

<b>APPLICATION NO</b>	<b>PA/2020/248</b>
<b>APPLICANT</b>	Partner Construction & Acis Group
<b>DEVELOPMENT</b>	Planning permission to erect 20 dwellings comprising 10 rent to home buy, five shared ownership and five open market dwellings
<b>LOCATION</b>	Land adjacent to the pumping station, Ings Lane, Hibaldstow
<b>PARISH</b>	Hibaldstow
<b>WARD</b>	Ridge
<b>CASE OFFICER</b>	Scott Jackson
<b>SUMMARY RECOMMENDATION</b>	<b>Subject to a section 106 agreement, grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Objection by Hibaldstow Parish Council Member 'call in' (Councillor Neil Poole – significant public interest)
<b>POLICIES</b>	

**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 14 – Meeting the challenge of climate change, flooding and coastal change

Chapter 15 – Conserving and enhancing the natural environment

**North Lincolnshire Local Plan:**

Policy RD2 (Development in the Open Countryside)

Policy H5 (New Housing Development)

Policy H8 (Housing Design and Housing Mix)

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

Policy LC5 (Species Protection)

Policy LC6 (Habitat Creation)

Policy LC7 (Landscape Protection)

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 DS14 (Foul Sewage and Surface Water Drainage)

Policy DS16 (Flood Risk)

### **North Lincolnshire Core Strategy:**

Policy CS1 (Spatial Strategy for North Lincolnshire)

Policy CS2 (Delivering More Sustainable Development)

Policy CS3 (Development Limits)

Policy CS5 (Delivering Quality Design in North Lincolnshire)

Policy CS7 (Overall Housing Provision)

Policy CS8 (Spatial Distribution of Housing Sites)

Policy CS9 (Affordable Housing)

Policy CS17 (Biodiversity)

Policy CS19 (Flood Risk)

Policy CS25 (Promoting Sustainable Transport)

Policy CS27 (Planning Obligations)

### **CONSULTATIONS**

**Environment Agency:** Following receipt of an access plan showing the boundary fencing moved away from the watercourse, the previous objection is removed. Recommend a condition in respect of foul drainage disposal and confirmation that there is sufficient capacity to treat and dispose of water from the development.

**Humberside Fire and Rescue:** It is a requirement for domestic premises that adequate access for fire-fighting is provided to all buildings or extensions to buildings.

**Historic Environment Record:** The application has the potential to affect designated and non-designated heritage assets. The applicant has submitted an Archaeological Heritage

Statement in accordance with NPPF 189 and the HER's pre-application advice. The heritage statement satisfactorily demonstrates that the proposals will not affect the setting of Hibaldstow Mill, a scheduled monument and listed building.

A geophysical survey of the site was carried out last summer and a report deposited with the HER; the survey did not identify any below-ground features of potential archaeological origin (NB. Report not submitted with application). The heritage statement concludes that the site does not contain significant archaeological remains; the HER concurs with this assessment and therefore no objection and no further recommendations.

**Anglian Water:** Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developer's cost under Section 185 of the Water Industry Act 1991. The development site is within 15 metres of a sewage pumping station. This asset requires access for maintenance and will have sewerage infrastructure leading to it. For practical reasons therefore it cannot be easily relocated. Anglian Water consider that dwellings located within 15 metres of the pumping station would place them at risk of nuisance in the form of noise, odour or the general disruption from maintenance work caused by the normal operation of the pumping station.

The foul drainage from this development is in the catchment of Hibaldstow Water Recycling Centre which currently does not have capacity to treat the flows from the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the planning authority grant planning permission. The sewerage 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.

**Leisure:** The provision of high quality and accessible leisure facilities in North Lincolnshire is essential to improving the health, community cohesion, prosperity and wellbeing of our residents. Core Strategy policy CS22 states that developers will be expected to make an appropriate contribution towards necessary improvements or additional provision for community services and facilities arising from their development proposals. A request is made for an off-site leisure contribution towards the cost of improving catchment leisure facilities, in this case Ancholme Leisure Centre and Brigg Recreation Ground. A 'sports facility calculator' is used to determine the value of a contribution and therefore, based on the additional population, a contribution of £17,615 would be sought.

**Neighbourhood Services:** No public rights of way appear to be affected and there does not appear to be any opportunities for new connections to such; no objection.

**Ecology:** The site has limited biodiversity value at present and negligible potential for protected species. Planning conditions are proposed to minimise harm to protected and priority species and habitats and to seek biodiversity enhancement in accordance with the National Planning Policy Framework.

**LLFA Drainage:** Following receipt of additional information, recommend conditions in respect of the submission and implementation of a surface water drainage scheme.

**Shire Group of IDBs:** The application lies within the IDB district and comments are made in respect of the suitability and method of surface water drainage disposal.

**Waste Services:** Comments made in relation to road sizes, ground clearances and turning areas for refuse vehicles, highway construction and that each dwelling will be supplied and integrated into the fortnightly bin collection. Sufficient space should be made for bin collection and storage.

**Access Officer – Capital and Buildings:** Education contributions will be sought for both primary and secondary school places. The calculation per dwelling, based on 2019/20 figures, is £7,453 and this will be inflated on 1 April annually.

**Highways:** No objection, but recommend 11 conditions and an informative in relation to works within the highway. In addition, recommend that the speed limit is amended to accommodate the development, which should be secured through a Section 106 Agreement.

**Environmental Health:** Recommend conditions in respect of investigating any unexpected contamination, the installation of electric vehicle charging points, construction and site working hours and the submission of a construction environmental management plan.

## **PARISH COUNCIL**

Object on the following grounds:

- outside the settlement boundary
- it is questioned whether this is a rural exceptions site
- infrastructure not considered adequate
- support the comments made by statutory consultees
- the housing needs report does not substantiate approval.

## **PUBLICITY**

The application has been advertised by press notice and site notices have been displayed. Twenty-six letters of objection have been received (a number from the same address) raising similar issues to the parish council, together with the following issues:

- the Catchwater Drain forms a natural boundary to the village and contains wildlife
- Hibaldstow has been inundated with new development which delivers affordable housing
- the proposal is financially driven
- the proposal is located outside of the defined settlement boundary

- loss of high grade agricultural land
- the proposed development will not result in sustainable, integrated communities
- negative impact on the area
- increase in fear of crime in an area with antisocial behaviour issues
- no need for additional affordable housing
- the supporting documentation has been skewed to present an uneven picture for housing need in Hibaldstow
- impact on the character and appearance of the rural landscape
- the area is prone to flooding, particularly in winter months
- there are infill opportunities elsewhere in the settlement
- foul drainage capacity issues
- not a sustainable location
- increase in crime and antisocial behaviour
- the development would result in the use of private cars
- the housing should only be for existing residents
- increase in traffic and potential for accidents
- impact on amenity from the existing pumping station
- the development should incorporate additional surface water attenuation measures
- impact on local services
- the site is home to endangered or threatened wildlife species
- not in keeping with the character of the village
- lack of employment opportunities within Hibaldstow
- there are existing empty affordable homes within the settlement
- over-development
- greenfield land should not be built upon
- no clear evidence of need for this development
- a rural exception site cannot go ahead without the support of the parish council.

## STATEMENT OF COMMUNITY INVOLVEMENT

The applicant has submitted a Statement of Community Involvement document in support of this planning application. This document states that, following pre-application discussions with the local planning authority, a public consultation event was held at Hibaldstow Village Hall on 8 August 2018, and notification was undertaken in the form of a leaflet drop to 200 properties which surround the site a week in advance of the meeting.

Following the meeting the scheme was amended to include four additional properties to ensure the scheme was viable to deliver the affordable housing.

## ASSESSMENT

This application is a resubmission of PA/2018/2447. The application was considered by members and refused on the following grounds:

1. Insufficient evidence has been provided to prove that there is a demonstrable need for the proposed affordable housing to serve the settlement of Hibaldstow. The proposal is therefore contrary to policy CS9 of the North Lincolnshire Core Strategy.
2. The proposal would introduce a significant amount of built form on a greenfield site outside the identified development boundaries for Hibaldstow that would urbanise the existing rural landscape. The proposal is therefore contrary to policies CS2 of the North Lincolnshire Core Strategy and policy RD2 of the North Lincolnshire Local Plan.

The submission includes a housing needs survey which states that there is a clear need for affordable housing in Hibaldstow. The applicant has also submitted an access plan to show that sufficient clearance from the Catchwater Drain to the western boundary of the site can be achieved to allow access for the Environment Agency to undertake maintenance to the watercourse.

### The site

The application site extends to 0.91 hectares in area and is located on the eastern edge of Hibaldstow, adjacent to, but outside of, the settlement boundary. The site forms the south-western corner of a larger agricultural field and has a pumping station and a drain along its western boundary. The site is accessed from Ings Lane to the south and there are existing residential properties to the west and south-west, with a number of dwellings in linear form along the southern side of Ings Lane to the south-east. The site is relatively flat and has a partial hedgerow along its southern boundary with Ings Lane. Planning permission is being sought to erect a housing development with associated parking, access and garden areas; the mix of housing includes 15 affordable housing units and five market dwellings.

**The main issues in the determination of this planning application are the principle of residential development (including viability), impact on the character and appearance of the countryside, flood risk, impact on residential amenity and highway matters.**

### Principle

The application site is located outside, but adjacent to, the defined settlement boundary for Hibaldstow and potentially represents a departure from the North Lincolnshire Local Plan. However, policy CS9 of the North Lincolnshire Core Strategy is concerned with affordable housing. This policy is split into two parts: firstly, it relates to the percentage of affordable

units that should be provided as part of any market dwelling led schemes; and secondly, it sets out provisions for fully affordable schemes known as 'rural exception sites'. The policy states in relation to the latter (rural exception sites):

'Planning permission will be granted for the release of small rural exception sites within or adjacent to the development limits or within rural settlements for 100% affordable housing where a local need has been clearly identified. All proposals must be substantiated by evidence that the scale of development proposed meets the identified needs.'

Policy RD2 of the North Lincolnshire Local Plan is concerned with development within the open countryside. This policy, too, is in two parts. The first part sets out in principle the types of developments which are acceptable. In this instance paragraph 'iii' of RD2 is relevant; it states, '...affordable housing to meet a proven local need' is considered an acceptable form of development. The latter part of policy RD2 seeks to mitigate those development types that are considered acceptable. It states:

- (a) the open countryside is the only appropriate location and development cannot reasonably be accommodated within defined development boundaries;
- (b) the proposed development accords with the specific requirements set out in the relevant policies of this chapter and elsewhere in this local plan;
- (c) the development would not be detrimental to the character or appearance of the open countryside or a nearby settlement in terms of siting, scale, massing, design and use of materials; and
- (d) the development would not be detrimental to residential amenity or highway safety; and
- (e) account is taken of whether the site is capable of being served by public transport; and
- (f) the development is sited to make the best use of existing and new landscaping.

This application does not explore alternative sites; however, as stated in the report for planning application PA/2018/2447, given the scale of the scheme and the appreciation of the existing built form of Hibaldstow, a residential development for 20 dwellings would not likely be achieved within the settlement boundary. The applicant has submitted a robust application with a full suite of accompanying documents that make up the design solution. The plans show that the green corridor along the western boundary of the site, along with the drainage ditch, will be retained; this preserves a buffer between the existing built form and the site, and the contextual analysis of the design and access statement explains how points B–F of policy RD2 are complied with. In addition, more critically to the consideration of this application, the applicant has submitted a housing needs survey.

Paragraph 77 of the NPPF is concerned with rural housing and it states, 'In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this.'

North Lincolnshire Council cannot at present demonstrate a five-year land supply for the delivery of housing. There is a clear shortfall within the area of housing of all types. The proposal is for 15 affordable dwellings with five market dwellings required in order to make the scheme deliverable and this is supported by viability. The applicant has submitted a planning statement which includes a section on affordable dwellings. The statement explains how the tenure type and mix has been driven from dialogue with NLC's Strategic Housing officer. The proposal is also a result of pre-application advice where the location and constraints related to it were underlined and not considered unacceptable.

The planning application submission has therefore sufficiently evidenced the need for affordable housing in the area and the requirement for the specific tenure split that has been proposed through both pre-application discussions as well as the material contained within the planning statement and the housing needs survey. The proposal for a 75/25 split of affordable and market dwellings is, therefore, (subject to agreement with the viability information and the other sections of this report) considered to align with policies CS9 of the Core Strategy and RD2 of the North Lincolnshire Local Plan, as well as paragraph 77 of the NPPF and is considered acceptable in principle.

The proposed development would have the social and economic benefits of addressing the current under-supply of housing land by the provision of five market houses. Investment in construction and related employment would represent a benefit, as would the support which the additional population would produce for the local economy. The North Lincolnshire Sustainable Survey 2019 ranks the settlement of Hibaldstow as 16<sup>th</sup> out of the 76 settlements scored within the survey and is classified as a Larger Rural Settlement, having six of the seven key facilities. Local facilities include a public house, doctor's surgery, two convenience stores, a primary school, church, church hall and village hall within easy reach of the site on foot, and a wide range of further services accessible by bicycle and public transport available to access Brigg and Scunthorpe. Therefore, the proposal accords with the need to site development in locations with accessible local services. These matters weigh heavily in favour of the proposal in terms of the economic and social dimensions of sustainability.

## **Viability**

Paragraph 77 of the NPPF is concerned with rural exception sites and is quoted in the previous section of this report. It allows for a proportion of market dwellings in order to support the delivery of the wider affordable housing. Paragraph 57 is concerned with viability and it states:

'Where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available.'

The council's Section 106 officer has reviewed the applicant's viability information and considers it correct. The financial parameters have not been revised since they were

considered in the previous application and therefore the viability information is agreed again. The council have therefore accepted the position that there is a requirement for five market dwellings in order to make the whole proposal deliverable. The timing of occupation of these units will be secured within the Section 106 agreement.

### **Impact on countryside and design**

The plans show that the development is designed as an inward-facing residential cul-de-sac consisting of pairs and a terrace of hipped-roof bungalows with the southern (side) elevations facing towards Ings Lane. Essentially the proposal will introduce a new residential cul-de-sac consisting of 20 houses on the northern side of Ings Lane; this is consistent with the development pattern in this part of Hibaldstow where two cul-de-sacs are located to the north; this includes The Millfield and part of Ings Lane. Therefore, the introduction of a residential cul-de-sac, which contains single and two-storey dwellings, is considered to be in keeping with the existing settlement pattern in Hibaldstow. The site layout plan shows that the eastern side of the development will predominantly consist of single-storey bungalows, with a pair of semi-detached houses located towards the northern aspect of the scheme; this allows views of the existing built framework of Hibaldstow to be achieved. The development will not be viewed as an isolated form of development in the countryside.

The proposed development would alter the character and appearance of the countryside. However, that would apply to any greenfield site, including those allocated for housing development in the Housing and Employment Land Allocations DPD, and would be an inevitable consequence of the authority striving to meet housing need. Given the fact that the site is proposed to not extend any further northwards than the existing pattern of built development in Hibaldstow, that the site lies directly adjacent to the defined development boundary and existing built development and that the openness of the field would largely be retained in the wider rural landscape context it is considered that the landscape impact would be limited in this instance. The plans show that the mature trees along the western boundary and towards the north-eastern boundary (those which border the drain) will be retained; this will contribute towards the natural screening of the residential development. Furthermore, any built development on this site would be viewed against the built framework of Hibaldstow to the west and south-west and not as an isolated form of residential development in the rural landscape.

Objections have been raised on the grounds that the erection of a 1.8 metre high close-boarded fence would result in the domesticising of the landscape; however, it is considered that views of the development and the eastern boundary (close-boarded fence) would be limited to travelling towards Hibaldstow in a westerly direction along Ings Lane.

In terms of the development layout, the plans show that the dwellings will be equally spaced at regular intervals, with the off-street parking proposed to either the side or front. It is considered that the development has a spacious layout and the provision of the gardens to the western side of the site allows separation distance to existing properties located on the cul-de-sac to the west, and for the necessary clearance to be provided for maintenance of the drainage ditch. The principal elevations of all dwellings will have an outlook onto the access road and the rear windows onto the private amenity spaces to the east and west respectively. Each dwelling will have a minimum of two off-street parking spaces and a large area of private amenity space to the rear; this is considered sufficient to meet the needs of the proposed occupants. The pairs and terrace of bungalows have been designed with a balanced appearance to both the front and rear elevations and an additional

bathroom window to the side elevation which breaks up the mass of brickwork. The inclusion of an entrance canopy to the front elevation adds visual interest and the proposed external materials of construction (namely an Edenhall Leamington Wine brick and a Russell Grampian Anthracite tile) will ensure visual assimilation with the appearance of existing houses located along Ings Lane to the west and south-west. The two pairs of semi-detached houses will have a balanced appearance and will be of a gable roof design. The entrance door will be framed by an entrance canopy and the first floor windows will be in vertical alignment with ground floor openings. The plans show that all windows to both the houses and bungalows will feature a combination of brick and stone headers and cills. No issues are raised in relation to the scale/height of the proposed housing and the plot sizes are considered to be commensurate with the scale of the dwellings proposed.

### **Flood risk/drainage**

Part of the site (along the western boundary bordering the drainage ditch) is located within flood zone 2/3a as set out in the North Lincolnshire Strategic Flood Risk Assessment. The remainder of the site is located within flood zone 1. A Flood Risk Assessment (FRA) has been submitted with the planning application; this document, at paragraph 4.7, states that the proposed plots do not encroach into the higher area of flood risk and that it is private amenity space that is proposed in zone 2/3a. In addition, the FRA states that the proposed finished floor levels of the dwellings would be above the 1:100 year storm event. The FRA has been assessed by the Environment Agency and no objection has been raised on flood risk grounds. In response to this matter, it is considered that the dwellings are not located within the areas of highest flood risk and therefore the development is considered to be safe from flooding without increasing flood risk elsewhere. In addition, it is not considered necessary to apply the sequential or exceptions test in this case. The additional plan (titled the EA access plan) has been considered by the Environment Agency and the previous objection has been withdrawn as the plan shows sufficient clearance to the watercourse can be achieved.

In terms of surface water drainage, it is proposed that ground infiltration or discharge to a watercourse may be suitable. In order to ascertain whether ground filtration is suitable, the FRA identifies that further investigative work may be required. In its conclusion, to dispose of surface water via soakaways into the watercourse is the preferred option, with an attenuation pond proposed in the northern part of the site designed to accommodate a 1:30 year up to 1:100 year flood event. Given the requirement for further investigation, it is considered reasonable to recommend conditions in respect of the submission and implementation of a method of surface water drainage disposal. With regard to foul drainage disposal, it is proposed to connect to the existing foul sewer. Anglian Water are obligated to accept the additional foul drainage flows from the proposed development.

It is therefore considered, subject to the imposition of a condition requiring a scheme for surface water drainage to be submitted, that the proposal would accord with policies CS19 of the North Lincolnshire Core Strategy, and DS14 and DS16 of the North Lincolnshire Local Plan.

### **Residential amenity**

The proposed site layout shows a spacious development and the proposal is not considered to result in loss of amenity to either existing houses to the west or between the dwellings within the development itself. It is considered that the level of off-street parking provision and private amenity space is sufficient to meet the needs of the occupants of

each proposed dwelling. Issues have been raised in relation to disturbance and the movement of vehicles during the construction period; it is considered that there is sufficient space within the site to accommodate construction vehicles and materials during the construction period and the conditions recommended by Environmental Health in respect of construction/site clearance working hours and the submission of a construction environmental management plan (CEMP) are considered sufficient to safeguard residential amenity in this case. It is inevitable that there will be some disturbance to existing residential properties during the construction period; however, this noise and disturbance will be short term and will not harm the long-term amenity of these residents.

Issues have been raised in respect of the proximity of the existing pumping station and the potential for noise disturbance and odour to proposed occupants of the development. It is considered that any potential purchaser of a dwelling on this site would be acutely aware of this existing building and its proximity to the development site. In addition, no objections or comments have been received from Environmental Health in respect of the potential for noise disturbance from the existing pumping station.

## **Highways**

The proposal has been considered by Highways and no objections have been received on grounds of impact on highway or pedestrian safety. The site is considered to be well connected to the main settlement of Hibaldstow with an existing highway footpath to the front of the site which provides access on foot along Ings Road into the settlement and its range of local facilities/services. In addition, no dwellings are proposed to face onto Ings Lane and sufficient parking provision is proposed within the site; the potential for vehicles to be parked within the public highway is therefore considered to be negligible in this case.

This proposal is for the erection of 20 dwellings. The Transport Statement submitted with the application concludes that the development proposals may generate a maximum of nine movements in and out during peak hours, which is below the 30 movements threshold set out in the technical data. The documents states that the proposed development would have no material impact on the highway network in terms of its capacity or safety.

It is recommended by Highways that improvements may be required to the width of the existing section of highway (Ings Lane) and for hedge clearance to achieve the necessary visibility splays. It is also recommended by Highways that the speed limit should be reduced outside of the site (from 60 mph to 30 mph) and this would be secured through a section 106 agreement.

There is no requirement for the applicant to be responsible for improvements to the existing road surface along Ings Lane and it is considered that the proposed development will not generate traffic movements over and above a limit which would be deleterious to its existing condition. Therefore, subject to the aforementioned mitigation, the proposal has the potential to accord with policies T2 and T19 of the North Lincolnshire Local Plan.

## **Planning obligations**

An education contribution is required; this is expressed per dwelling, excluding affordable units. The financial contribution is £7,736 per dwelling; however, this figure is due to change as the fee is inflated annually on 1 April, therefore the price per dwelling will be increased accordingly. The contribution is required to increase both primary and secondary school

capacity within the area. This contribution is secured in accordance with policy CS27 of the adopted Core Strategy and SPG8 'Developer Contributions to Schools'.

Under the guidance of policy H10 of the North Lincolnshire Local Plan, for sites of 0.5 hectares or more (as in the case here) the developer is expected to provide open space on a scale and form appropriate to serve the needs of residents, or alternatively to provide commuted payments towards off-site recreational open space provision within the catchment area. In this case a financial contribution towards open space improvements in the catchment of £6,642.60 will be sought, this would be secured via a Section 106 Agreement.

Fifteen dwellings are proposed to be affordable houses in this scheme. In this case the affordable housing will be obtained through a Section 106 agreement. Also, a traffic regulation order needs to be made along Ings Lane to ensure the speed limit is reduced from 60 mph to 30 mph to the front of the site; this is a requirement in respect of highway safety and would be secured via a Section 106 Agreement.

### **Other issues**

Issues have been raised in relation to the impact of the development upon protected species and wildlife. An ecology report and water vole survey has been submitted with the application; these documents conclude that no evidence of water vole activity was identified along the western boundary and recommendations are made within the ecology report to ensure biodiversity enhancement across the site which consist of the following:

- the retained section of hedge could be diversified through 'beating up' and any gaps filled in
- a strategy for encouraging invertebrates should be incorporated
- bird and bat boxes could be installed into a number of suitable new builds, aimed at attracting declining garden birds such as house sparrow, starling and swift, and crevice-dwelling bats.

Based on the above, it is considered that biodiversity enhancement can be secured through a planning condition. Impact on view is not a material planning issue and will not be assessed in this case.

### **Pre-commencement conditions**

The applicant has agreed to the imposition of pre-commencement conditions in respect of the submission of a construction environmental management plan (CEMP), a surface water drainage disposal scheme and details of the proposed access road.

### **RECOMMENDATION**

**Subject to the completion of a formal agreement under Section 106 of the Town and Country Planning Act 1990, a contribution of £6,642.60 towards the improvement of open space in the local catchment, provision of 15 on-site affordable houses, a commuted sum of £7,736 per eligible dwelling towards primary and secondary school improvements and highway improvements to reduce the speed limit along Ings Lane, the committee resolves:**

- (i) it is mindful to grant permission for the development;**
- (ii) the decision be delegated to the Head of Development Management upon completion of the obligation;**
- (iii) if the obligation is not completed by 16 June 2021 the Head of Development Management be authorised to refuse the application on grounds of inadequate provision of essential community benefits and highway improvements; and**
- (iv) the permission so granted be 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: 001 A, 002 R, 003 E, 004 B, 005 A, F112-1, F136-1, AIATPP B, R/2172/3, R/2172/1B and R/2172/2A.

Reason

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

3.

No development shall take place until a detailed surface water drainage scheme for the site has been submitted to and agreed in writing by the local planning authority. The scheme shall be based on sustainable drainage principles and include an assessment of the hydrological and hydrogeological context of the development. This should be based on the Flood Risk Assessment and Drainage Strategy produced by Patrick Parsons Engineering Consultancy dated December 2018. Additional ground investigations will be required to account for the 12 month seasonal fluctuations for the presence of groundwater. The drainage scheme shall demonstrate that surface water run-off generated up to and including the 1:100 year critical storm (including allowance for climate change) will not exceed the run-off from the existing site and include details of how the approved scheme is to be maintained and managed for the lifetime of the development. SuDS must be considered.

Reason

To establish an appropriate method of surface water drainage disposal and to prevent the increased risk of flooding to the site, and to ensure the implementation and future adoption/maintenance of sustainable drainage features in accordance with policies DS16 of the North Lincolnshire Local Plan and CS19 of the Core Strategy.

4.

The drainage scheme shall be implemented in accordance with the approved details, completed prior to the occupation of any dwelling on the site, and thereafter retained and maintained for the lifetime of the development unless otherwise agreed in writing by the local planning authority.

#### Reason

To establish an appropriate method of surface water drainage disposal and to prevent the increased risk of flooding to the site, and to ensure the implementation and future adoption/maintenance of sustainable drainage features in accordance with policies DS16 of the North Lincolnshire Local Plan and CS19 of the Core Strategy.

5.

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

#### 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.

6.

No above-ground works shall take place until a scheme for the provision of electrical vehicle charging points has been 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; and
- 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.

7.

Construction operations shall be limited to the following hours:

- 7am to 7pm Monday to Friday
- 7am to 1pm on Saturdays.

No construction operations shall take place on Sundays or public/bank holidays.

HGV movements shall not be permitted outside these hours during the construction and demolition 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 define the terms of the permission and in the interests of safeguarding residential amenity in accordance with policy DS1 of the North Lincolnshire Local Plan.

8.

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 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) 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 define the terms of the permission and in the interests of safeguarding residential amenity in accordance with policy DS1 of the North Lincolnshire Local Plan.

9.

No above-ground works shall take place until details of all within-highway works required to widen/improve the existing carriageway on Ings Lane and provide an appropriate footway connection to the site have been submitted to and agreed in writing by the local planning authority.

Reason

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

10.

No more than 10 dwellings shall be occupied on the site until such time as all within-highway works agreed under condition 9 above have been completed.

Reason

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

11.

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.

12.

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.

13.

No dwelling served by the private driveway shall be occupied until it has been constructed in accordance with details, including the following, to be submitted to and agreed in writing by the local planning authority:

- the proposed method of forming access from the highway, including the required visibility splays
- the method of constructing/paving the drive
- the provision of adequate drainage features
- the provision of suitable lighting arrangements
- the provision of a suitable bin collection facility
- the provision of street name plates that include the words 'Private Drive'.

The development shall be constructed in accordance with the agreed details and once constructed it shall thereafter be retained.

**Reason**

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

14.

No development shall take place until details of the drainage, construction, services and lighting of the proposed access road, including the junction with the adjacent highway, 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.

15.

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.

16.

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.

17.

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.

18.

The penultimate dwelling on the site shall not be occupied until the access road has been completed in accordance with the agreed details.

Reason

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

19.

No above-ground works shall take place until a final construction phase traffic management plan has been submitted and approved by the local planning authority. This plan shall align with the framework traffic management plan (TMP) submitted in the Transport Statement. Once approved, the plan shall be implemented, reviewed and amended as necessary throughout the construction period.

Reason

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

20.

The scheme of landscaping and tree planting shown on drawings R/2172/2A, R/2172/1B and R/2172/3 shall be carried out in its entirety within a period of 12 months beginning with the date on which development is commenced or within such extended time period as may be agreed in writing with the local planning authority. Any trees, shrubs or bushes removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees, shrubs or bushes of similar size and species to those originally required to be planted unless the local planning authority have given written consent to any variation.

Reason

To secure the timely completion and successful establishment of the approved scheme of landscaping for the site.

21.

Within three months of the commencement of development, a biodiversity management plan shall be submitted to the local planning authority for approval in writing. The plan shall include:

- (a) details of measures to avoid harm to nesting birds and hedgehogs during demolition, vegetation clearance and construction works;
- (b) details of at least three bat roosting features to be installed in new dwellings;
- (c) details of nest boxes to be installed to support house sparrow, starling and other garden birds;

- (d) restrictions on lighting to avoid impacts on bat roosts, bat foraging areas, bird nesting sites and sensitive habitats;
- (e) provision for hedgehogs to pass through any fencing installed between gardens and between areas of grassland;
- (f) prescriptions for the retention and improvement of existing hedgerows;
- (g) a scheme for the provision of invertebrate habitats;
- (h) prescriptions for the planting and aftercare of native trees and shrubs of high biodiversity value;
- (i) a commitment to provide each new dwelling with a wildlife gardening advice pack to be approved in writing by the local planning authority;
- (j) proposed timings for the above works in relation to the completion of the dwellings.

**Reason**

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

22.

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

**Reason**

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

**Informative 1**

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

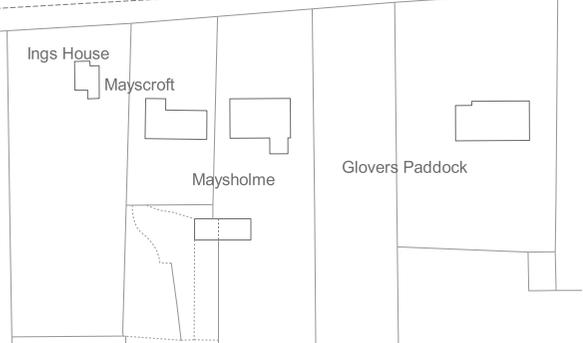
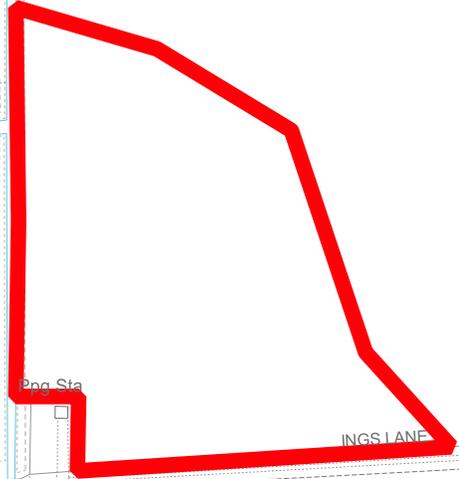
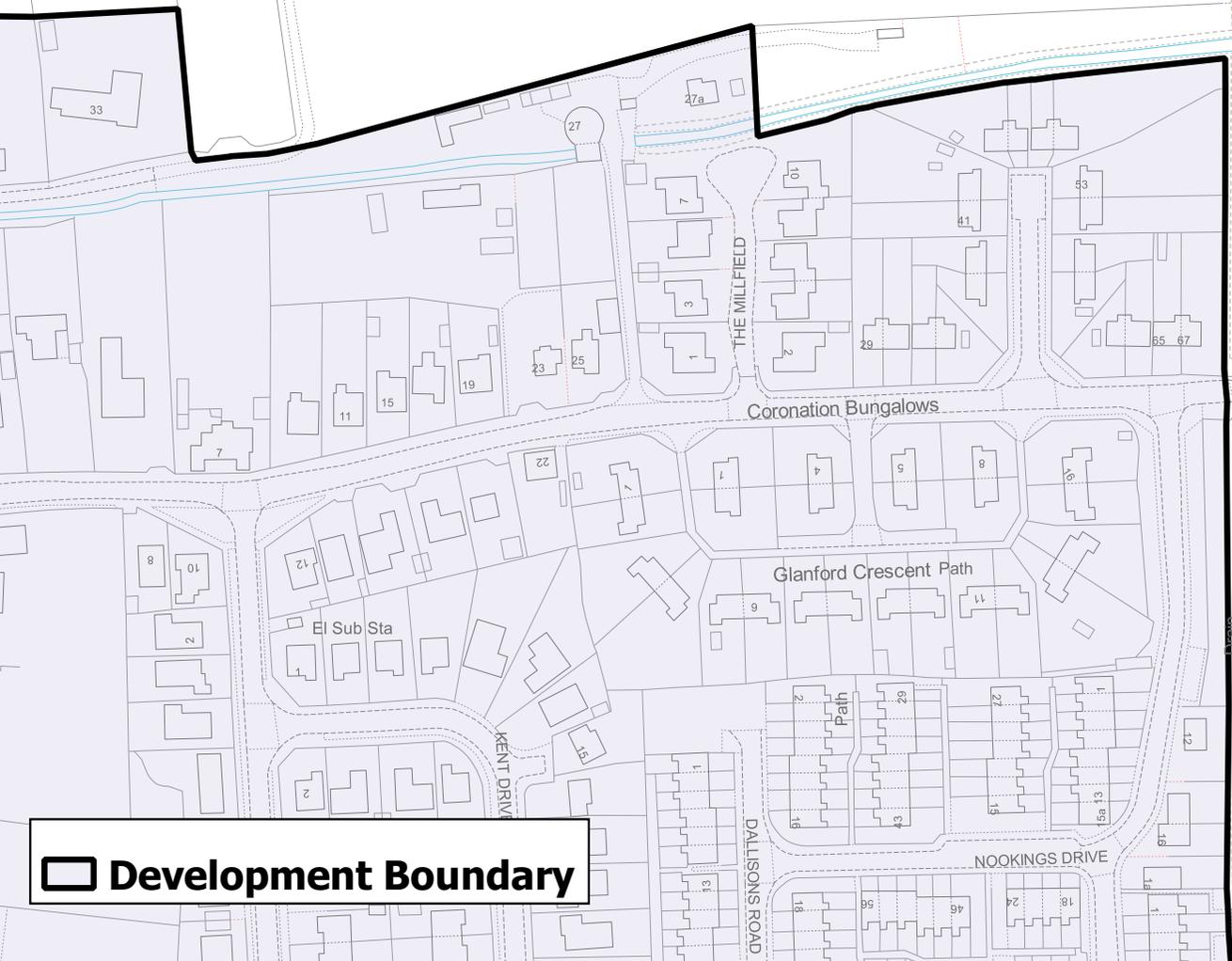
**Informative 2**

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 3**

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



 **Development Boundary**

**North  
Lincolnshire  
Council**

CODE	TYPE	STOREY	NO	SQM	TOTAL SQM	SQFT	TOTAL SQFT
F136	2 BED 3P	1	16	62.3	996.8	670	10720
F112	3 BED 5P	2	4	83.7	334.8	901	3604
			<b>20</b>		<b>1331.6</b>		<b>14324</b>

Note:  
Do not scale from this drawing.  
This drawing is copyright of Ergo Projects Ltd.  
All dimensions to be checked prior to any work commencing. Any discrepancies to be reported to Ergo Projects immediately.

**AMENDED**



**TOTAL SITE AREA**  
= 2.26 Acres - 0.91 Hectares

ALLOCATED PARKING BAY

VISITOR PARKING BAY

- R Plots 6-10 moved east, EA access added between plots 5&6 parking and fence line 09.09.20 to the rear of plots 2-10 moved east
- Q Fence line to the rear of plots 2-10 moved east for access 09.09.20
- P private drive extended to northern boundry following meeting on 26.11.18 26.11.18
- O Subs basin added following receipt of engineers drawing 09.11.18
- N 4no. F136 added 04.10.18
- M Bell mouth radius amended to 10m 12.07.18
- L Visitor parking bays omitted as requested by NLC Highways 11.07.18
- K 2 storey house types moved further to email received from MS on 11.07.18 11.07.18
- J Alteration to northern boundary following email from MS on 3.7.18 03.07.18
- I Further minor alts following Clients Request 22.06.18
- H Ings Lane road width amended to 5.5m 07.06.18
- G F104 replaced with the F136. 23.05.18
- F SUDs added and private drive omitted. 22.05.18
- E Minor alts to allow for less square site area. 20.03.18
- D Unit numbers increased to 16 as requested by MS 15.03.18
- C Unit numbers increased to 14 as requested by BC on 30.01.18 30.01.18
- B 2no 3 bed houses added as requested my ME on 25.1.18 30.01.18
- A Easement and additional VP bays added following email from MS on 4.10.17 10.10.17

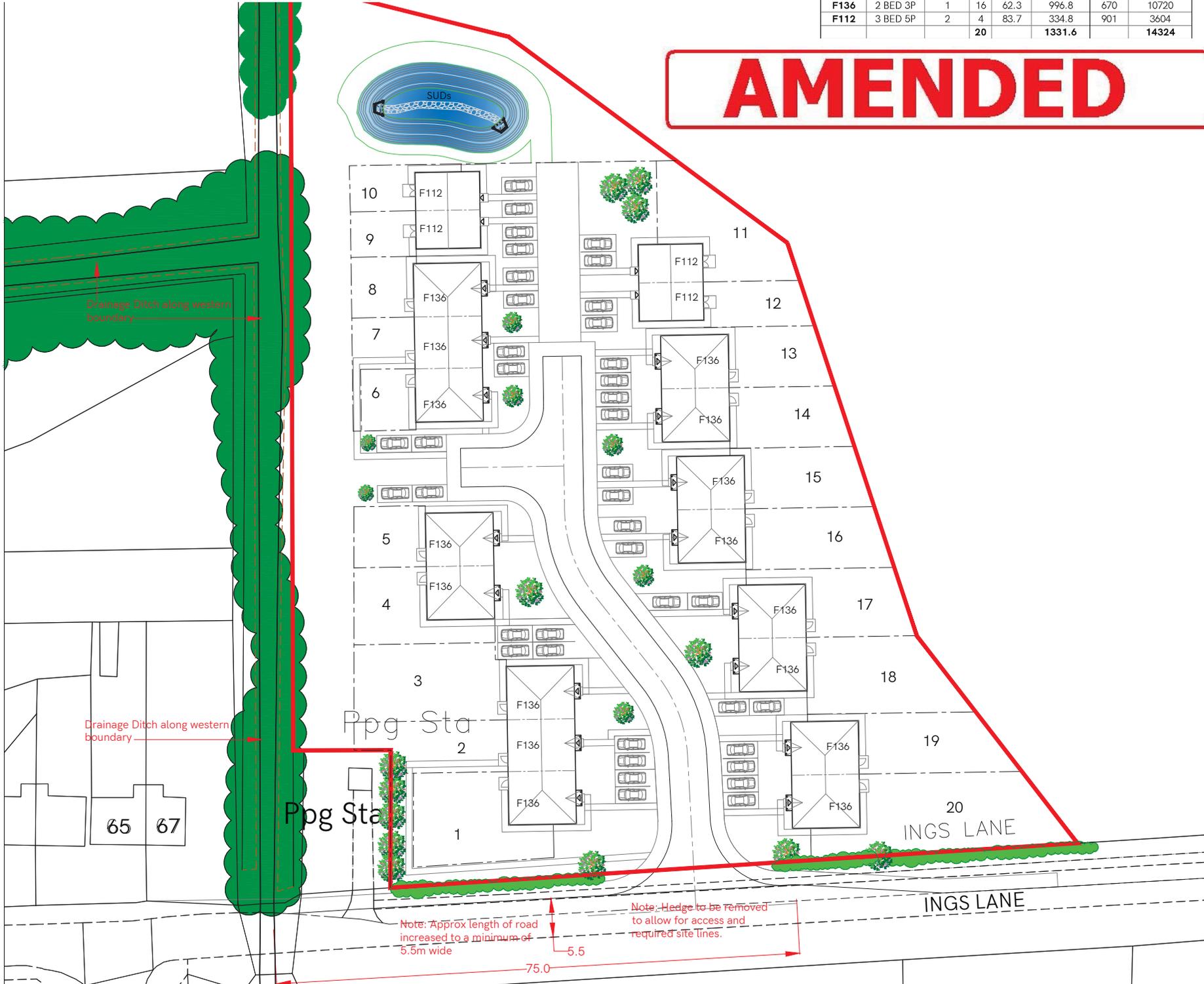


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PROJECT:  
Land off Ings Lane  
Hibaldstow

TITLE:  
Proposed  
Site Layout

DRAWING PURPOSE: Planning	DATE OF DRAWING: 10.2017	DRAWN BY: ME
SCALE: 1:500	SHEET SIZE: A3	REVISION: R
PROJECT NO: 406	DRAWING NO: 002	



Drainage Ditch along western boundary

Drainage Ditch along western boundary

Note: Approx length of road increased to a minimum of 5.5m wide

Note: Hedge to be removed to allow for access and required site lines.

75.0

5.5

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