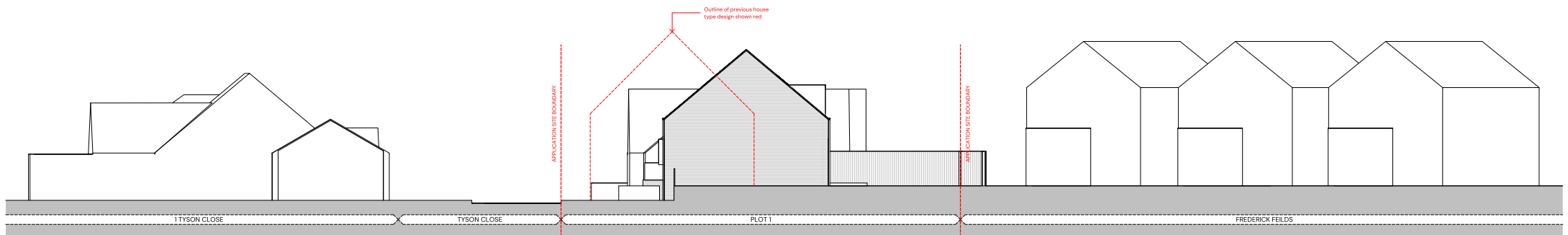
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Rev:	Description:	Date:
A	Materials updated	13.10.2023


<b>A</b> <b>A</b>	Proposed Development, Tyson Close, Barrow-upon-Humber
	Indicative Views
Project / Drawing No.	
<b>A066 - PL - 005</b>	
Revision. A	Date: 01.03.2023
Scale. NTS @ A3	Status: Planning



Site Section through Tyson Close



Site Section through Fredericks Field

	
Project: Proposed Development, Tyson Close, Barrow-upon-Humber	
Drawing: Proposed Site Sections	
Project / Drawing No. <b>003 - PL - 004</b>	Revision: <b>A</b>
Date: 17.10.2022	Scale: 1:100 @ A1
Status: Planning	