APPLICATION NO	**PA/2020/545 (MAJOR APPLICATION)**
APPLICANT	Mrs Elizabeth Marrows
DEVELOPMENT	Outline planning permission for the erection of up to 34 dwellings, following the demolition of existing dwelling and outbuildings (appearance, landscaping, layout and scale reserved for subsequent consideration)
LOCATION	Land at 65 Marsh Lane, Barton-upon-Humber, DN18 5JD
PARISH	Barton upon Humber
WARD	Barton
CASE OFFICER	Tanya Coggon
SUMMARY RECOMMENDATION	**Subject to the completion of a section 106 agreement, grant permission subject to conditions**
REASONS FOR REFERENCE TO COMMITTEE	Member 'call in' (Cllr Paul Vickers – significant public interest) Significant public interest Objection by Barton-upon-Humber Town Council

POLICIES

National Planning Policy Framework:

Chapter 2 – Achieving sustainable development

Chapter 4 – Decision-making

Chapter 5 – Delivering a sufficient supply of homes

Chapter 9 – Promoting sustainable transport

Chapter 11 – Making effective use of land

Chapter 12 – Achieving well-designed places

Chapter 15 – Conserving and enhancing the natural environment

North Lincolnshire Local Plan:

Policy H5 (New Housing Development)

Policy H8 (Housing Design and Housing Mix)

Policy HE9 (Archaeological Excavation)

Policy H10 (Public Open Space Provision in New Housing Development)

Policy C1 (Educational Facilities)

Policy LC5 (Species Protection)

Policy LC6 (Habitat Creation)

Policy LC12 (Protection of Trees, Woodland and Hedgerows)

Policy R1 (Protected Playing Fields)

Policy T1 (Location of Development)

Policy T2 (Access to Development)

Policy T19 (Car Parking Provision and Standards)

Policy T6 (Pedestrian Routes and Footpaths)

Policy DS1 (General Requirements)

Policy DS7 (Contaminated Land)

Policy DS14 (Foul Sewage and Surface Water Drainage)

Policy DS16 (Flood Risk)

Housing and Employment Land Allocations DPD:

Policy PS1 (Presumption in Favour of Sustainable Development)

North Lincolnshire Core Strategy:

Policy CS1 (Spatial Strategy for North Lincolnshire)

Policy CS2 (Delivering More Sustainable Development)

Policy CS3 (Development Limits)

Policy CS5 (Delivering Quality Design in North Lincolnshire)

Policy CS6 (Historic Environment)

Policy CS7 (Overall Housing Provision)

Policy CS8 (Spatial Distribution of Housing Sites)

Policy CS9 (Affordable Housing)

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

Policy CS17 (Biodiversity)

Policy CS18 (Sustainable Resource Use and Climate Change)

Policy CS19 (Flood Risk)

Policy CS22 (Community Facilities and Services)

Policy CS23 (Sport, Recreation and Open Space)

Policy CS25 (Promoting Sustainable Transport)

Policy CS27 (Planning Obligations)

CONSULTATIONS

Highways: We note that the submitted layout is almost identical to that submitted with the pre-application, with the exception of the units facing onto Marsh Lane. There are now three, which we feel may cause potential issues with creating a suitable access to the site. None of the other points raised appear to have been addressed with regard to road layout and parking etc. We suspect that to achieve the appropriate access road layout and in-curtilage parking arrangements it may be necessary to reduce the number of units. We would be looking for a contribution towards the cost of resurfacing Marsh Lane, the estimated cost of which is £30,000.00. We would advise that we would look to secure a contribution via an s106 agreement of £6,000.00. Highways also advises a number of conditions in relation to access, parking and highway safety.

Recycling: Please refer to the North Lincolnshire Council's Waste Planning Guidance with regard to unadopted roads. Bin collection areas will need to be created and where properties are situated on or accessed by unadopted private roads they should be provided with a refuse collection point nearest to the highway accessible by the RCV. This collection point should be sufficient to accommodate the number of bins likely to be placed out on a given collection day.

Environment Agency: The site is in Flood Zone 3 of our Flood Map for Planning, indicating a high probability of flooding in the absence of defences. Our tidal hazard mapping also shows that the site has a hazard rating of 'danger for all' (allowing for climate change) in case of a breach in the defences near the site, with associated flood depths of over 2.0 metres.

Sequential test: In accordance with the National Planning Policy Framework (NPPF) (paragraph 158), development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. It is for the local planning authority to determine if the sequential test has to be applied and whether or not there are other sites available at lower flood risk. Our flood risk standing advice reminds you of this and provides advice on how to apply the test.

Exception test: Our comments on the proposals relate to the part of the exception test that demonstrates the development is safe. The local planning authority must decide whether or not the proposal provides wider sustainability benefits to the community that outweigh flood risk. Should you be satisfied that the proposal satisfies the above requirements, the proposed development will only meet the requirements of the NPPF if the following measure(s) as detailed in the Flood Risk Assessment submitted with this application are implemented and secured by way of planning conditions.

There are some errors in the submitted flood risk assessment (FRA), including misinterpretation of our tidal breach modelling. In addition, definitive land level information/topographical survey for the site has not been provided. However, based on the available evidence, including defence standard and Humber water levels, we judge that the proposed safe level for habitable accommodation of 6.9 metres above Ordnance Datum (AOD) is appropriate. The FRA states that to achieve this level, the ground floor garages

will also need to be raised considerably above ground level. We therefore advise you to consider whether this may lead to difficulties in relation to any surrounding dwellings before granting permission. The details of flood resistance and resilience measures have not been confirmed. If flood water is excluded from the ground floor, the hydraulic pressure of flood water exceeding 600 millimetres in depth could affect the integrity of the buildings and therefore special attention will need to be given to the construction methods of these properties. Recommend conditions in relation to the submitted FRA and no additional extensions to provide habitable/living accommodation.

Drainage (Lead Local Flood Authority): No objection subject to conditions in relation to the submission of a surface water drainage scheme for the site and the submission of details to provide an effective method of preventing surface water run-off from hard paved areas onto the highway.

Anglian Water: The foul drainage from this development is in the catchment of Barton On Humber Water Recycling Centre that will have available capacity for these flows. The sewage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer. From the details submitted to support the planning application, the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management. The local planning authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be reconsulted to ensure that an effective surface water drainage strategy is prepared and implemented.

Environmental Protection: No objection subject to conditions in relation to contamination, restrictions of construction and operating hours, the submission of a CEMP and a noise assessment, and provision for electric vehicle charging points.

Historic Environment Record: These proposals do not adversely affect any recorded heritage assets of archaeological interest or their settings.

Ecology: There is no likely significant effect on the Humber Estuary SAC/SPA/Ramsar site. The proposal would result in a net loss of habitat, contrary to policies CS5, CS17 and LC12. Habitat has already been removed, contrary to good practice and our SPG on 'Trees and Development'. I object to the application as it stands. If permission is ultimately granted, biodiversity enhancements will need to be secured in accordance with policy CS17, the National Planning Policy Framework and Biodiversity Metric 2.0.

Natural England: No objection and agree with the council's HRA conclusions of no likely significant effects upon the Humber Estuary SPA, SAC and Ramsar.

Trees: Concerned that there are quite a few trees and green infrastructure identified for removal in this location, including trees considered to be worthy of retention (B category trees: T1 – a silver birch, G3 – a group of three good quality trees, two oak and a sycamore), with insufficient information as to which of them they are removing and that sufficient protection areas will be given to whichever remain. It is suggested that they need to consider significant replacement green infrastructure to mitigate the loss of vegetation and that the B category trees be given sufficient space in order to be retained into the medium to long term. They have given locations for protective fencing but as they haven't given information about the required protection areas around the trees, which is based on their canopy and trunk girth, it is not possible to determine if they have given sufficient protection around the trees and the indicative locations for housing may be too close**.** This may mean that there may be a need to reconsider the location and/or number of dwellings on this site.

Network Rail: No objection in principle, but some requirements must be met. These include funding for palisade fencing along the boundary of the former crossing on Marsh Lane to mitigate the risk of trespass. All surface and foul water arising from the works must be collected and diverted away from Network Rail property. Soakaways must be located to discharge away from railway infrastructure. Advises drainage, boundary fencing, method statements and sound proofing should be the subject of conditions.

Public Health: Recommends:

- to support the comments/recommendations made by Spatial Planning;
- to support the comments made by the LLFA;
- to support the conditions requested by the Environment Agency;
- to support the planning condition requested by Anglian Water;
- to support the comments made by the local authority tree officer;
- consultations take place with local Primary Care services to assess the impact of the development on local services;
- that notice is taken of the 10 principles of Active Design developed by Sport England and considered in the layout of the development;
- that electrical charging points are included in the design and layout of the development for the charging of cars;
- that houses are built to be energy efficient and affordable to run;
- the allocation of 20% affordable housing as required is specified and adhered to as a planning condition.

Environmental Health: Advises conditions relating to contamination, the provision of electric vehicle charging points, restrictions on hours of construction and operation, and the submission of a construction environmental management plan (CEMP) and noise assessment.

Humberside Police: No objection. Comments on design in relation to crime prevention.

Humberside Fire and Rescue: Advises that adequate access for fire-fighting will need to be provided to all buildings, and the provision of adequate water supplies for fire-fighting appropriate to the proposed risk should be considered.

Leisure Services: An off-site contribution of £29,217 is required towards the anticipated costs of undertaking facility improvements to gym and shower change areas at the catchment leisure centre of Baysgarth Leisure Centre, Hub and Library.

Education: Contributions will be sought for both primary and secondary school places. The figure based on 2020/21 calculations is £8,508 per dwelling.

Barton Civic Society: Barton upon Humber Executive Committee has concerns with regard to the traffic issues on Marsh Lane whilst the dwellings, and associated infrastructure, are being constructed, and subsequently with the number of vehicles entering and leaving the proposed development once the dwellings are occupied.

TOWN COUNCIL

Object. Concerns regarding possible flooding of the development site, in view of the comments put forward by the LLFA Drainage Team and Anglian Water. Also, road safety concerns for the access/egress road to the proposed development from Marsh Lane. Currently, two vehicles cannot pass each other on Marsh Lane due to residents' cars parked on the west side, virtually making it a single track road. Unfortunately, there is nowhere else for the residents to park and proposals for an additional 68 cars to use this as an access/egress to the development site will compound current traffic problems. The development site is not allocated land and is classified as a Flood Risk Zone 3a, with a high flood risk possibility. The site and adjacent playing field act as a flood plain during heavy rainfall with a tidal drain into Barton Haven running along the northern boundary.

PUBLICITY

The proposal has been advertised by site notices and in the press. One response of 'no objection' has been received, together with over 35 responses objecting to the application on the following grounds:

- flooding
- loss of trees
- unsuitable access
- lack of turning area
- sewage infrastructure at full capacity
- exceptions test cannot be passed
- schools at full capacity
- doctor's and dentist at full capacity
- other housing sites are available

- road in poor repair
- on-street parking
- drainage issues
- low water pressure
- highway safety compromised
- traffic assessment not accurate
- flooding risk to adjacent dwellings
- trees planted adjacent to a dyke may compromise the removal of water
- soakaways cannot be used on this site
- sequential test is insufficient
- loss of wildlife
- density too high
- emergency access
- alternative access should be used
- width of road too narrow to accommodate the development
- overlooking
- noise pollution
- no leisure contribution
- bats exist in the area
- overhead lines
- insufficient car parking on the site
- contamination
- subsidence
- loss of habitat.

STATEMENT OF COMMUNITY INVOLVEMENT

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

ASSESSMENT

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

The proposal

The applicant has agreed to amend the description of the proposal so that the outline application is now for up to 34 dwellings and layout is a reserved matter. The layout submitted as part of this application is therefore indicative only. Access is to be determined at this outline stage. Scale, appearance, layout and landscaping are all reserved matters. The access to the site is from Marsh Lane. The indicative layout shows three dwellings located on the site frontage with Marsh Lane and the remainder of the dwellings to the west of Marsh Lane.

The site

The site is located within the development boundary of Barton. It is within flood zone 2/3a and is therefore at high risk of flooding. The site currently comprises a dwelling with various outbuildings within a large plot. The site contains a number of trees, shrubs and grassland, although it must be noted that the site has been cleared. To the north is the railway line, to the south and west are the recreation grounds, and to the east are residential properties along Marsh Lane, and beyond this the football and cricket ground. The site is 0.8 hectares and yields a housing density of 42.5 dwellings per hectare if all 34 dwellings were to be erected on the site.

Planning history

A similar proposal was submitted under PA/2019/1694 which was withdrawn due to objections from consultees and neighbours. The applicant sought pre-application advice before PA/2019/1694 was submitted.

The main issues associated with the proposal are whether it is acceptable in principle, and if so, whether its impact on the highway, flood risk, drainage, the amenity of the area and the amenity neighbours is also acceptable.

Principle

The application site is wholly within the development limit for the settlement. Barton is identified as a market town in the Core Strategy, contains a number of key services and facilities, and is considered to be a sustainable settlement. It scored 69 points in the North Lincolnshire Sustainable Settlement Survey (2019) and was 2nd overall out of all the settlements in North Lincolnshire on sustainability grounds. The settlement survey looks at key features which make up sustainability, which are primary school, secondary school, doctors and community facilities. Barton upon Humber is a market town/large service centre and has seven of the seven key facilities – public house; village hall/church hall/community centre; primary school. There is a need for housing in North Lincolnshire as the council currently does not have a five-year land supply. The housing density proposed on the site aligns with policy CS7 of the Core Strategy which seeks a density of 40–45 dwellings per hectare within the development limits of market towns. The scheme is located adjacent to a recreation ground but will not prejudice the use of the playing field. The principle of residential development in this location is broadly acceptable and accords with the overarching strategic policies CS1, CS2, CS3, CS7 and CS8 of the Core Strategy, policy

R1 of the North Lincolnshire Local Plan and the principles set out in the NPPF in this regard.

Highways

In terms of highways, concerns from residents and the town council are noted. Access is to be determined at this outline stage. A transport assessment has been submitted with the application and Highways have been consulted on the proposal. They consider that the proposed access, subject to planning conditions, is acceptable and accords with policy T2 of the North Lincolnshire Local Plan. The layout of the site is now a reserved matter and through the reserved matters application the number of dwellings and car parking arrangements for the dwellings will need to be submitted, which Highways and the public will be able to comment on. In terms of comments made in relation to the surface of Marsh Lane, it is acknowledged that Marsh Lane requires resurfacing works. As a result, Highways have requested a financial contribution towards the resurfacing of Marsh Lane from the applicant of £6,000. The applicant has agreed to this contribution. Comments made in relation to inaccuracies of the Transport Assessment are noted. However, this has been assessed by Highways. They consider that the proposal is acceptable in highway terms, subject to the S106 contributions and planning conditions which will be imposed on any planning permission. It is also noted that Marsh Lane is a narrow road and that concerns have been raised relating to existing issues with on-street parking; however, Highways officers have raised no objections with regard to the suitability of this road to serve as the means of access/egress for the proposed development. The proposal therefore aligns with policies T2 and T19 of the North Lincolnshire Local Plan.

A condition has been recommended to secure a construction phase traffic management plan, which will be subject to agreement by Highways. This will ensure that construction traffic is carefully planned for and does not prejudice the free and safe flow of vehicles along Marsh Lane.

Flood risk and drainage

In terms of flood risk, the site lies in flood zone 2/3a and is therefore at high risk of flooding. Many objectors have raised concerns over the flooding and flood risk associated with the site. The applicant has submitted a Flood Risk Assessment (FRA) with the application. The Environment Agency has not objected to the application but has recommended conditions. Due to the flood risk associated with the site, the ground floors of the properties will have to be used for non-habitable accommodation only, such as garages/WCs. The ground level of the site will also need to be raised. The average level of the site is 3.2 AOD. The upper floors will need to accommodate the habitable accommodation with a safe level of 6.9 AOD. The FRA suggests that the levels of the development will be:

- ground floor (non-habitable living space) – finished floor level 3.800 metres AOD; flood proofing should be provided up to 4.400 metres AOD. (Exclusion)

- first floor – finished floor level 6.900 metres AOD or above, and a place of safety shall be provided at 6.900 metres AOD.

A planning condition is proposed to establish the levels the dwellings will be constructed at, as the site is not one level. The scale, layout and appearance of the dwellings will be assessed at reserved matters stage to ensure they are in character with the area and would not be overbearing on adjacent properties or on the area in general.

Given the development is for ‘more vulnerable’ residential development in a high flood risk zone, the proposal will only be supported where it can be demonstrated that the sequential and exceptions test set out in the NPPF are passed in order for the development to be considered acceptable in terms of flood risk. The applicant has submitted a sequential test with the application. The council is satisfied that there are no other sequentially preferable sites available within the settlement boundary of Barton for this size and type of development that lie in a lower flood risk area. As a result the sequential test is passed.

The exceptions test then has to be applied. For the exception test to be passed it should be demonstrated that:

(a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and

(b) the development would be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere and, where possible, would reduce flood risk overall.

In terms of sustainability, the dwelling would provide employment for local tradespeople during construction. The location of the development is within the development boundary of Barton and its proximity to local shops and services etc, together with good access to public transport, all demonstrate a sustainable location. The scheme will make a valuable contribution towards the council’s five-year housing land supply. The development will provide affordable housing on the site and contributions towards biodiversity, play equipment, education, leisure and resurfacing Marsh Lane will be provided. The dwellings will support local services and contribute to Barton’s local economy. On this basis, it is considered that the wider sustainability benefits of the development outweigh the flood risk. It has been demonstrated that the development is safe without increasing flood risk elsewhere. The exceptions test is therefore considered to be passed. Furthermore, the council’s LLFA drainage team has no objection and the Environment Agency has confirmed, subject to conditions, that the development is safe from flooding and would not increase flood risk to neighbouring land. These conditions will be placed on any planning permission. The proposal accords with the NPPF, policy CS19 of the Core Strategy and policy DS16 of the North Lincolnshire Local Plan.

In terms of drainage, many objections have been received in relation to drainage issues associated with the site and Marsh Lane. Anglian Water has been consulted and in terms of foul water has stated that there is available capacity for these flows. A condition requiring details of the disposal of the foul water to be submitted to the council for approval is recommended and Anglian Water would be consulted on these details. As a result, the proposal, in terms of foul water, is considered to be acceptable.

In terms of surface water, Anglian Water and the LLFA have been consulted. The LLFA has no objections to the proposal subject to pre-commencement conditions, which are recommended to be imposed on any planning permission. Anglian Water is unable to provide comments on the suitability of the surface water management and has requested that the local planning authority seeks the advice of the LLFA. The LLFA has requested conditions in relation to surface water disposal, and the LLFA, Anglian Water and the Environment Agency will be consulted on these details. Network Rail has also commented on drainage for the site to ensure that surface and foul water is collected and diverted away from Network Rail property. They will also be consulted on the details for the disposal of

foul and surface water for the site for safety reasons. The recommended conditions would secure a suitable, detailed drainage scheme prior to works commencing on site.

This aspect of the proposal, subject to conditions, would therefore accord with policies CS18 and CS19 of the Core Strategy, and policies DS14 and DS16 of the North Lincolnshire Local Plan.

Archaeology

In terms of archaeology, HER have been consulted and raise no objections to the proposal as it does not adversely affect any record heritage assets or archaeological interest, or their settings. The proposal therefore raises no archaeological implications.

Biodiversity

The applicant has submitted a Biodiversity Net Gain (BNG) and Biodiversity Enhancements Report with the application. In terms of biodiversity, the proposal has no significant effect on the Humber Estuary SPA, SAC and Ramsar. This has been agreed by Natural England. The site has been subject to extensive site clearance which has resulted in a net loss of habitat. Swamp vegetation, scrub and woodland habitat has been removed. The retained and proposed trees are limited to boundary trees and scattered individual trees rather than a woodland habitat with structure. Even with the mitigation measures proposed in the submitted biodiversity reports, that include a SUDS pond, tree and shrub planting, wildflower area, and native hedgerows with trees, the proposal results in a 62% loss of biodiversity. This aspect of the proposal does not accord with policies CS5 and CS17 of the Core Strategy and policy LC12 of the North Lincolnshire Local Plan, and the council's ecologist therefore objects to the development.

A planning condition can be used to ensure the proposed biodiversity enhancements are carried out on the site in accordance with the submitted biodiversity reports. The council's ecologist considers that a section 106 agreement will be required to secure 2.28 units of off-site biodiversity enhancements – either delivered by the applicant or, as a last resort, as a tariff of £25,080 to be paid towards the creation of habitats locally in accordance with the Biodiversity Opportunity Map and the Greater Lincolnshire Nature Strategy. The applicant has agreed an S106 contribution of £25,080 to secure 2.28 units of off-site biodiversity enhancements.

The loss of habitat on the site is regrettable and has already occurred by the site clearance carried out. The loss of habitat can be compensated through biodiversity enhancements on the site and by the provision of off-site biodiversity enhancements.

Hedgerows and trees

In terms of hedgerows and trees, an arboricultural report dated March 2020 has been submitted with the application which states that the majority of the trees on the site are on the boundaries of the site and are to be retained. However, a number of trees are shown to be removed to facilitate the development. It is acknowledged that the site has been cleared, which has been discussed in the biodiversity section of this report. Planning permission was not required to clear the site and the trees on the site are not protected by tree preservation orders or within a conservation area. Tree protective fencing is proposed to protect the remaining trees during construction. In terms of the loss of some of the trees on the site, these can be compensated through an extensive landscaping scheme that will need to be submitted within the reserved matters application which the tree officer and residents will

have the opportunity to comment on. The comments in relation to the protective fencing are noted and planning conditions will be used to ensure details of the root protection zones of trees to be retained, with construction and protective fencing details, are submitted for consideration. The scale, layout and appearance of the proposed dwellings (which are reserved matters) will need to be carefully designed to ensure the trees can be safeguarded during development and retained thereafter. The proposal, in terms of hedgerows and trees, is considered, on balance, to be acceptable, subject to conditions and therefore accords with policy LC12 of the North Lincolnshire Local Plan, and policies CS5 and CS16 of the Core Strategy.

Character impacts

Policy CS5 of the North Lincolnshire Core Strategy is also relevant. 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' and 'Design which is inappropriate to the local area or fails to maximise opportunities for improving the character and quality of the area will not be acceptable.' Policies H5 of and H8 the local plan, which are concerned with new housing development, and paragraph 127 of the NPPF, are also relevant, though the criteria-based nature of policy H5 lends itself better to the assessment of any subsequent reserved matters application.

The proposal, in scale terms, would clearly represent a fairly significant addition to Barton and would alter the character and appearance of the site. It is considered that the visual impact of the scheme would be significant for some neighbouring properties along Marsh Lane and the development would be visible from the recreation ground. However, a suitable design, layout and mix of dwellings on the site could be designed to be in character with this area of Barton which comprises a mix of housing types and designs. The use of landscaping and boundary treatments would also mitigate some of the impacts on the surrounding land uses and eventually the site would effectively be integrated into this area of Barton. As a result, in terms of the impact the development would have on the character of this area of Barton, it is considered to be acceptable and would accord with policies H5 and DS1 of the North Lincolnshire Local Plan, and policy CS5 of the Core Strategy.

Contamination and environmental issues

Policy DS7 of the North Lincolnshire Local Plan is concerned with contaminated land. The Environment Agency has provided generic advice in terms of land contamination and the water environment. Environmental Health has been consulted on the proposal and proposes a contamination condition requiring a Phase 1 site investigation, and remediation and verification reports to be submitted before development commences on the site. This condition would be imposed on any forthcoming planning permission and the proposal, in terms of contamination, would align with policy DS7 of the North Lincolnshire Local Plan.

Policy CS18 of the Core Strategy is concerned with sustainable resource use and climate change. Its purpose is to promote development that utilises natural resources as efficiently and sustainably as possible. Two points of this policy are relevant:

(10) ensuring development and land use helps to protect people and the environment from unsafe, unhealthy and polluted environments, by protecting and improving the quality of the air, land and water; and

(12) supporting new technology and development for carbon capture and the best available clean and efficient energy technology, particularly in relation to the heavy industrial users in North Lincolnshire, to help reduce CO_2 emissions.

Environmental Health has assessed the proposal in relation to the Institute of Air Quality Management Land Use Planning and Development Control: Planning for Air Quality January 2017 and proposes a condition that, prior to development, a scheme for electric vehicle charging points shall be submitted to and agreed in writing with the local planning authority. The request is considered to be in accordance with the above policy requirements and will be attached to any forthcoming permission to mitigate the impact upon air quality generated by the development. This condition will be imposed on any planning permission granted and would accord with Chapter 9 of the NPPF, policy CS18 of the Core Strategy and DS11 of the local plan by making a positive impact upon the reduction of polluting activities.

A condition to manage construction working hours is considered necessary to mitigate unacceptable impact upon neighbouring amenity, and will be imposed on any planning permission granted. The submission of a construction environmental management plan is also required to safeguard residents' amenity during construction. The site is close to the railway line and therefore the submission of a noise assessment has been requested by Environmental Health to ensure that adequate mitigation measures, such as sound proofing/ventilation are installed in the proposed dwellings to safeguard the amenity of potential occupiers in terms of noise. This can be dealt with by condition. The proposal would accord with policies DS1 and DS11 of the North Lincolnshire Local Plan.

Impact on neighbours

In terms of neighbours, concerns about overlooking/loss of privacy have been raised. It is accepted that, due to the flood risk of the site, habitable accommodation will need to be provided on the first floor. Non-habitable accommodation, such as garages, toilets etc, would have to be provided on the ground floor. Comments in relation to the levels the dwellings will need to be built above the site levels are noted. The site is adjoined by a number of properties along Marsh Lane. It is considered that the dwellings could be designed to avoid overlooking/loss of privacy to neighbours by careful positioning of habitable windows in the proposed dwellings and through boundary treatments. This issue will be assessed in more detail at the reserved matters stage where the appearance, scale and layout of the dwellings will need to be submitted. Neighbours will also have the opportunity to comment on any reserved matters application submitted.

In terms of the scale of the dwellings, this is also a reserved matter which neighbours will also have the opportunity to comment on. It is accepted that the dwellings will need to be built above ground level with habitable accommodation on the upper floor due to the flood risk of the site. Planning conditions would be used to secure details of the levels the dwellings would be constructed at. A carefully designed scheme with the roof space potentially utilised for habitable accommodation would ensure the dwellings were not overly domineering to neighbours or in the street scene. The indicative layout shows acceptable separation distances between the proposed dwellings and the existing properties on Marsh Lane. The proposal, on balance, would accord with policy CS5 of the Core Strategy, and policies RD2, H5 and DS1 of the North Lincolnshire Local Plan.

Planning obligations

Policy CS27 is concerned with planning obligations and states that where a development proposal generates an identified need for additional infrastructure, North Lincolnshire Council will, through the negotiation of planning obligations pursuant to Section 106 of the Town & Country Planning Act 1990 and in accordance with guidance set out in Circular 05/2005, seek obligations that are necessary to make proposals acceptable in planning terms. The tests for planning obligations are set out in Part 11, section 122 of the Community Infrastructure Levy Regulations 2010 (as amended). It states: (2) A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:

(a) necessary to make the development acceptable in planning terms;

(b) directly related to the development; and

(c) fairly and reasonably related in scale and kind to the development.

The legal test is also set out in planning policy under paragraph 56 of the National Planning Policy Framework 2018.

Affordable housing

Policy CS9 is concerned with affordable housing and requires schemes for new residential housing in market towns to contribute 20% of the scheme for affordable tenure.

The applicant has agreed to provide 20% of affordable housing on site; this is therefore policy compliant. The affordable housing will be provided by affordable rent, shared ownership for example.

Informal open space and leisure contribution

Policy H10 of the North Lincolnshire Local Plan is concerned with public open space. It states, '(i) …New housing developments on allocated and windfall sites of 0.5 hectares or more will be required to provide recreational open space on a scale, and in a form, appropriate to serve the needs of residents.' This is reinforced by policy CS22 of the North Lincolnshire Core Strategy; both are considered relevant. The applicant has agreed to provide on-site public open space in order to comply with policy CS22, together with a financial contribution of £22,940.40 for North Lincolnshire to maintain this land or an estate management company be set up. The location, size and layout of the open space to be provided on the site will be secured within the S106 agreement.

An off-site contribution of £33,668.00 is required towards the maintenance and new equipment of an existing area of play. The applicant is willing to agree this contribution.

An off-site leisure contribution of £29,217 has also been requested towards Baysgarth Leisure Centre to improve the shower and changing room facilities. The applicant is willing to agree this contribution. This accords with policy CS23 of the Core Strategy.

Biodiversity

A contribution is requested as the proposal will result in a net loss of habitat, although a number of biodiversity enhancements will take place on the site. The net loss in habitat

units, taking into account on-site enhancements, is 1.97 biodiversity units when Defra's Biodiversity Metric Version 2.0 is applied. In order to compensate for this, an off-site contribution of £25,080 is required to provide compensatory off-site habitat creation. This will secure measurable net gains for biodiversity. This will align with paragraphs 174 and 175 of the NPPF and policies CS5 and CS17 of the Core Strategy which seek to ensure that proposals will secure net gains in terms of biodiversity.

Education

Policy C1 states that where major new housing proposals would result in an increased demand for education facilities, which cannot be met by existing schools and colleges, a developer may be required to enter into a planning obligation under Section 106 of the Town and Country Planning Act 1990, to secure the provision of, or contribution towards, new or extended facilities. The response from the education department to this application is that primary and secondary contributions are required, which are calculated as £229,716. (This figure excludes affordable, one-bed and over 55 dwellings.) The issue of school capacity raised by objectors is noted. The S106 contribution requested by education will enable the schools to be expanded. The applicant has agreed to the financial contribution for education.

Highways

A financial contribution of £6,000 is requested towards resurfacing work along Marsh Lane. The applicant has agreed to this.

Obligations summary

The proposed on and off-site contributions are considered to be CIL compliant as well as policy compliant. The proposal would therefore align with policies CS9, CS17, CS22, CS23 and CS25 of the North Lincolnshire Core Strategy; policies C1, T2 and H10 of the North Lincolnshire Local Plan, and paragraph 56 of the NPPF.

Other issues raised

Issues such as the doctor's and dentist's being at full capacity are noted. However, no response has been received from the Primary Care/GP Practices. Public Health do not object to the proposal. The issue of overhead lines is a matter for the applicant/developer to address. There is no evidence submitted to suggest the land has subsidence issues. The issue that other housing sites should be developed has been raised. The council works with developers, landowners and agents to bring sites with planning permission forward for delivery, but some sites have not come forward for delivery for a variety of reasons, including viability issues, low land values, land ownership, and implications arising from Covid-19, for example.

In terms of comments made by Network Rail, these are noted and an informative is proposed on any planning permission to draw the applicant's attention to these comments. In terms of the boundary fencing adjacent to Network Rail's boundary, this will be a condition on any planning permission for the development and Network Rail will be consulted on the boundary treatment. Network Rail has requested that the palisade fencing along the boundary of the former level crossing on Marsh Lane is upgraded as they feel there will be an increased risk of trespass at the former crossing site from the development. There is no evidence to suggest that this would be the case and it is therefore unreasonable to request this through a planning condition or S106 agreement. This is a

matter for Network Rail to ensure their assets are secured. Comments in relation to drainage are noted and assessed in the drainage section of this report. The developer will need to ensure that the use of crane and plant on the site adjacent to Network Rail's property complies with Network's Rail's requirements. Comments that earthworks and excavations to be carried out near the railway undertaker's boundary fence need to be submitted to the local planning authority for approval are noted and these will be dealt with by a planning condition. Details of method statements are a matter for the developer to agree with Network Rail. A construction traffic management plan and details of a noise assessment to establish the type of soundproofing (if required) are all proposed within the recommended conditions.

Pre-commencement conditions

All pre-commencement conditions attached to this recommendation have been agreed with the applicant in accordance with the Town and Country Planning (Pre-commencement conditions) Regulations 2018.

Conclusion

To conclude, the site is located within the development boundary of Barton in a highly sustainable location. The proposal would contribute to the council's five-year land supply (currently four years) and employment opportunities would be created during construction of the dwellings. The proposal would provide affordable housing on the site and public open space. The site is acceptable in terms of flood risk, subject to conditions. A scheme could be designed to prevent any adverse impact on neighbours. The loss of habitat on the site is regrettable, but extensive site clearance has already occurred. Biodiversity enhancements could be achieved on site and off-site compensation to secure net biodiversity gains can be provided through an S106 agreement. 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-designed residential scheme in this location. When the planning balance is applied, the proposal is considered acceptable in planning terms.

Heads of terms

S106 contributions	
Affordable housing	20% of the development (7 dwellings based on 34 dwellings on the site)
Off-site recreation	Towards the maintenance and new equipment of an existing area of play – £33,668.00
On-site informal open space	10 square metres per dwelling and £22,940.40 for North Lincolnshire to maintain this land or an estate management company to be set up
Education	£229,716 for primary and secondary places per dwelling, excluding affordable and any over 55's products

Leisure off-site contribution and location	£29,217 towards anticipated costs of building improvements and additional sports equipment at Baysgarth Leisure Centre
Biodiversity off-site contribution	To secure 2.28 units of offsite biodiversity enhancements – either delivered by the applicant or, as a last resort, as a tariff of £25,080 to be paid towards the creation of habitats locally in accordance with the Biodiversity Opportunity Map and the Greater Lincolnshire Nature Strategy
Highways	A financial contribution of £6,000 towards the cost of resurfacing Marsh Lane

RECOMMENDATION

Subject to the completion of a formal agreement under Section 106 of the Town and Country Planning Act 1990 for the contributions set out in the 'Heads of terms' specified above, the committee resolves:

(i) it is mindful to grant permission for the development;

(ii) the decision be delegated to the Group Manager – Development Management and Building Control upon completion of the obligation;

(iii) if the obligation is not completed by 31 May 2021 the Group Manager – Development Management and Building Control be authorised to refuse the application on grounds of inadequate provision of essential community benefits;

(iv) the permission so granted be subject to the following conditions:

1.
Approval of the details of the scale and appearance of the building(s), and the layout and 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 scale and appearance of any buildings to be erected, and the layout and landscaping of the site, shall be submitted in writing to the local planning authority and shall be carried out as approved.

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

3.
Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

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

4.
The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

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

5.
The development hereby permitted shall be carried out in accordance with the following approved plans: 19 01 202 (the access to and within the site only) and 19 01 002.

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

6.
No development shall take place until details of:

(i) the location and layout of the vehicular access; and

(ii) the number, location and layout of the vehicle parking space(s) within the curtilage of the site;

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

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

7.
No loose material shall be placed on any driveway or parking area within 10 metres of the adopted highway unless measures are taken in accordance with details to be submitted to and approved in writing by the local planning authority to prevent the material from spilling onto the highway. Once agreed and implemented these measures shall be retained.

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

8.
No dwelling on the site shall be occupied until the vehicular access to it and the vehicle parking spaces serving it have been completed and, once provided, the vehicle parking spaces shall be retained.

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

9.
No development shall begin until details of:

(i) the layout, drainage, construction, services and lighting of the proposed access road, including the junction with the adjacent highway; and

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

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

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

10.
No dwelling on the site shall be occupied until the access road has been completed to at least base course level and adequately lit from the junction with the adjacent highway up to the access to the dwelling.

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

11.
No other works shall be commenced on the site until the access road junction with the adjacent highway, including the required visibility splays, has been set out and established.

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

12.
No dwelling on the site shall be occupied until the footway has been constructed up to base course level from the junction with the adjacent highway to the access to the dwelling.

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

13.
No works shall be commenced on the penultimate dwelling on the site until the access road has been completed.

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

14.
Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 (or any order revoking and re-enacting that order with or without modification), no development shall take place within any service strip adjacent to any shared surface road, and any planting or landscaping within this service strip shall be of species which shall be agreed in writing with the local planning authority prior to planting.

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

15.
No development shall take place until a construction phase traffic management plan showing details of:

- all associated traffic movements, including delivery vehicles and staff/construction movements;

- any abnormal load movements;

- contractor parking and welfare facilities;

- storage of materials; and

- traffic management requirements, including the means of controlling the deposition of mud onto the adjacent highway, along with appropriate methods of cleaning the highway as may be required;

has been submitted and approved in writing by the local planning authority. Once approved the plan shall be implemented, reviewed and updated as necessary throughout the construction period.

Reason
In the interests of highway safety.

16.
No development shall take place (or building/property to be occupied) until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall be based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development. This must be based upon the submitted Surface Water Drainage Strategy Calculation Package, submitted by J H Collins, ACRA Consulting Engineers, Issue 01, Dated 6th May 2020.

The drainage scheme shall demonstrate that surface water run--off generated up to and including the 1 in 100 year critical storm (including an allowance for climate change) 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. SuDS must be considered. Reference should be made to North Lincolnshire Council's SuDS and Flood

Risk Guidance Document. Should infiltration not be feasible at the site, alternative sustainable drainage should be used, focusing on above-ground solutions.

Reason
To prevent the increased risk of flooding to themselves and others, and to the adjacent railway, 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.

17.
The drainage scheme shall be implemented in accordance with the approved submitted details required by condition 16 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, and to the adjacent railway, 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.

18.
No development shall take place until details showing an effective method of preventing surface water run-off from hard paved areas within the site onto the highway have been approved in writing by the local planning authority. These facilities shall be implemented prior to the access and parking facilities being brought into use and thereafter so retained.

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

19.
No development shall take place until a scheme for the disposal of foul water has been agreed in writing by the local planning authority and none of the dwellings shall be occupied until it is connected to the approved drainage system.

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

20.
The development permitted by this planning permission shall be carried out in accordance with the submitted Flood Risk Assessment (FRA) dated 24 September 2019, reference number FRA-BART101, compiled by ACRA Consulting and the following mitigation measures detailed within the FRA:

- the ground floors of the properties to be used for non-habitable accommodation (garage/WC/utility) only;

- finished floor levels of the habitable first floors to be set no lower than 6.9 metres above Ordnance Datum (AOD);

- appropriate flood resilience and resistance measures to be incorporated into the proposed development.

The mitigation measures shall be fully implemented prior to occupation and subsequently remain in place.

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

21.
Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, amending and re-enacting that Order with or without modification), no extensions to provide additional habitable/living accommodation shall be erected/installed to any dwelling on the site or erected/installed on any part of the site without the prior approval in writing of the local planning authority.

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

22.
Before development commences on site, details of all the finished floor levels at which all the dwellings will be constructed shall be submitted to and approved in writing by the local planning authority. Only the approved scheme shall be implemented on the site.

Reason
To ensure the dwellings are in character with the area and to safeguard the amenity of adjoining dwellings in accordance with policy CS5 of the Core Strategy, and policies H5 and DS1 of the North Lincolnshire Local Plan.

23.
No development shall take place until details of the positions, design, materials and type of boundary treatment to be built/planted to the site boundaries including to the northern boundary of the site 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 and to safeguard railway safety.

24.
Before development is commenced, an updated schedule of all the trees to be retained on the site with details of the protection areas around the existing trees and the method of protecting the existing trees on the site throughout the construction period shall be submitted to and approved in writing by the local planning authority, and such works as may be so approved shall be carried out before development is commenced, and maintained until completion of the development. None of the trees so protected shall be wilfully damaged or destroyed, uprooted, felled, lopped or topped, nor any other works carried out which would cause damage to the root systems or otherwise threaten the lives of the trees during the period of construction without the previous written consent of the local planning authority. Any trees removed without such consent or dying or being severely damaged or becoming seriously diseased during that period shall be replaced with trees of such size and species as may be agreed with the local planning authority.

Reason
In order to safeguard the existing trees on the site in accordance with policy LC12 of the North Lincolnshire Local Plan.

25.
No development shall take place until a noise impact assessment has been submitted to and approved in writing by the local planning authority. The noise impact assessment shall be carried out with reference to:

- National Planning Policy Framework (2019);

- National Planning Practice Guidance (2014);

- ProPG: Planning & Noise, New Residential Development (2017);

- Calculation of Railway Noise 1995;

- World Health Organisation Environmental Noise Guidelines for the European Region 2018;

- World Health Organisation Guidelines for Community Noise (1999);

- World Health Organisation Night Noise Guidelines for Europe (2009);

- BS8233:2014 Guidance on sound insulation and noise reduction for buildings;

- BS7445-2:1991, ISO1996-2:1987 Description of environmental noise. Part 2: Guide to acquisition of data pertinent to land use.

Part 1
The assessment report shall provide details of existing background noise levels, likely noise sources which will impact upon the proposed development, mitigation methods to be employed and the resulting predicted level of noise at sensitive locations. Any approved mitigation measures shall be carried out in their entirety before any dwelling on the site is occupied and shall be retained thereafter.

Part 2
Following installation of the mitigation measures in accordance with the approved technical specification, a verification report that demonstrates the effectiveness of the mitigation measures shall be undertaken. The verification report shall be submitted to and approved in writing by the local planning authority.

Reason
To protect the amenity of future occupiers from railway noise in accordance with policy DS1 of the North Lincolnshire Local Plan.

26.
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 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 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, a 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 that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy DS7 of the North Lincolnshire Local Plan.

27.
Prior to the occupation of any dwelling on the site, a scheme for the provision of electric vehicle charging points shall be submitted to and approved in writing by the local planning authority. The scheme shall be designed to take account of good practice guidance as set out in the Institute of Air Quality Management Land Use Planning and Development Control:

http://www.iaqm.co.uk/text/guidance/air-quality-planning-guidance.pdf

and contemporaneous electrical standards including:

- Electrical Requirements of BS7671:2008;

- IET Code of Practice on Electrical Vehicle Charging Equipment installation 2012 ISBN 978-1-84919 515-7.

The approved scheme shall be installed in full and retained in perpetuity thereafter.

Reason
To facilitate the uptake of low emission vehicles and reduce the emission impact of traffic arising from the development in line with the National Planning Policy Framework.

28.
Construction, demolition and site clearance operations shall be limited to the following days and hours:

- 8am to 6pm Monday to Friday

- 8am to 1pm on Saturdays.

No construction, demolition or site clearance operations shall take place on Sundays or public/bank holidays.

HGV movements shall not be permitted outside these hours during the construction phase without prior written approval from the local planning authority.

Installation of equipment on site shall not be permitted outside these hours without prior written approval from the local planning authority.

Reason
To safeguard the residential amenity of adjoining dwellings in accordance with policy DS1 of the North Lincolnshire Local Plan.

29.
No stage of the development hereby permitted shall commence until a construction environmental management plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include the following:

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

(a) the works, and the method by which they are to be carried out;

(b) the noise and vibration attenuation measures to be taken to minimise noise and vibration resulting from the works, including any noise limits; and

(c) a scheme for monitoring the noise and vibration during the works to ensure compliance with the noise limits and the effectiveness of the attenuation measures.

Light – the CEMP shall set out the particulars of:

(a) specified locations for contractors' compounds and materials storage areas;

(b) areas where lighting will be required for health and safety purposes;

(c) the location of potential temporary floodlights;

(d) identification of sensitive receptors likely to be impacted upon by light nuisance;

(e) proposed methods of mitigation against potential light nuisance, including potential glare and light spill, on sensitive receptors.

Dust – the CEMP shall set out the particulars of:

(a) site dust monitoring, recording and complaint investigation procedures;

(b) identification of receptors and the related risk of dust impact at all phases of the development, including when buildings and properties start to be occupied;

(c) provision of water to the site;

(d) dust mitigation techniques at all stages of development;

(e) prevention of dust trackout;

(f) communication with residents and other receptors;

(g) a commitment to cease the relevant operation if dust emissions are identified either by regular site monitoring or by the local authority;

(h) a 'no burning of waste' policy.

Reason
To protect residential amenity in accordance with policy DS1 of the North Lincolnshire Local Plan.

30.
Works and biodiversity enhancements shall be carried out strictly in accordance with the submitted document, 'Biodiversity Net Gain (BNG) and Biodiversity Enhancements Report'. The management prescriptions set out in sections 4.2 to 4.5.7 and section 6.0 to 7.2 of the management plan shall be carried out in their entirety in accordance with the timescales set out. Prior to the occupation of the 30th 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. All biodiversity features shall be retained thereafter.

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

31.
Prior to the commencement of works on the site, full details of any excavation and earthworks to be carried out near Network Rail’s boundary fencing shall be submitted to

and approved in writing by the local planning authority. Thereafter only the approved works shall be carried out on the site.

Reason
To ensure the safety of the adjacent railway line and associated infrastructure.

32.
No more than 34 dwellings shall be erected on the site at any time.

Reason
In the interests of the amenity of the locality and in the interests of residential amenity.

Informative 1
This application must be read in conjunction with the relevant Section 106 Agreement.

Informative 2
The applicant's attention is drawn to the comments made by Network Rail. The applicant/developer will need to ensure that the necessary consents are obtained from Network Rail.

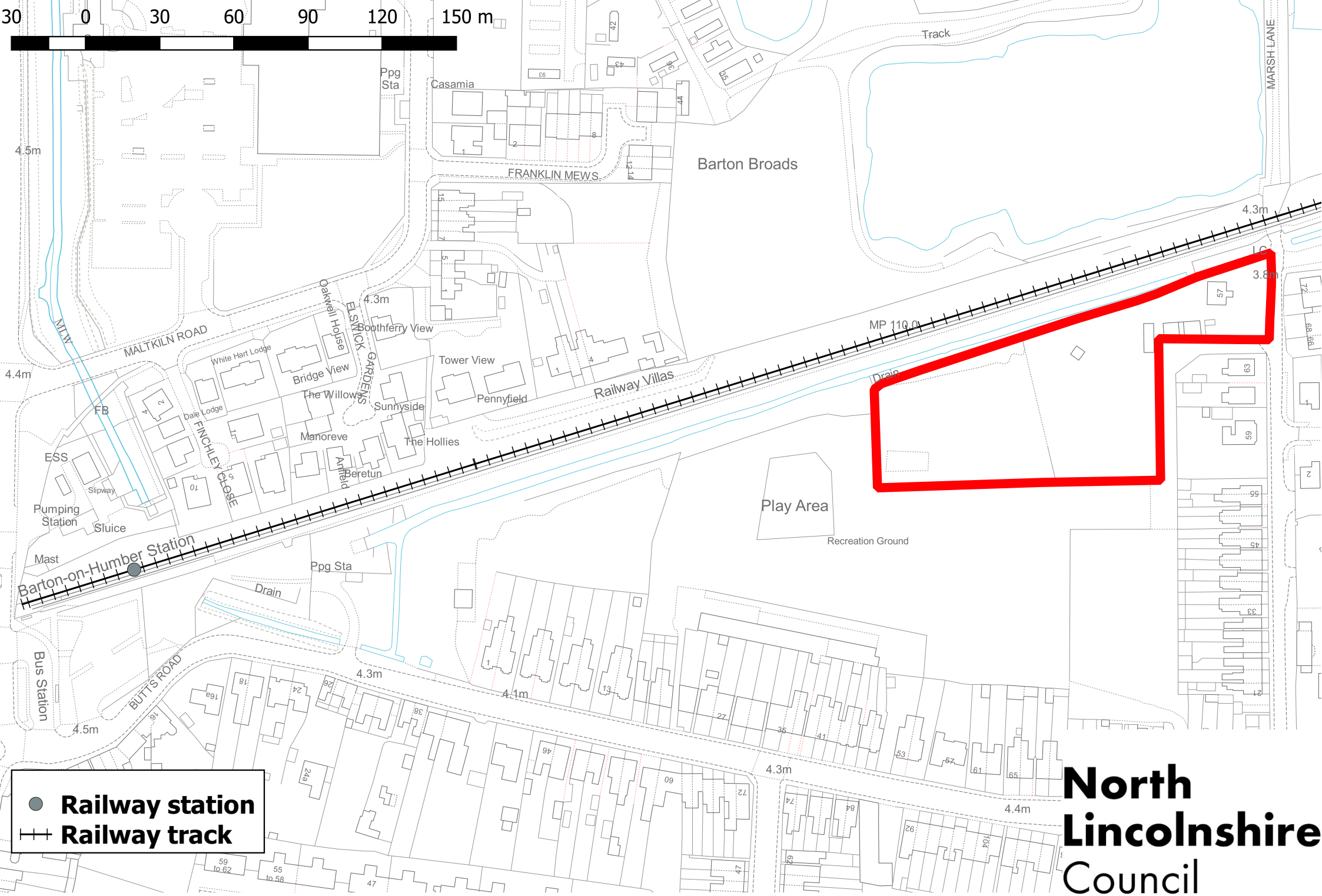
Informative 3
The applicant's attention is drawn to the comments made by the LLFA, the Environment Agency, Humberside Fire and Rescue, and Waste and Recycling.

Informative 4
The development hereby granted planning permission requires works to be carried out within the limits of the adopted (public) highway. Therefore:

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

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

Informative 5
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.



North Lincolnshire Council

PA/2020/545

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PA/2020/545 Indicative site layout (not to scale)

Proposed Site Plan

SCALE 1:500

PROPOSED HOUSING MIX: -

TERRACES	2-3 BEDS	21 No.
SEMI-DETACHED	2-3 BEDS	6 No.
DETACHED HOUSES	2-4 BEDS	7 No.
TOTAL		34 No.

FOR FLOOD SAFETY - ALL PROPERTIES TO HAVE HABITABLE ROOMS AT FIRST & SECOND FLOOR LEVELS.

GROUND FLOORS TO BE GARAGE, UTILITY, WORKSHOP & STORAGE.

EXISTING TREE TO BE RETAINED

NEW TREE - SPECIES TBA

EXISTING TREE TO BE FELLED

G3 = TREE REFERENCE Nos. FROM ARBORICULTURAL REPORT

PROPOSED HEDGEROW

General Notes

NOTES: -

This drawing must NOT be scaled.

Work shall not commence until planning and building regulation approvals have been obtained in full.

All dimensions and levels to be checked on site by contractor and any discrepancies to be reported to the architect and client prior to commencement of work on site.

All drains & services to be located by contractor.

This drawing is for building control purposes only. Detail design and specification shall be the sole responsibility of the contractor.

The Contractor is to allow for those items of work which are not specifically identified in the Contract Documents but which it is reasonable to expect an experienced contractor to identify from them as being necessary (such as but without prejudice to the foregoing - screws, noggins, supports, flashings etc).

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Amendments

Rev	Amendment	Date

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DN18 5JD

Client:
M. Farnham + L. Marrows

Drawing Title:
Proposed Site Plan

Compass: N

Phase: PLANNING

Drawn by: JD

Checked by: DE

Drawing No: 19 01 202

Scale: 1:500 @ A1

Date: March 2020

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