

APPLICATION NO	PA/2020/2063
APPLICANT	Mr Steve Sowerby, T G Sowerby Developments Ltd
DEVELOPMENT	Outline planning permission for a residential development of up to 16 dwellings with all matters reserved for subsequent consideration
LOCATION	Land north of Egton Avenue, Messingham
PARISH	Messingham
WARD	Ridge
CASE OFFICER	Tanya Coggon
SUMMARY RECOMMENDATION	Subject to a section 106 agreement, grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Messingham Parish Council Member 'call in' (Cllr Neil Poole – significant public interest) Significant public interest

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

Chapter 15 – Conserving and enhancing the natural environment

Chapter 16 – Conserving and Enhancing the Historic Environment

North Lincolnshire Local Plan:

Policy RD2 (Development in the Open Countryside)

Policy H5 (New Housing Development)

Policy H8 (Housing Design and Housing Mix)

Policy HE2 (Development in Conservation Areas)

Policy HE5 (Development Affecting Listed Buildings)

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 LC7 (Landscape Protection)

Policy LC12 (Protection of Trees, Woodland and Hedgerows)

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)

Policy CS7 (Overall Housing Provision)

CONSULTATIONS

Highways: If the proposal is considered in isolation, then it may be acceptable in principle. However, from the layout they would appear to be retaining the option to develop the land to the east in the future, which I would have concerns about. Surely maintenance access to the adjacent land could be retained from the end of the existing highway. During the 'Call for Sites' process we did look at allocations off Egton Drive and raised concerns about the suitability of the existing infrastructure to accommodate further development. These comments are still valid and whilst I have no objections to this proposal as the vehicle movements will be minimal, I would not be supportive of any further development which may come forward in the future. The proposed layout appears to show potential connections into the land to the east, however I am taking the layout as indicative as the application is for outline permission. Recommends conditions in relation to road safety, access and parking.

Public Right of Way: The proposed access road crosses the footpath of course, but as long as the developer has satisfied himself that all drivers will have the lawful authority needed not to transgress section 34(1)(b) of the Road Traffic Act 1988 (e.g. courtesy of landowner dedication), there shouldn't be a conflict of interest. Looking at the site plan, the footpath should still be eminently accessible from Egton Avenue beyond the development's eastern perimeter.

Recycling: General comments in relation to refuse collections and access for refuse vehicles.

Environment Agency: Do not wish to comment on the application.

Drainage (Lead Local Flood Authority): There are still a number of detailed design issues that need to be resolved. For example the adoption of pipe under adoptable permeable paving layer needs further discussions with the water authority and discussions and agreements with downstream riparian watercourse owners are required to enable free discharge from the development site. We also note that space is available on the eastern boundary for SuDS features. No objection subject to conditions requiring the submission of a surface water drainage scheme and a scheme to prevent surface water run-off from hard paved areas within the site onto the highway and informative comments.

Severn Trent Water: With regard to sewerage, the following condition is recommended:

The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the local planning authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use. A sewer modelling study may be required to determine the impact this development will have on the existing system and if flows can be accommodated. Severn Trent may need to undertake a more comprehensive study of the catchment to determine if capital improvements are required. If Severn Trent needs to undertake capital improvements, a reasonable amount of time will need to be determined to allow these works to be completed before any additional flows are connected. Planning Practice Guidance and section H of the Building Regulations 2010 detail surface water disposal hierarchy. The disposal of surface water by means of soakaways should be considered as the primary method. If this is not practical and there is no watercourse available as an alternative other sustainable methods should also be explored. If these are found unsuitable, satisfactory evidence will need to be submitted, before a discharge to the public sewerage system is considered. No surface water shall enter the foul water system by any means.

NHS North Lincolnshire: If this proceeds to full application recommends:

- consultations take place with local Primary Care services to assess the impact of the development on local health services;
- to support the planning conditions requested by the LLFA;
- to support the comments made by the Section 106 Officer;
- to support the planning conditions requested by Environmental Protection;
- 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 vehicles;
- that houses are built to be energy efficient and affordable to run;
- the allocation of affordable housing as required is specified and adhered to as a planning condition.

Sport England: 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. New evidence bases for recreation in sports halls and swimming pools have been received. These show that, although busy, there is capacity within these elements at the catchment recreation facilities to cope with the additional demand that would be caused by this proposed development, were it to be successful. There is a clearly identified need in the newly adopted Playing Pitch Strategy (PPS) and the local football facilities plan (LFFP) to provide a floodlit full size football compatible artificial turf pitch (FATP) serving this area. Developer contributions would be used towards meeting these costs. Sports facility calculators have been developed by Sport England for planning obligation purposes associated with recreation facilities. These calculators are used to determine the value of

contribution required as a consequence of the development. Across North Lincolnshire as a whole, the average occupancy is 2.36. Applying this to the calculation forecasts an additional population of 38. The appropriate Sports Facility Calculator has been run just for this element and the required recreation contribution from this development would be £930 towards the anticipated capital costs should this application be successful.

Humberside Fire and Rescue: Adequate access for fire-fighting should be provided to all buildings and extensions to buildings and adequate provision of water supplies for fire-fighting appropriate to the proposed risk should be considered.

Humberside Police: The applicant has fully considered Crime Prevention through Environmental Design measures and Secured by Design, which is evidenced throughout the Design and Access Statement. No objections to this outline application.

Environmental Protection: No objection subject to conditions relating to a written statement being required if contaminated material is discovered during development, electrical vehicle charging, restrictions on construction and site clearance operations, and the submission of a construction environmental management plan (CEMP).

Historic Environment Record: No objection. The proposal would be unlikely to adversely affect any heritage assets of archaeological interest or their settings.

Ecology: No objection. The proposals broadly align with the adopted Landscape Assessment and Guidelines document (SPG5). Planning conditions are proposed to minimise harm to protected and priority species and habitats, and to seek biodiversity enhancement in accordance with policy CS17 of the Core Strategy, the National Planning Policy Framework and Biodiversity Metric 2.0.

S106 Officer: Contributions are required towards affordable housing, education, leisure and open space.

Education: The Department for Education expects local authorities to seek developer contributions towards school places that are created to meet the need arising from housing development. Developer contributions for education are secured by means of a planning obligation under Section 106 of The Town and Country Planning Act 1990. This planning application has been carefully considered against the known and projected pupil numbers for this area and account has been taken of housing developments that have approved planning applications or pending planning applications that have been validated prior to this application. Both primary and secondary education contributions are sought in respect of this development.

PARISH COUNCIL

Objects for the following reasons:

- the proposed development is in breach of the existing development boundary and is not included in the preferred options of the new local plan
- present ongoing foul and surface water issues in the village and concerns over the increased pressure the proposed development would place on the present ineffective and already overloaded system that currently results in raw sewage entering watercourses and overflowing inspection covers – the parish council reiterates that there should be a

moratorium on all development in Messingham until the existing foul water infrastructure issues are resolved

- Egton Avenue is a narrow road and the proposal would exacerbate existing traffic congestion problems – the road is not wide enough for vehicles to pass and waste collection vehicles have to reverse into the road.

PUBLICITY

The application has been advertised by site and press notices, and placed on the council's website. Over 34 responses have been received objecting to the application. Comments have also been received raising no objection and one in support. The material planning issues raised in the responses are:

- outside the development boundary
- unsafe access
- increase in traffic
- detrimental impact on local services
- inadequate drainage infrastructure
- right of access may be impeded
- surface water issues
- further development may occur
- contrary to policy
- contrary to the emerging local plan
- out of character
- adverse impact on landscape
- adverse visual impact
- one-and-a-half-storey properties should not be considered in this location
- loss of green space
- increased noise and disturbance
- additional hardstanding, access and driveways will increase surface water run-off
- schools are overcrowded
- loss of agricultural land
- hazards to pedestrian safety

- impact on public footpath during construction
- emergency vehicles cannot access the site
- loss of wildlife
- loss of privacy
- no need for additional houses in Messingham
- the field floods
- development may result in flooding to neighbouring properties
- the council has a five-year supply of deliverable sites
- the site is in the green belt
 - Egton Avenue is narrow and refuse vehicles have to reverse into the road
 - increased congestion.

The letter of support raises the following issues:

- there is a need for more bungalows in Messingham
- the public footpath will not be affected
- the housing stock in Messingham will be enhanced.

STATEMENT OF COMMUNITY INVOLVEMENT

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

ASSESSMENT

The proposal

This is an outline application for up to 16 dwellings with all matters reserved. An indicative site layout has been submitted, together with a Design and Access Statement. Although access is a reserved matter, access to the site is likely to be from Egton Avenue. The Design and Access Statement refers to the building of single and one-and-a-half-storey dwellings on the site. A development of 16 dwellings would yield approximately a housing density of 14 dwellings per hectare.

Planning history

There is no relevant planning history for the application site.

The site

The site is an agricultural field of grade 3 agricultural land value. The site is primarily outside the development boundary of Messingham. To the east of the site is the remainder of the agricultural field within the applicant's ownership. To the south is Egton Avenue, a cul-de-sac

essentially comprising bungalows and to the west is Kealholme Road with the rear gardens of primarily bungalows adjoining the western boundary of the application site. To the north is agricultural land. A public right of way (PROW) is located along the southern boundary of the site which links to Briggate Farm and beyond to the east and to Kealholme Road to the west. The site is within Flood Zone 1 in the council's Strategic Flood Risk Assessment and is therefore at low risk of flooding.

The main issues to consider in the determination of this application are the principle of development; impact on the character and appearance of the area; amenity; highway safety; impact on the public right of way (PROW); impact on biodiversity; flood risk and drainage; archaeology and contamination.

Principle

The application site lies outside the defined settlement development boundary for Messingham. The proposal represents a departure from the North Lincolnshire Local Plan. As the site is outside the development boundary of Messingham, in determining whether the principle of residential development outside the settlement boundary is acceptable in this instance, it is necessary to consider whether the proposed development is sustainable in planning policy terms.

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

Policy CS1 of the CS sets out a spatial strategy for North Lincolnshire, which, amongst other matters, provides that rural settlements will be supported as thriving sustainable communities, with a strong focus on retaining and enhancing local services to meet local needs and that any development that takes place should be in keeping with the character and nature of the settlement. Policy CS8 deals with the distribution of housing sites and prioritises development in Scunthorpe and the market towns, with brownfield sites and sites within development boundaries being the primary focus.

Policy CS8, whilst restricting housing outside development limits, contemplates some greenfield development as it refers to allowing development on such sites where it can be demonstrated that this would bring additional community benefits, contribute to building sustainable communities and be acceptable in terms of its impact on the high quality environment and adjoining countryside. This overall approach is supported by policy CS2 which sets out a sequential approach for development.

The overall strategy for North Lincolnshire, as set out by policy CS2, sets out a sequential approach for development: firstly in Scunthorpe, followed by the market towns and then rural settlements. The bulk of housing requirement for North Lincolnshire under this strategy is allocated for Scunthorpe at 82% of the total housing requirement with 18% in the market towns of Barton upon Humber, Brigg, Crowle, Kirton in Lindsey and Winterton. There are no allocated housing sites within the rural settlements.

Policy CS3 provides that development limits will be defined in future development plan documents. Outside these boundaries, development will be restricted to that which is essential to the functioning of the countryside. The development limits were subsequently

defined in the HELAP, and the application site is located primarily outside the designated development limit for Messingham.

LP saved policy RD2 restricts development in the open countryside other than in exceptional circumstances. This policy only supports residential development outside defined development limits where it is to meet an essential proven need and the open countryside is the only appropriate location for the development. Whilst this policy remains, it has largely been overtaken by policies in subsequent plans addressing the same issue (such as policies CS2 and CS3 referenced above).

The aforementioned policies are aimed at focusing housing within settlement limits as defined in the Housing and Employment Land Allocations DPD. The application site is primarily outside the defined development boundary for Messingham and is therefore considered to be in breach of policies CS2, CS3 and CS8 of the Core Strategy, and RD2 of the North Lincolnshire Local Plan.

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

A revised review of the Five Year Housing Land Position Statement has identified that the council's housing land supply has reduced from five years and six dwellings to four years. The council has prepared a Housing Delivery Action Plan in accordance with the National Planning Policy Framework and Planning Practice Guidance. The Action Plan will assist in securing a five-year land supply; some of the actions include reviewing the windfall allowance calculation, and working with developers to bring forward outline planning applications and other residential schemes that have been granted planning permission.

The revised Five Year Housing Land Supply Position Statement is still awaiting update and as such any decisions made by the planning authority will take account of the presumption in favour of sustainable development as set out in paragraph 11 of the NPPF. The current local policies which are most important for determining the application will carry reduced weight during this period.

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

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

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

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

Economic

Investment in construction and related employment would represent a benefit whilst the dwellings and associated infrastructure were being constructed. The additional population would provide support to the local economy in terms of residents using the facilities, businesses and services located in Messingham. The proposed dwellings would also generate council tax revenue for the council.

Social

In terms of the social benefits, the proposal would contribute to the council's housing land supply by providing a significant number of dwellings on the site. The applicant has indicated that bungalows or one-and-a-half-storey dwellings would be provided on the site. The council's Local Housing Needs Assessment has identified a need to provide housing for older people in North Lincolnshire as the proportion of older people in the population continues to increase. Affordable housing would also be secured through a S106 agreement which would benefit the community of Messingham. A significant level of public open space would be provided on the site.

Environmental

In terms of the environmental dimension, the proposal would result in landscaping and biodiversity enhancements on the site. Pedestrian and cycle paths would be provided within the development and pedestrian links can be provided from the site into the central area of Messingham. SuDs would be incorporated into the development. These are all benefits of the scheme. However, the application would significantly alter the character and appearance of the countryside in this area, particularly given the scale of development proposed, and would result in the loss of some hedgerows and trees.

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

Messingham itself is identified as a rural settlement by the Core Strategy and ranks 9th overall in the North Lincolnshire Sustainable Settlement Survey 2019. It contains all seven of the key facilities, which include a primary school, convenience shops, public house and village hall/church hall/community centre. Messingham has good public transport links, with a number of bus services providing access to the larger settlements of Brigg, Kirton in Lindsey and Scunthorpe, for example. It is a larger rural settlement and is considered to be a sustainable settlement due to the facilities and access to facilities it has. These material factors, along with the holistic assessment, including technical analysis, will allow an assessment to be made of the sustainability of this proposed development.

Highways

In terms of highway issues, many comments have been received in relation to the access to the site, including the suitability of Egton Avenue for additional traffic and emergency and refuse vehicles. The access to the site is a 'reserved matter' and would therefore be further assessed through any reserved matters application submitted. It is likely the access would be from Egton Avenue. Highways have raised no objections to the proposal subject to a number of highway conditions which will be imposed on any forthcoming planning permission. The proposal is therefore considered acceptable in highway and parking terms, and aligns with policies T2 and T19 of the North Lincolnshire Local Plan.

Public Right of Way (PROW)

A PROW adjoins the site on the southern boundary along a grass verge. Concerns from neighbours about access along the PROW are noted, but the applicant is not intending to restrict access to the PROW. The council's PROW Officer raises no objection to the proposal as it will have no adverse impact on the PROW. The developer will need to ensure the PROW is not obstructed during construction of the development. The development will form linkages to this PROW and pedestrian routes to the main services and facilities in Messingham. The proposal accords with policy T6 of the North Lincolnshire Local Plan, policies CS5 and CS5 of the Core Strategy, and paragraphs 102 and 110 of the NPPF.

Flood risk and drainage

The site is within Flood Zone 1 of the council's SFRA 2011 and is therefore at low risk of flooding. The SFRA is the most up-to-date flood risk assessment for North Lincolnshire. The applicant has submitted a Flood Risk Assessment with the application, which includes drainage information. The Environment Agency does not wish to comment on this application. As the site lies within an area at low risk of flooding, the proposal is considered to be acceptable in terms of flood risk and aligns with the NPPF, policy CS19 of the Core Strategy and policy DS16 of the North Lincolnshire Local Plan.

In terms of drainage, concerns from residents and the parish council are noted. The applicant has submitted a drainage report for the site. Severn Trent Water has been consulted on the proposal and has commented that drainage plans for the disposal of surface water and foul sewage need to be submitted to and approved by the local planning authority before development commences. This would form a condition on any forthcoming planning permission. Severn Trent Water also considers that a sewer modelling study may be required to determine the impact this development will have on the existing system and if flows can be accommodated. Severn Trent may need to undertake a more comprehensive study of the catchment to determine if capital improvements are required. There is no technical evidence that has been submitted to demonstrate that the sewage system cannot accept additional flows. If the developer wishes to connect to the sewerage network they would need to serve notice under Section 106 of the Water Industry Act 1991. A planning condition will be used to ensure that details of the disposal of foul water from the site are submitted to the council for approval and Seven Trent Water would be consulted on the scheme. The proposal would therefore accord with policies CS18 and CS19 of the Core Strategy, and DS14 and DS16 of the North Lincolnshire Local Plan.

In terms of surface water disposal, concerns from residents are noted. The LLFA, Severn Trent Water and the Environment Agency have all been consulted on the proposal. The Environment Agency does not wish to comment on the proposal and Severn Trent Water has

responded and considers that ‘the disposal of surface water by means of soakaways should be considered as the primary method. If this is not practical and no watercourse is available as an alternative, other sustainable methods should also be explored. If these are found unsuitable, satisfactory evidence will need to be submitted before a discharge to the public sewerage system is considered. No surface water shall enter the foul water system by any means.’ The LLFA has carefully assessed all the submitted information and recommends planning conditions requiring the submission of a detailed surface water drainage scheme, together with details showing an effective method of preventing surface water run-off from hard paved areas within the site onto the highway. These are proposed as planning conditions and both the LLFA and Severn Trent Water would be consulted on them. This aspect of the proposal, subject to conditions, would therefore accord with policies CS18 and CS19 of the Core Strategy, and DS14 and DS16 of the North Lincolnshire Local Plan.

Character impacts

Policy CS5 of the North Lincolnshire Core Strategy is 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.’ Policy H5 of the local plan, which is 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.

Policy RD2 of the North Lincolnshire Local Plan is concerned with development within the open countryside. The policy is in two parts: firstly, it sets out, in principle, those development types that are acceptable; and secondly, it sets out a criteria-based approach to assessing those developments. The second part is of interest here in that it seeks to ensure that the visual amenity of the countryside is not compromised by poor development.

Paragraph ‘c’ of the policy states: ‘...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;’ The proposal, in scale terms, would clearly represent a fairly significant addition to the existing settlement and would alter the character and appearance of the site which is an agricultural field. The site has no formal landscape designation. It is considered that the visual impact of the scheme would be quite significant for neighbouring properties and from the adjacent PROW. The visual impacts would be less significant from wider areas with retained and new hedgerows and trees providing some screening. If the buildings were single-storey/one-and-a-half-storey, this would further mitigate the impact on the landscape. An extensive landscaping scheme for the site, once established, would mitigate some of the visual impacts on the landscape. The proposed development could effectively be integrated into the landscape and create a new edge of settlement consistent with the surrounding landscape setting. It is considered that a scheme could be achieved that would retain the sense of place in this area of Messingham, whilst also not giving rise to any unacceptable impingement upon future and existing amenity rights. As a result, in terms of the impact the development would have on the character of this area of Messingham, it is considered to be acceptable and would accord with part of policy RD2 of the North Lincolnshire Local Plan, as well as CS5 of the Core Strategy.

Archaeology

In terms of archaeology, the HER officer raises no objection to the proposal. No further archaeological work is recommended in connection with the development of this site and the proposal aligns with policy HE9 of the North Lincolnshire Local Plan, policy CS6 of the Core Strategy and paragraph 189 of the NPPF.

Biodiversity

The applicant has submitted an ecological appraisal with the application. The survey revealed that the site is largely arable farmland with low potential to support protected or priority species, with some species-poor rough grassland, scrub and species-poor hedgerows. There is a single ash tree adjacent to the site (within the applicant's ownership) with the potential to support roosting bats which should be retained. The applicant has confirmed his intention to retain this tree. The council's ecologist has raised no objections to the proposal subject to biodiversity conditions. Planning conditions will be used to secure biodiversity gains and enhancements on the site should permission be granted. This would align with paragraphs 170, 174 and 175 of the NPPF and policies CS5 and CS17 of the Core Strategy.

Hedgerows and trees

There are some hedgerows on the site. A hedgerow forms the northern boundary and another forms a small part of the western boundary. These hedgerows have been assessed in the preliminary ecological appraisal and there is no evidence to suggest that they are 'old' landscape features' and they are not species rich. The report suggests that a hedgerow on the eastern boundary should be planted with various species. Again, the ash tree adjacent to the application site (within the applicant's ownership), which has potential to support roosting bats, should be retained. The council's ecologist has assessed the proposal and concurs that 'the survey revealed that the site is largely arable farmland with low potential to support protected or priority species. There is some species-poor rough grassland, scrub and species-poor hedgerows.' Planning conditions can be used to ensure hedgerows are identified to be retained as part of the development and details of tree protection methods for these hedgerows and the adjacent ash tree are submitted. Landscaping is a reserved matter and will be dealt with through any reserved matters application. The indicative layout shows an extensive landscaping scheme on the site and the council will seek to ensure an acceptable landscaping scheme is provided. The proposal therefore aligns with policies LC12 and DS1 of the North Lincolnshire Local Plan, and policies CS5 and CS16 of the Core Strategy.

Residential amenity

In terms of residential amenity, the site would change from agricultural land to a residential housing estate. In terms of the outline application, it is considered that a scheme could be designed and laid out on the site to ensure that overlooking and privacy issues were avoided. Bungalows are located to the western and southern boundaries of the site. The applicant is proposing single or one-and-a-half-storey dwellings, which would reduce their impact on adjacent neighbours and would be in character with this area of Messingham. The council would therefore support these types of properties on the site. Within the reserved matters application details of the appearance, layout, landscaping, access and scale of the proposed dwellings would have to be submitted for determination, which residents would have the opportunity to comment upon. Details of the boundary treatments for the new dwellings can also be secured by planning conditions to safeguard residential amenity. The proposal would

therefore accord with policies CS5 and CS7 of the Core Strategy, and policies RD2, H5 and DS1 of the North Lincolnshire Local Plan.

Contamination and environmental issues

In terms of contamination, the applicant has submitted a geotechnical and geo-environmental site investigation. Environmental Health has assessed this report and agrees with its conclusion that 'both topsoil and natural ground are therefore considered suitable for re-use in the development and no remedial measures are considered to be necessary'. Environmental Health recommends a contamination condition requiring the developer to submit a written method statement to the council if contaminated material is found to be present 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 CO₂ 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 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 impacts 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. Subject to these conditions, it is considered that the proposal would accord with policies DS1 and DS11 of the North Lincolnshire Local Plan.

Deliverability

The applicant is a local developer operating in North Lincolnshire. The developer has submitted an updated delivery statement with the application to demonstrate when the development will be delivered. This delivery statement sets out that if permission is granted, a discharge of condition application and a reserved matters application will be submitted at the end of Q3 in 2021. If the reserved matters application were approved, development would commence in Q2 of 2022 and would be completed in Q2 of 2023. There is, therefore, a clear intention from the developer to deliver the development on the site.

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 and 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 2019.

Affordable housing

Policy CS9 is concerned with affordable housing and requires schemes for new residential housing in rural settlements to contribute 10% of the scheme for affordable tenure. On this scheme of 16 dwellings this would be two affordable dwellings. The applicant has agreed to this contribution.

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 at £7,736 per dwelling. (This figure excludes affordable, one-bed and over-55 dwellings.) The issue of school capacity raised by objectors is noted and it is accepted that the primary school is near to capacity. The S106 contribution requested by education would enable the school to be expanded. The applicant has agreed to this contribution.

Open space

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 0.5ha 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 area of informal open space on site required for a development of this size is 10m² per dwelling. Therefore, 160m² of informal open space is required on this site. For North Lincolnshire Council to maintain the informal open space it will be £6,412.60 or an estate management company needs to be set up. The applicant has agreed to provide 160m² of on-site public open space in order to comply with policy CS22, with the council to maintain this open space. The applicant has agreed to this contribution.

The location of the open space to be provided on the site would be secured within the S106 agreement, with its overall layout determined at reserved matters stage.

Leisure

A leisure contribution has also been requested in the form of an off-site financial contribution of £930 towards the cost of providing an artificial turf football pitch in the locality/catchment area of Messingham. There is a clearly identified need in the newly adopted Playing Pitch Strategy (PPS) and the local football facilities plan (LFFP) to provide a floodlit full-size football compatible artificial turf pitch (FATP) serving this area. This need is agreed by Sport England and leisure services. Developer contributions would be used towards meeting these costs. This accords with policy CS23 of the Core Strategy. The applicant has agreed to this contribution.

Other issues raised

A number of people have raised the issue that the site is green belt land. The site is not green belt land, it is open countryside. The area of North Lincolnshire has no green belt land.

Concerns relating to the doctor's surgery being full to capacity and the comments made by NHS North Lincolnshire are noted. The NL CCG Primary Care/GP Practices have not commented on the application. There is no technical evidence to suggest that this surgery is full to capacity.

The loss of farmland is noted, but this is grade 3 agricultural land and is therefore not the best and most versatile agricultural land which is located within grades 1 and 2 agricultural land.

The issue of access for refuse vehicles would be assessed at the reserved matters stage.

Comments in relation to further development adjacent to the application site are noted, however planning law dictates that each case is 'determined on its merits'.

Pre-commencement conditions

All pre-commencement conditions attached to this recommendation have been agreed with the applicant and therefore accord with the requirements set out by the Planning Pre-commencement Regulations 2018.

Conclusion

The proposal has been subject to a full assessment giving due consideration to responses from technical consultees and third parties. The applicant has also agreed to the heads of terms set out below. There has been substantial local opposition to the proposal and the material points have been considered under the relevant sections within this report, whilst other issues raised may be more pertinent to be considered at the reserved matters stage when the actual appearance, access, landscaping, scale and layout of the scheme can be assessed in more detail. It is considered, given the assessment above, that no adverse impacts related to the development exist that would significantly and demonstrably outweigh the benefits that would follow from a well-executed residential scheme in this location. Overall, it is considered that the proposal does represent sustainable development in the context of the NPPF and Housing and Employment Land Allocations DPD policy PS1, which sets a presumption in favour of sustainable development.

Heads of terms

S106 contributions	
Affordable housing	10% of the development (two dwellings)
Education	£7,736 for primary and secondary places
On-site public open space	10m ² per dwelling and £6,412.60 for North Lincolnshire to maintain this land. The submission of a detailed scheme for the public open space will be a condition and subject to the reserved matters application.
Off-site leisure	A financial contribution of £930 towards the provision of a floodlit full-size football compatible artificial turf pitch (FATP) to serve the community.

RECOMMENDATION

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

- (i) **it is mindful to grant outline planning permission for the erection of up to 16 dwellings with appearance, landscaping, access, layout and scale reserved for subsequent consideration;**
- (ii) **the decision be delegated to the Development Management Lead upon completion of the obligation;**
- (iii) **if the obligation is not completed by 31 December 2021 the Development Management Lead be authorised to refuse the application on grounds of provision of essential community benefits;**
- (iv) **the permission so granted be subject to the following conditions:**

1.

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

Reason

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

2.

Plans and particulars of the reserved matters referred to in condition 1 above, relating to the layout, scale and appearance of any buildings to be erected, the means of access to the site

and the landscaping of the site, shall be submitted in writing to the local planning authority and shall be carried out as approved.

Reason

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

3.

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

Reason

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

4.

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

Reason

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

5.

The development hereby permitted shall be carried out in accordance with the following approved plans: location plan drawing no 19824/05.

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 vehicle parking and turning spaces within the curtilage of the site;

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

Reason

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

7.

No dwelling on the site shall be occupied until the vehicular access to it and the vehicle parking and turning facilities serving it have been completed in accordance with details to be submitted to and approved in writing beforehand with the local planning authority and, once provided, the vehicle parking and turning facilities shall be retained.

Reason

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

8.

The proposed dwelling(s) shall not be occupied until the footway has been provided across the whole of the site frontage in accordance with the approved details.

Reason

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

9.

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

Reason

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

10.

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

Reason

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

11.

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

Reason

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

12.

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

- (i) the proposed method of forming access from the highway, including the required visibility splays;
- (ii) the method of constructing/paving the drive;

- (iii) the provision of adequate drainage features;
- (iv) the provision of suitable bin collection facilities adjacent to the highway;
- (v) the provision of suitable lighting arrangements; and
- (vi) the provision of street name plates that shall include the words 'Private Drive';

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

Reason

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

13.

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

Reason

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

14.

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

Reason

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

15.

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.

16.

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.

17.

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.

18.

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.

19.

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

Reason

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

20.

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.

21.

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

- (i) a pre/post construction condition survey of the carriageway to identify any defects and how they will be rectified;
- (ii) all associated traffic movements, including delivery vehicles and staff/construction movements;
- (iii) any abnormal load movements;

- (iv) contractor parking and welfare facilities;
- (v) storage of materials; and
- (vi) traffic management requirements, including the means of controlling the deposition of mud onto the adjacent highway, along with appropriate methods of cleaning the highway, as may be required;

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

Reason

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

22.

No development shall take place until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall be based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development. This must be based upon the submitted Flood Risk Assessment, prepared by Eastwood and Partners, Job No: 45393, Issue No: 3, dated: 17 December 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, 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.

23.

The drainage scheme shall be implemented in accordance with the approved submitted details required by condition 22 above, completed prior to the occupation of any dwelling or building within each phase or sub-phase of the development on site, and thereafter retained and maintained in accordance with the scheme for the life of the development unless otherwise agreed in writing with the local planning authority.

Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation and future maintenance of the sustainable drainage structures in accordance with policy DS16 of the North Lincolnshire Local Plan,

policies CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraphs 155, 157, 163 and 165 of the National Planning Policy Framework.

24.

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.

25.

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

Reason

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

26.

The development hereby permitted shall not commence until drainage plans for the disposal of foul sewage have been submitted to and approved by the local planning authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Reason

To ensure that the development is provided with a satisfactory means of drainage, to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution, in accordance with policy DS14 of the North Lincolnshire Local Plan.

27.

No development shall take place until the applicant or their successor in title has submitted a biodiversity metric assessment and biodiversity management plan to the local planning authority for approval in writing. The document shall include:

- (a) an assessment of biodiversity loss based on the habitat and hedgerow baseline from submitted Preliminary Ecological Appraisal dated November 2020;
- (b) details of measures required to provide at least 10% biodiversity net gain in accordance with the Defra biodiversity metric 2.0;
- (c) details of sensitive working practices to avoid harm to bats, hedgehogs, badgers and nesting birds;

- (d) details of bat boxes and bat bricks to be installed on at least two houses;
- (e) details of swift boxes and sparrow terraces to be installed on at least two of houses each;
- (f) restrictions on lighting to avoid impacts on bat roosts, bat foraging areas, bird nesting sites and sensitive habitats;
- (g) provision for hedgehogs to pass through any fencing installed between gardens and between areas of grassland;
- (h) prescriptions for the retention, planting and aftercare of native trees, shrubs, hedgerows and wildflowers of high biodiversity value;
- (i) proposed timings for the above works in relation to the completion of the dwellings.

Biodiversity units shall be delivered on site, within the red line and blue line boundaries shown on submitted Location Plan number 19824/05.

Reason

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

28.

The biodiversity management plan shall be carried out in accordance with the approved details and timings, and the approved features shall be retained thereafter, unless otherwise approved in writing by the local planning authority. Prior to the occupation of the 15th dwelling hereby approved, the applicant or their successor in title shall submit a report to the local planning authority, providing evidence of compliance with the biodiversity management plan.

Reason

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

29.

Before development is commenced, details of the method of protecting the existing trees and hedgerows to be retained 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 and hedgerows 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 the interests of the amenity of the locality in accordance with policies LC12 and DS1 of the North Lincolnshire Local Plan.

30.

The reserved matters for layout and appearance shall show the position, layout and appearance of the on-site recreational open space to be provided on the site. The recreational open space shall be retained thereafter.

Reason

To mitigate the development in planning terms by creating an appropriate level of open space to serve the development and to accord with policies H10 of the North Lincolnshire Local Plan, and CS22 and CS23 of the North Lincolnshire Core Strategy.

31.

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.

32.

A scheme for the provision of electrical 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 accordance with the National Planning Policy Framework and policy CS18 of the Core Strategy.

33.

Construction and site clearance operations shall be limited to the following days and hours:

- 8am to 6pm Monday to Friday
- 8am to 1pm on Saturdays.

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

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

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

There shall be no deviation from these hours without the prior approval of the local planning authority.

Reason

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

34.

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:

- the works, and the method by which they are to be carried out;
- the noise and vibration attenuation measures to be taken to minimise noise and vibration resulting from the works, including noise limits; and
- 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:

- specified locations for contractors' compounds and materials storage areas;
- areas where lighting will be required for health and safety purposes;
- the location of potential temporary floodlights;
- identification of sensitive receptors likely to be impacted upon by light nuisance;
- 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:

- site dust monitoring, recording and complaint investigation procedures;
- 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;

- provision of water to the site;
- dust mitigation techniques at all stages of development;
- prevention of dust trackout;
- communication with residents and other receptors;
- a commitment to cease the relevant operation if dust emissions are identified either by regular site monitoring or by the local authority;
- a 'no burning of waste' policy.

Reason

To safeguard the amenity of adjoining residents and construction workers in accordance with policy DS1 of the North Lincolnshire Local Plan.

35.

No dwelling shall be occupied until details of the positions, design, materials and type of boundary treatment to be built/planted have been agreed in writing by the local planning authority. The agreed boundary treatment shall be built/planted before any 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 policy CS5 of the Core Strategy.

36.

No more than 16 dwellings that are bungalows and/or one-and-a-half-storey bungalows shall be erected on the site at any time.

Reason

To safeguard the character and appearance of the locality and the amenity of neighbours in accordance with policies DS1, H5 and H8 of the North Lincolnshire Local Plan, and policies CS5 and CS7 of the Core Strategy.

Informative 1

The applicant's attention is drawn to the comments made by Humberside Fire and Rescue Service and Humberside Police.

Informative 2

Our records indicate that outfall watercourses appear to exist outside the red line boundary to the north and east of the proposed development site. Following inspection, the watercourse may need to be cleared, replaced, protected or diverted by the landowner at their expense in accordance with their riparian responsibilities. An easement adjacent to the watercourse may need to be provided for future maintenance. Any other drainage feature found during excavations must be immediately reported to the LLFA Drainage Team on 01724 297522, prior to any further construction works being carried out.

Please refer to North Lincolnshire Council's 'Guide to Watercourses and Riparian Ownership' detailing riparian rights and responsibilities. Compliance with this guidance is to ensure the free flow of surface water is maintained throughout the development.

Alterations and/or connections into the watercourse must be consented by North Lincolnshire Council's LLFA Drainage Team, in their capacity as Lead Local Flood Authority through an Ordinary Watercourse Consent and appropriate discharge rates must be agreed. The landowners will also need to be contacted and agreements made as part of this consent. Please contact the LLFA Drainage team on 01724 297522 or by email to lifadrainageteam@northlincs.gov.uk for further details. Compliance with this guidance is to ensure the free flow of surface water is maintained throughout the development.

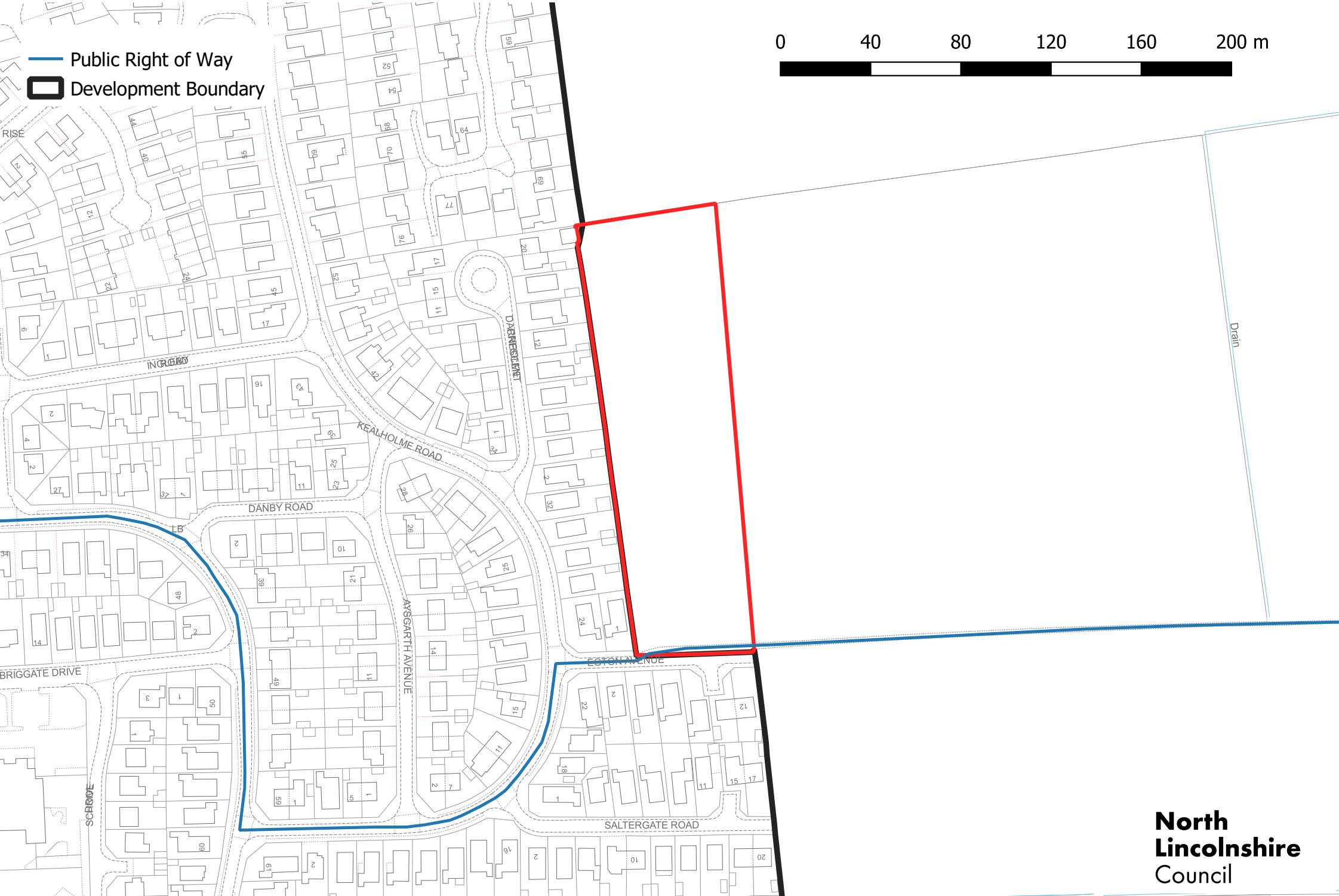
Informative 3

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 4

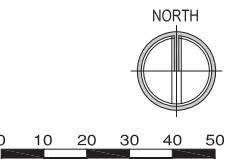
In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



PA/2020/2063 Adjoining land (not to scale)

NOTES
 Do not scale from this drawing. Only figured dimensions are to be taken from this drawing.
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 Report any discrepancies to the architect before commencing work. If this drawing exceeds
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 and a Principal Contractor has produced a Construction Phase Health and Safety Plan.
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 Issue\1925_Appraisal\19824_03_Outline Site Layout_05_Location Plan.dwg

REVISIONS			
Rev	Description	Dwn	Date
Chk	Date		



BSB Architecture

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RIBA

CLIENT
T G Sowerby Developments Ltd

PROJECT
 Residential Development,
 Egton Avenue, Messingham
 North Lincolnshire DN17 3SY

DRAWING TITLE
Location Plan

(c) Crown copyright and database rights 2019 Ordnance Survey 100015507
 Date: 07/03/11 Scale: 1:500 Nap Centre 489104-04561 Data updated: 04/10/2018 Our Ref: 29352-1 CS Background Plan A1
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Drawing Status For Information	Scale 1:1250	Sheet Size A3
Drawn Jpm	Date 17/12/20	
Checked Jnh	Date 17/12/20	

Drawing No. 19824/05 Revision /

PA/2020/2063 Illustrative site layout (not to scale)



NOTES
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 C:\Users\Joni\Desktop\Egton Avenue\19824_03_Illustrative Site Layout.dwg

REVISIONS

Rev	Description	Dwn	Date	Chk	Date
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SCHEDULE OF ACCOMMODATION

A - 10nr - 3 BEDROOM

B - 6nr - 2 BEDROOM

SITE AREA: 1.06 Ha

DENSITY: 15 dwellings/ Ha

PARKING: TBC

BUNGALOW TYPE
ACCOMMODATION



0 5 10 15 20

BSB Architecture

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CLIENT
T G Sowerby Developments Ltd

PROJECT
Residential Development,
Egton Avenue, Messingham
North Lincolnshire DN17 3SY

DRAWING TITLE
Illustrative Site Layout
for 16nr Dwellings
(using Topographical Data)

Drawing Status	Scale	Sheet Size
Planning (Outline)	1:500	A3
Drawn	jpm	Date 20/11/20
Checked	jhn	Date 20/11/20

Drawing No.

19824/03

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Acclaim
Accreditation
Constructionline