

<b>APPLICATION NO</b>	<b>PA/2021/618</b>
<b>APPLICANT</b>	Mr P Craven
<b>DEVELOPMENT</b>	Outline planning permission to erect four dwellings, with all matters reserved for subsequent consideration
<b>LOCATION</b>	Land at Brigg Road, Hibaldstow, DN20 0PB
<b>PARISH</b>	Hibaldstow
<b>WARD</b>	Ridge
<b>CASE OFFICER</b>	Emmanuel Hiamey
<b>SUMMARY RECOMMENDATION</b>	<b>Grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Objection by Hibaldstow Parish Council Departure from the development plan

## **POLICIES**

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

Paragraph 7 states, 'The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.'

Paragraph 8 states, 'Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- (a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- (b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural wellbeing; and
- (c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.'

Paragraph 9 states, 'Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.' It also explains that the three overarching objectives are not criteria against which every decision can or should be judged.

Paragraph 10 states that at the heart of the Framework is a presumption in favour of sustainable development.

Paragraph 11 sets out the presumption in favour of sustainable development and confirms that, for decision-taking, this means:

- (c) approving development proposals that accord with an up-to-date development plan without delay; or
- (d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting planning permission unless:
  - (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole.

Paragraph 38 states, 'Local planning authorities should approach decisions on proposed development in a positive and creative way...Decision-makers at every level should seek to approve applications for sustainable development where possible.'

Paragraph 130 states that planning policies and decisions should ensure that developments:

- (a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- (b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- (d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- (e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

- (f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

**North Lincolnshire Local Plan:**

Policy H1: Housing development hierarchy

Policy H5: New housing development

Policy RD2: Development in the open countryside

Policy LC7: Landscape Protection

Policy T2: Access to development

Policy T19: Car parking provision and standards

Policy DS1: General requirements

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 CS7: Overall housing provision

Policy CS8: Spatial distribution of housing sites

Policy CS16 (Landscape, Greenscape and Waterscape)

Policy CS17: Biodiversity

Policy CS19: Flood risk

**CONSULTATIONS**

**Highways:** No objection subject to conditions.

**Drainage Team (Lead Local Flood Authority):** No objection subject to conditions and informatives.

**Environmental Protection:** This application for residential development is a sensitive end-use. Furthermore, historic mapping held by the department indicates the site as potential agricultural land. Agricultural sites have the potential for contaminants such as PAHs, metals, petroleum hydrocarbons, and asbestos from the over-application of slurry and the illegal deposition of waste, which are harmful to human health. It is the developer's responsibility to assess and address any potential contamination risks, however no supporting information has been provided that demonstrates potential risks can be reduced to an acceptable level. The officer has indicated that where a proposed development introduces a vulnerable end-user and/or the development site could be affected by a former potentially contaminative land use, the possibility of land contamination should always be considered. In these circumstances, a Phase 1 assessment should be submitted as a minimum, which includes a desktop study, a site walkover and a conceptual site model. A Phase 1 assessment condition has been recommended.

**Historic Environment Record:** No objections.

**Ecology:** No objections. The site has limited biodiversity value at present and low potential for protected species. 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.

## **PARISH COUNCIL**

Objects to the application because the site is outside the permitted development area, in open countryside, and there are highway concerns as this is within the 60mph speed limit.

## **PUBLICITY**

Advertised by press and site notice. No comments have been received.

## **ASSESSMENT**

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

Outline planning permission is sought to erect four detached dwellings on land adjacent to 23 Brigg Road, Hibaldstow. The site is outside the development boundary and measures 4250m<sup>2</sup>. It is bounded by a field to the west, a recently approved development plot (PA/2020/158) for five dwellings to the south, Brigg Road to the east and hedgerow and a field to the north.

The application is accompanied by the following plans and documents:

- Site Investigation Report – Soakaway Potential
- Planning supporting statement dated March 2021
- An updated version of the Planning supporting statement dated March 2021
- Location Plan
- Indicative Site Plan.

As indicated earlier, the indicative layout shows four dwellings alongside and taking access from Brigg Road.

**The main issues to be considered in the assessment of this application are:**

- **the principle of the development;**
- **highway safety;**
- **landscape and visual impact;**
- **whether the development can deliver a suitable design and layout, and provides sufficient residential amenity;**
- **ecological impact;**
- **potential contamination risks;**
- **drainage requirements.**

### **Principle of the development**

In determining the principle of residential development on a site outside the settlement boundary, it is necessary to consider whether the proposed development is consistent with the saved policies of the North Lincolnshire Local Plan (NLLP), the North Lincolnshire Core Strategy (NLCS) and the Housing and Employment Land and Allocations Development Plan Document (HELADPD) or else the sustainable principles in terms of the NPPF.

Policy CS1 of the Core Strategy 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 CS3 of the Core Strategy 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 HELADPD, and the application site is outside the designated development limit for Hibaldstow.

Policy CS8 of the Core Strategy 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. With regard to rural settlements, the policy states that new housing will create opportunities for small-scale infill development that maintains the viability of the settlement and meets identified local needs without increasing the need to travel.

Local plan 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 (policies CS2 and CS3 of the Core Strategy).

The policies above aim at focusing housing within settlement limits as defined in the Housing and Employment Land Allocations DPD. The application site is outside the nearest settlement boundary for Hibaldstow and would not meet the criteria for development within the open countryside as outlined in policy RD2 of the local plan. The proposal is thereby considered to conflict with policies CS2, CS3 and CS8 of the Core Strategy.

The NPPF is a material consideration when determining planning applications. Chapter 11 (Making effective use of land) and Footnote 7 of the NPPF state the presumption in favour of sustainable development applies for applications involving the provision of housing where the local planning authority cannot demonstrate a five-year supply of housing and that housing applications should be considered in the context of the presumption in favour of sustainable development.

In this case, North Lincolnshire Council has recently published a statement in August 2021 confirming that it can now demonstrate a five-year housing land supply, as such, the development plan is considered up-to-date and the NPPF paragraph 11 'tilted balance' is not applicable for the proposal.

Notwithstanding the above, the assessment of whether the proposed development is considered sustainable remains.

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

The updated version of the Planning supporting statement dated March 2021 demonstrates the three components to sustainable development.

It states that Hibaldstow is ranked 16 out of 76 in the Sustainability Settlement Survey 2019, with six out of seven key facilities. Hibaldstow is therefore considered to be a sustainable settlement that is capable of future growth. Buses run from Hibaldstow to Brigg and Kirton-in-Lindsey six times per day, with the bus stop at Pelham View, a short walk from the application site, serving Brigg five to six times per day.

There are also services available in the village:

- a 2-way transport (Hibaldstow to Scunthorpe service) on school and college days only leaving at 8am and departing Scunthorpe 4–4.15pm;
- a Stagecoach Lincolnshire service once a day every Thursday to Brigg and Scunthorpe;
- a JR Dent Coaches service every Friday to Lincoln via Redbourne, Snitterby, Glentham etc departing 9.35–9.40am from Hibaldstow, returning 1.45pm from Lincoln;
- a Call Connect on-demand service from 7am to 7pm (2 hour notice for booking required) operates throughout North Lincolnshire – daily response tracker available online.

With regard to access to facilities, the site is located approximately half a mile from key facilities, including a public house, Co-op and school, all of which are within a 15-minute walk of the application site. As the site is close to key facilities and is adjacent to the development boundary, it must be considered that the site is in a sustainable location.

It would provide much-needed housing, economic benefits from the provision of jobs during construction and money to be spent in the local economy by future residents, social

benefits for the community, environmental benefits in terms of landscaping, biodiversity enhancements to the site and the intention to use some sustainable energy in the proposed dwellings. The proposed development is therefore considered to provide wider sustainability benefits which will outweigh any harm from the development.

With regards economic benefits, the proposal will create jobs during the construction phase and spending in the village by construction workers, and by the new residents once the houses are occupied. The dwellings will support the local economy through spending and supporting businesses within Hibaldstow and supporting services in nearby towns and villages. The development would also bring in revenue through council tax.

Environmental benefits would be seen through the improvement of biodiversity and landscaping schemes appropriate for the site. Whilst there will be a change to the landscape, a net gain can be achieved on the site. There are no protected species or heritage assets that would be affected by the proposal. The dwellings would have electric vehicle charging points to encourage and support the use of electric vehicles. The site is at the edge of the village and close to local services, with a shop directly opposite which sells fresh vegetables. There is also good public transport links which are easily accessible from the site and there is little reliance on the private car. It should be noted that there is also a permissive footpath running along the edge of the application site, connecting Station Road to Brigg Road, providing a pleasant rural walking and dog walking route.

Allowing additional dwellings at the edge of a growing settlement would bring social benefits by way of encouraging new social interactions, leading to growing local communities and supporting local services. The development would support local schools and playgroups, as well as other clubs and functions. The provision of more dwellings, especially with the absence of a five-year housing land supply is also a key social benefit from the proposed development.

The proximity of the site to bus services and the availability of bus services would also help promote overall sustainability by increasing social interactions (social), reducing the use of the private car (environmental) and supporting local bus companies (economic). For the reasons outlined above, it is considered that the development would meet the three strands of sustainable development.

The case for sustainability has been reviewed and it is considered that it has been sufficiently demonstrated and is acceptable. Notwithstanding the site's location outside the settlement limit, it is well connected to the surrounding locality, would encourage footfall connectivity and provide social and environmental benefits. Overall, the location of the proposed development would support and sustain the existing services in Hibaldstow.

With regard to the policies of the development plan, although the proposal would conflict with policies CS2, CS3 and CS8 of the Core Strategy and RD2 of the local plan, it would provide dwellings within the locality. The location of the dwellings is, in general, considered an appropriate sustainable location, as per paragraph 8 of the NPPF. There is little evidence to suggest that the proposal would result in adverse impacts which would significantly and demonstrably outweigh the benefits. In general, the planning authority believes the development weighs heavily in favour of the economic, social and environmental dimensions of sustainability.

Overall, while North Lincolnshire Council has confirmed that it can now demonstrate a five-year housing land supply and the development plan is considered up-to-date, in view of the

demonstration of the sustainable development (economic, social and environmental) as set out above, the principle of the development is acceptable, subject to the considerations of other relevant policies.

### **Layout, siting and design**

Chapter 12, under paragraphs 124 and 130 of the NPPF, express the importance of good design, high-quality buildings and improving the character and quality of an area.

Core Strategy policy CS5 (Delivering Quality Design in North Lincolnshire) states that all new development in North Lincolnshire should be well designed and appropriate for their context, and should contribute to creating a sense of place. The council will encourage contemporary design if it is appropriate for its location and is informed by its surrounding context. A 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 LC7 of the local plan states, 'where development is permitted within rural settlements or the open countryside, special attention will be given to the protection of the scenic quality and distinctive local character of the landscape. Development that does not respect the character of the local landscape will not be permitted.

Policy H5 of the local plan (all new housing developments, criteria a–m) requires that: all new development should be well related to existing infrastructure, including education, community and health facilities, roads, footpaths and cycleways, public transport, services, water supply and other utilities; that the development does not result in the loss of important open space; and that it is in keeping with the scale and character of the settlement.

As indicated earlier, this is an outline application with all matters reserved. While an indicative layout has been provided, there is no detailed design or layout to agree on at this stage. The indicative layout is useful in that it demonstrates that four dwellings can be achieved on this site with adequate garden space, open space and access to serve them and that the site can therefore achieve a suitable form and layout that is suitable in the locality.

In terms of potential landscape impact, as indicated earlier, the site has an open view and is bounded by a field to the west, a recently approved development plot (PA/2020/158) for five dwellings to the south, Brigg Road to the east and a hedgerow and a field to the north. This is judged consistent with the wider landscape.

In conclusion, while the application is for outline permission with issues regarding massing, design and landscaping to be considered in detail as part of a reserved matters application, following the assessment of the information available (an indicative site layout plan), any impact would not be worse than the existing landscape impact. It is therefore considered that the proposal would not have a significant adverse impact on the landscape.

Overall, the proposed dwelling would be acceptable and would comply with the aims of policies H5, LC7 and DS1 of the local plan and CS5 of the Core Strategy.

### **Residential amenity**

The design details of the dwellings would be considered at the reserved matters stage; therefore, any potential loss of residential amenity arising from this development would be assessed at that stage of the planning process. Based on the above, it is considered that

the proposal is acceptable and would comply with policies H5 and DS1 of the local plan and CS5 of the Core Strategy.

## **Highways**

Policy T2 of the North Lincolnshire Local Plan states that all development should be served by satisfactory access. Policy T19 is concerned with parking provision as well as general highway safety. Highways have no objection to the application subject to conditions.

## **Flood risk**

The site is within an area of SFRA Flood Zone 1 (Low potential for flooding). The LLFA Drainage Team has no objection to the proposed development subject to conditions and informatives.

## **Ecology**

The application site is arable land bounded by hedgerows. The council's ecologist has indicated that the site has limited biodiversity value at present and low potential for protected species and has therefore recommended conditions to minimise harm to protected and priority species and habitats and to seek biodiversity enhancement in accordance with the National Planning Policy Framework. The proposal, therefore, meets the terms of policies CS5 and CS16 of the Core Strategy and local plan policies LC7 and RD2.

## **Other matters**

Hibaldstow Parish Council has objected to the application because the site is outside the permitted development area, in open countryside, and has highway concerns as the site is within the 60mph speed limit. The matter of the development outside the development boundary has been addressed in this report. With regard to the concerns about the speed limit on the road, Highways have not raised any issues subject to conditions.

## **Conclusions**

In conclusion, it has been demonstrated that the benefits of the proposal as demonstrated by economic, social and environmental sustainability, outweigh any resulting harm. Consequently, all things considered, the proposal is a justified departure from the development plan and is acceptable.

Generally, the principle of the development is satisfactory and the site can accommodate the four dwellings within the terms of the development plan and is unlikely to be detrimental to the amenities of surrounding properties. Potentially, the access would be safe and visually acceptable.

It is worth noting that this is an outline planning permission, and therefore the design and appearance of the dwellings would be fully considered during the reserved matters stage. The proposal is therefore recommended for approval.

## **Pre-commencement conditions**

The pre-commencement condition included in the recommendation has been agreed with the applicant.

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

1.

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

Reason

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

2.

Plans and particulars of the reserved matters referred to in condition 1 above, relating to the layout, scale and appearance of any buildings to be erected, the means of access thereto, 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: Dwg No. 2021 033462 01 and Dwg No. 2021 033462 02 A.

Reason

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

6.

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. The drainage scheme shall demonstrate that surface water run-off generated up to and including the 1 in 100 year critical storm (including an allowance for climate change which should be based on the current national guidance will not exceed the run-off from the existing site. It shall also include details of how

the resulting completed scheme is to be maintained and managed for the lifetime of the development so that flood risk, both on and off the site, is not increased. 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.

7.

The drainage scheme shall be implemented in accordance with the approved submitted details required by condition 6 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.

8.

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.

9.

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.

10.

Within three months of the commencement of development, the applicant or their successor in title shall submit a biodiversity management plan for approval by the local planning authority. The plan shall include:

- (a) details of at least two bat roosting features to be installed in the new dwellings;
- (b) details of nesting sites to be installed to support starlings and house sparrows;
- (c) restrictions on lighting to avoid impacts on bat roosts, bat foraging areas, bird nesting sites and sensitive habitats;
- (d) provision for hedgehogs to pass through any fencing installed between gardens and between areas of grassland;
- (e) prescriptions for the planting and aftercare of trees and shrubs of high biodiversity value;
- (f) details of wetland habitat to be created as part of sustainable drainage;
- (g) proposed timings for the above works in relation to the completion of the buildings;

Reason

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

11.

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 fourth dwelling, the applicant or their successor in title shall submit a report to the local planning authority, providing evidence of compliance with the Biodiversity Management Plan.

Reason

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

12.

Unless otherwise agreed by the local planning authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts 1 to 4 below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the local planning authority in writing until part 4 has been complied with in relation to that contamination.

Part 1: Site Characteristics

A Phase 1 desk study shall be carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk study shall establish a 'conceptual model' of the site and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/Quantitative Risk Assessment (or state if none required). Two full copies of the desk

study and a non-technical summary shall be submitted to the local planning authority for approval prior to proceeding to further site investigation.

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

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

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

#### Part 2: Submission of Remediation Scheme

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

#### Part 3: Implementation of Approved Remediation Scheme

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

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

#### Part 4: Reporting of Unexpected Contamination

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

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

#### Reason

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

13.

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.

14.

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.

15.

Within three months of the completion of the new access, any redundant access to the site shall be removed and the area reinstated to footway/verge (including the provision of full height kerbs) in accordance with details to be submitted to and approved 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.

16.

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.

17.

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.

18.

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.

19.

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.

### **Informative 1**

Our records indicate that the proposed development site is bounded by a watercourse on the eastern boundary (surface water pipe/culvert or ditch). Following an 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, by email to [llfadrainageteam@northlincs.gov.uk](mailto:llfadrainageteam@northlincs.gov.uk), prior to any further construction works being carried out. Please refer to the council's 'Guide to Watercourses and Riparian Ownership'. Compliance with this guidance is to ensure the free flow of surface water is maintained throughout the development.

### **Informative 2**

The proposals show a new access to be provided over and/or connection into the watercourse. This must be consented by North Lincolnshire Council's LLFA Drainage Team, in their capacity as Lead Local Flood Authority, and/or the local Internal Drainage Board through an Ordinary Watercourse Consent and appropriate discharge rates must be agreed. Please contact the LLFA Drainage team by email for further details. Compliance with this guidance is to ensure the free flow of surface water is maintained throughout the development.

### **Informative 3**

All species of bat are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of The Conservation of Habitats and Species Regulations 2017 making all species of bat European Protected Species. Details of the legislation can be found at:

- Wildlife and Countryside Act:

<http://www.legislation.gov.uk/ukpga/1981/69/contents;>

- The Countryside and Rights of Way Act:

[http://www.opsi.gov.uk/acts/acts2000/ukpga\\_20000037\\_en\\_7#pt3-pb8-l1g81;](http://www.opsi.gov.uk/acts/acts2000/ukpga_20000037_en_7#pt3-pb8-l1g81;)

- The Conservation of Habitats and Species Regulations 2010:

[http://www.opsi.gov.uk/si/si2010/uksi\\_20100490\\_en\\_1;](http://www.opsi.gov.uk/si/si2010/uksi_20100490_en_1;)

Nesting birds: It is an offence under Section 1 of the Wildlife and Countryside Act of 1981 (WCA 1981) to intentionally take, damage or destroy the nest of any wild bird while it is in use or being built. The WCA 1981 also provides that all wild birds and their eggs are protected and cannot be killed or taken except under licence.

**Informative 4**

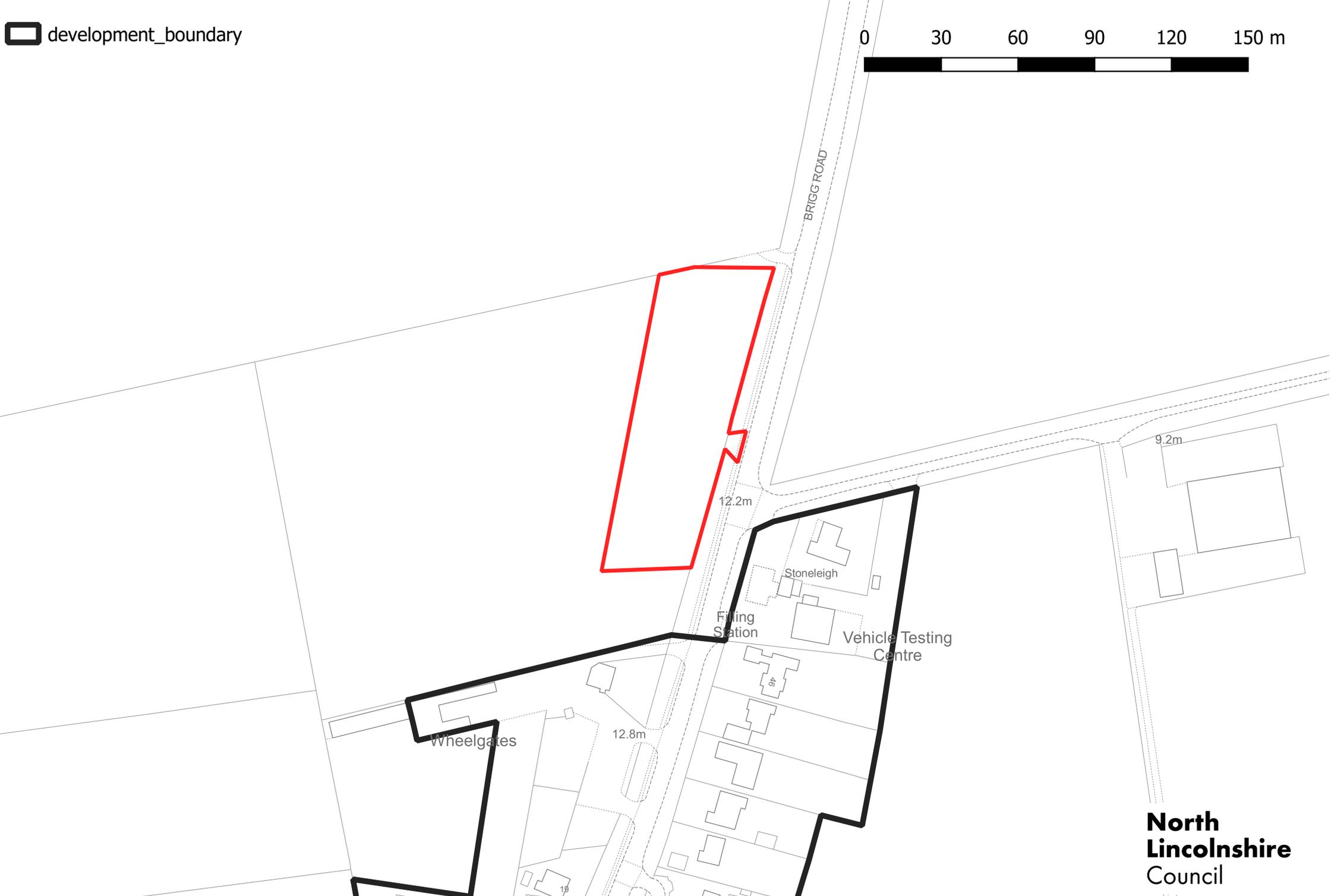
The development hereby granted planning permission requires works to be carried out within the limits of the adopted (public) highway. Therefore:

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

**Informative 5**

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 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.

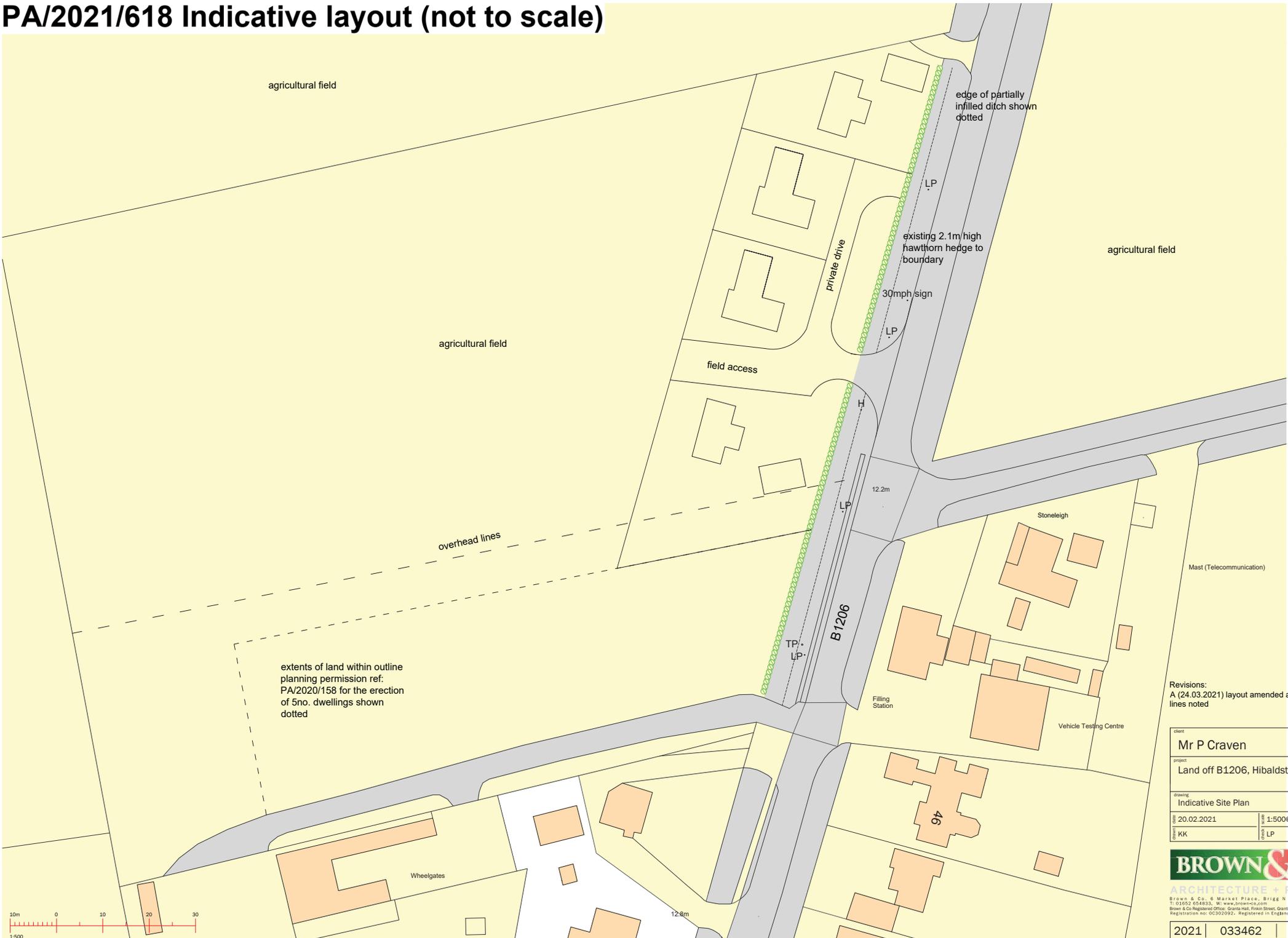
 development\_boundary



**North  
Lincolnshire  
Council**

**PA/2021/618**

# PA/2021/618 Indicative layout (not to scale)



Revisions:  
A (24.03.2021) layout amended and overhead lines noted

client	
Mr P Craven	
project	
Land off B1206, Hibaldstow	
drawing	
Indicative Site Plan	
date	scale
20.02.2021	1:500@ A2
author	checked
KK	LP

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