

APPLICATION NO	PA/2021/1451
APPLICANT	P & A Coxon
DEVELOPMENT	Outline planning permission to erect four dwellings with all matters reserved for subsequent consideration
LOCATION	Castlefield Yard, Station Road, Hibaldstow, DN20 9DU
PARISH	Hibaldstow
WARD	Ridge
CASE OFFICER	Emmanuel Hiamey
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Departure from the development plan Objection by Hibaldstow Parish Council

POLICIES

National Planning Policy Framework:

Chapter 2: Achieving sustainable development

Chapter 4: Decision making

Chapter 5: Delivering a sufficient supply of homes

Chapter 9: Promoting sustainable transport

Chapter 11: Making effective use of land

Chapter 12: Achieving well-designed places

Chapter 14: Meeting the challenge of climate change, flooding, and coastal change

Chapter 15: Conserving and enhancing the natural environment

North Lincolnshire Local Plan:

Policy H1: Housing Development Hierarchy

Policy H5: New Housing Development

Policy H8: Housing Design and Housing Mix

Policy T2: Access to Development

Policy T19: Car Parking Provision and Standards

Policy RD2: Development in the Open Countryside

Policy DS1: General Requirements

Policy DS14: Foul Sewage and Surface Water Drainage

Policy DS16: Flood Risk

North Lincolnshire Core Strategy:

Policy CS1: Spatial Strategy for North Lincolnshire

Policy CS2: Delivering more Sustainable Development

Policy CS3: Development Limits

Policy CS5: Design

Policy CS7: Overall Housing Provision

Policy CS8: Spatial Distribution of housing sites

Policy CS19: Flood risk

CONSULTATIONS

Environment Protection: No objection subject to conditions.

Drainage (Lead Local Flood Authority): No objection subject to conditions.

Waste and Recycling: No objection.

Highways: No objection subject to conditions.

Ecology: No objection subject to conditions.

PARISH COUNCIL

Objects to the application as it is outside the parish development boundary.

PUBLICITY

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

ASSESSMENT

Description of site and proposed development

Outline planning permission is sought to erect four dwellings at Castlefield Yard, Station Road, Hibaldstow.

The site is outside the development boundary, off Station Road. Hibaldstow is defined as a Rural Settlement' in the Core Strategy. It is currently a haulage yard and has a hard bare surface. The applicant has confirmed that all activities of the haulage yard would cease if planning permission is granted.

The site is rectangular and measures approximately 0.1 hectares. The site adjoins existing residential developments on three sides and a field. Existing access to the site is taken from Station Road to the east.

An indicative block plan has been submitted for consideration which shows the footprint of the four proposed dwellings, along with the driveway. The site would be served by a private drainage arrangement. The provision includes a new soakaway which is yet to be confirmed.

Planning considerations

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. In this instance, the development plan consists of the saved policies of the North Lincolnshire Local Plan (NLLP) and the North Lincolnshire Core Strategy (NLCS). Material considerations exist in the form of national policy and guidance contained within the National Planning Policy Framework (NPPF) and the suite of documents comprising National Planning Practice Guidance (NPPG).

The key issues for consideration are:

- **whether the principle of development is acceptable and in line with the relevant policies of the North Lincolnshire Local Plan, the Core Strategy, the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (PPG);**
- **whether the layout, siting and design is appropriate within the context of the site and surrounding landscape;**
- **whether any environmental impacts can be appropriately mitigated; and**
- **whether the site can be sufficiently serviced by the required infrastructure.**

Principle of the development

Policies controlling the supply of housing are most important for determining this application when considering it against NPPF paragraph 11.

To demonstrate a five-year housing land supply, the council must identify specific 'deliverable' sites sufficient to provide 2,011 dwellings between 1 April 2021 and 31 March 2026 in accordance with the NPPF and PPG.

The council had undertaken annual site visits to confirm the progress of sites under construction, and the trajectory had been updated accordingly. Trajectory and five-year supply figures had also been updated based on communication with landowners and developers throughout the year and taking account of the information provided through the proformas consultation exercise. Overall, there were 86 sites that met the relevant requirement set out in the NPPF 2021 and the PPG.

The North Lincolnshire Five Year Housing Land Supply Statement states that North Lincolnshire currently could demonstrate a 5.64-year supply between 1 April 2021 to 31 March 2026. Accordingly, the local planning authority has demonstrated a five-year supply

of housing and that housing applications should be considered in the context of the local development plan.

Policy CS2: Delivering More Sustainable Development sets out how the principal elements of policy CS1 that make up the overall spatial strategy, will be implemented using a sequential approach to the location of future development that is based on the settlement hierarchy and taking into account other sustainability criteria. Policy CS2 allows for “Small scale developments within the defined development limits of rural settlements to meet identified local needs.”

Any development that takes place outside the defined development limits of settlements or in rural settlements in the countryside will be restricted. Only development which is essential to the functioning of the countryside will be allowed to take place. This might include uses such as those related to agriculture, forestry or other uses which require a countryside location or which will contribute to the sustainable development of the tourist industry.

All future development in North Lincolnshire will be required to contribute towards achieving sustainable development. Proposals should comply with the overall spatial strategy together with the following sustainable development principles:

- be located to minimise the need to travel and to encourage any journeys that remain necessary to be possible by walking, cycling and public transport, and it should be compliant with public transport accessibility criteria as set out in the Regional Spatial Strategy
- be located where it can make the best use of existing transport infrastructure and capacity, as well as taking account of capacity constraints and deliverable transport improvements particularly in relation to junctions on the Strategic Road Network
- where large freight movements are involved the use of rail and water transport should be maximised
- contribute towards the creation of locally distinctive, sustainable, inclusive, healthy and vibrant communities.
- contribute to achieving sustainable economic development to support a competitive business and industrial sector
- ensure that everyone has access to health, education, jobs, shops, leisure and other community and cultural facilities that they need for their daily lives
- ensure the appropriate provision of services, facilities and infrastructure to meet the needs of the development, but where appropriate it is to be recognised that a phased approach may not be required on small scale development proposals.

Policy CS3 provides that outside development boundaries, development will be restricted to that which is essential to the functioning of the countryside. In local planning terms, the site is outside the development boundary of Hibaldstow and within the open countryside. As indicated earlier, development outside the defined boundaries will be restricted to that which is essential to the functioning of the countryside. This will include uses such as those related to agriculture, forestry or other uses that require a countryside location or will

contribute to the sustainable development of the tourist industry. To summarise, the application site is within the open countryside and is strictly contrary to local planning policy which seeks to protect such areas from inappropriate uses and unsustainable development.

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).

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. About 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.

The policies above aim at focusing housing within settlement limits as defined in the Housing and Employment Land Allocations DPD.

Having reviewed the proposal in line with the above policies, the proposed development does not fit into any of the exceptions set out in policies CS2, CS3 and CS8 of the Core Strategy, which is why it has been advertised as a departure from the development plan.

Planning law requires that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. It is therefore considered that the only issue which is still a debate is whether any material planning considerations would outweigh the otherwise unsustainable location of the site.

It is necessary therefore to consider two main issues concerning the proposals: firstly, whether any material considerations would indicate that a decision not following the development plan is justified, and secondly whether the development would cause unacceptable harm.

The documents submitted with the application include the following:

- drawings (site and location plans)
- Phase I Desk Study Report
- Planning Statement/Arboricultural Report
- an email with an attachment in support of the proposal.

The Phase I Desk Study Report contains a preliminary assessment of the ground conditions in addition to the related geotechnical properties and associated potential constraints, and an assessment of the potential risks to human health and controlled waters receptors.

The planning statement includes an arboricultural report. The statement focuses on the current use of the site and summarises the services at Hibaldstow as outlined in the North Lincolnshire Settlement Survey 2019 as well as the North Lincolnshire Five Year Housing

Land Supply target. The arboricultural report focuses on the continuous line of mature hedging along the western, northern and southern boundaries of the site. It concludes that there are no large trees on the site and there are no plans to remove hedging.

The email was submitted as a response to the case officer's request to demonstrate the sustainability of the site, as it is outside the development boundary and does not comply with policies related to development in the countryside.

The email and the attachment appear to be in dispute with the North Lincolnshire Five Year Housing Land Supply Statement, which concludes that the local planning authority has demonstrated a five-year supply of housing. It also refutes the development boundary and suggests that the site is within the development boundary for Hibaldstow. On the sustainability of the site, the email claims that the site is the 16th most sustainable place in North Lincolnshire out of 76 places as far as services and resources are concerned.

The applicant has also cited reasons for the approval of a nearby application to retain an existing detached annexe (PA/2017/1092) as a justification. The reasons for the approval of PA/2017/1092 state:

'The annexe hereby permitted shall not be occupied other than for the purposes ancillary to the dwelling known as 199 Burringham Road, and for the avoidance of doubt shall not be sold, let or otherwise occupied as a separate unit of accommodation.

Reason: To prevent the establishment of a separate unit of residential accommodation without appropriate standards of open space, access and parking space, which would be contrary to policies DS1 and T2 of the North Lincolnshire Local Plan.'

The planning authority view in terms of the location of the site is based on the guidance of the NPPF. The NPPF advises that when planning for development through the local plan process the focus should be on existing service centres and land within or adjoining existing settlements. The site lies immediately adjacent to the settlement boundary of Hibaldstow and is predominantly bounded by residential properties. It is within walking distance of Hibaldstow centre which has several facilities expected within a larger village.

Further, the site is currently a haulage yard and the local development plan defines a brownfield site as previously developed land which is, or was, occupied by a permanent (non-agricultural) structure, and associated fixed surface infrastructure. It indicates that previously developed land may occur in both built-up and rural settings.

From above, the site is in a sustainable location and meets the NPPF's core approach to sustainable development. For the above reasons, the planning authority considers the policy principle of residential development at the site is acceptable.

The key issue is whether any adverse impacts of the development would significantly and demonstrably outweigh the benefits of the application when assessed against other policies of the local development plan as a whole.

Landscape and visual impact

Paragraph 127 of the NPPF 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;
- (d) establish a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractively, 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.

Paragraph 128 of the NPPF requires design quality to be considered throughout the evolution and assessment of individual proposals.

Policy DS1 is partly concerned with impacts upon residential amenity. It states, ‘...No unacceptable loss of amenity to neighbouring land uses should result in terms of noise, smell, fumes, dust or other nuisance, or through the effects of overlooking or overshadowing. Impact on neighbouring residential amenity would be considered at the reserved matters stage.’

Core Strategy policy CS5 (Delivering Quality Design in North Lincolnshire) requires all new development in North Lincolnshire to be well designed and appropriate for their context. It 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.

Following the site inspection, it was evident the site is currently in use as a haulage yard and it is screened by mature hedging and bounded by residential developments on three sides (east, west and south).

Though an indicative layout has been provided, as this is an outline application, all matters are reserved. The indicative layout shows that the development would use an existing access point from Station Road. It also demonstrates that the site can accommodate four dwellings with adequate garden space and access to serve them.

It is judged that the development would result in an extension of the village, although not into an undeveloped part of the countryside, as this would only be within the extent of the existing haulage yard. The planning authority believes that the site could be developed to a high standard taking into account the countryside setting.

Overall, a detailed proposal could meet with the aims of policy as part of an application for reserved matters.

Impact on the amenity of neighbouring properties

As indicated earlier, policies DS1 and CS5 expect a high standard of design in all developments in both built-up areas and the countryside and proposals for poorly designed development will be refused. They require all proposals to be considered against the quality of the design and amenity, among other things. Further to this, the NPPF advises that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

The site shares boundaries with residential properties to the south-east and west and a field to the north. The indicative layout that has been provided is considered to demonstrate that there is adequate space within the site to accommodate the proposed development and that the proposal could create a good standard of amenity for future occupants and maintain good standards of amenity for neighbouring residents.

As this application is for outline planning permission, the design details of the dwellings have not been provided. These would be considered at the reserved matters stage. Any potential loss of residential amenity arising from this development would therefore 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 DS1 of the local plan and CS5 of the Core Strategy.

Environmental protection

The NPPF states that to prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location. Policy DS11 is concerned with polluting activities. It states that planning permission for development, including extensions to existing premises and changes of use, will only be permitted where it can be demonstrated that levels of potentially polluting emissions, including effluent, leachates, smoke, fumes, gases, dust, steam, smell, or noise, do not pose a danger by way of toxic release. Policy DS1 is also concerned with the protection of amenities.

Environmental Protection has confirmed that the application for residential development is a sensitive end use. It is the developer's responsibility to assess and address any potential contamination risks. The applicant has submitted a Phase 1 Desk Study report in support of the application. The desk-based assessment is not currently robust enough to allow a site investigation to be adequately scoped and therefore further information should be included in the desk-based assessment and site conceptual model before proceeding with the detailed design of Phase 2. However, if the council is minded to determine the application without the information required under National Planning Policy guidance, then the department would recommend the inclusion of a condition, which would be applied to any permission granted.

On noise, Environmental Protection has indicated that the proposed development is in close proximity to commercial/industrial premises on Station Road. These premises have the potential to cause adverse noise impacts. The department therefore recommends a noise impact assessment be undertaken before determination. As this is an outline planning permission, the requirement for the noise assessment can be conditioned and assessed at

the reserved matters stage. On construction noise, the team has indicated that to prevent local residents and other sensitive receptors from being affected during construction of the proposed development, a working hours condition should be attached to any permission granted.

In general, the Environmental Protection team has not objected to the application subject to conditions and it is believed that the terms of the conditions may well be met and have the potential to mitigate the concerns of the team.

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. Both policies are considered relevant.

Highways have no objection subject to conditions, which would be attached to any permission granted. In principle, the proposed access point would accord with the standards set out by the council.

Drainage

Policy DS14 (Foul Sewage and Surface Water Drainage) requires satisfactory provision to be made for the disposal of foul and surface water from new development, by agreeing details before planning permission is granted, imposing conditions on planning permissions or completing planning agreements to achieve the same outcome. Policy DS16 (Flood Risk) requires that new development should not be at risk from flooding.

The site lies within flood zone 1 according to the council's SFRA. The LLFA Drainage officer has no objection to the development. Nevertheless, they have commented that the development falls within their lower threshold assessment levels (5/9 dwellings or over 500m² hard paved areas). The development proposes SuDS but provides no information to support the proposals. Notwithstanding the above, given the scale of the development, there is the likelihood that infiltration will be feasible and they therefore recommend the imposition of planning conditions.

Ecological impact

The council's ecologist has read the submitted ecological appraisal and commented that the application site is largely hardstanding, with boundary hedgerows that are due to be retained. On that basis, the site has limited potential for protected species. Notwithstanding the above, the officer has recommended conditions.

Hibaldstow Parish Council's comments

As indicated earlier, Hibaldstow Parish Council objects to this application as it is outside the parish development boundary. This is confirmed in the report. However, the planning material consideration potential as a fallback position is of sufficient weight as a material planning consideration to justify departure from the local development plan policies concerning development in the countryside and the unsustainability of the location with which it conflicts.

New build dwellings on the site would deliver the same sustainability benefits and would not result in increased harm or conflict with the development plan or national planning policy.

Given the above and the reasons outlined in the report, it is judged that the principle of the development is acceptable.

Conclusions

In conclusion, the development is for outline planning permission for four dwellings that lie outside the development limits of Hibaldstow as defined in the local development plan. The site is not identified as a housing allocation in the North Lincolnshire Local Development Plan.

The council can currently demonstrate a deliverable five-year housing land supply as set out in the North Lincolnshire Five Year Housing Land Supply Statement. In accordance with NPPF paragraph 11(d), the local plan's relevant policies for the supply of housing can be considered up to date.

This development proposal is considered to represent a departure from the development plan and policy guidance contained within the NPPF. The site is not considered to be unsustainable as to warrant refusal given its location and the current land use as a haulage yard. Any visual impact of the proposal would be localised and unlikely to result in any harmful protrusion into the open countryside. There are also no residential amenity, highway, landscape/arboricultural or ecological objections.

Considering the low level of harm caused by the development, in the context of the countryside, the planning authority is of the view that the low adverse impacts would not significantly and demonstrably outweigh the benefits of this proposal.

On balance, it is considered that the development would comply with the NPPF and there are sufficient grounds to depart from the local development plan. The proposal is therefore recommended for approval subject to conditions.

Pre-commencement conditions

Pre-commencement conditions have been agreed with the applicant/agent.

RECOMMENDATION Grant permission 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:

Dwg. No. 2070 / 001 Rev. B

Reason

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

6.

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

- (i) an assessment of biodiversity loss based on the submitted existing site plan;
- (ii) details of measures required to provide at least 1% biodiversity net gain in accordance with the Defra Small Sites metric;
- (iii) details of bat boxes and nest boxes to be installed;
- (iv) restrictions on lighting to avoid impacts on bat roosts, bat foraging areas, bird nesting sites and sensitive habitats;
- (v) provision for hedgehogs to pass through any fencing installed between gardens and between areas of grassland;
- (vi) prescriptions for the planting and aftercare of hedgerows, trees and shrubs of high biodiversity value;
- (vii) proposed timings for the above works in relation to the completion of the dwellings.

Biodiversity units should be delivered on site, within the red line boundary shown on the submitted location plan. Those that cannot viably be delivered on site should be delivered locally, according to a local plan or strategy.

Reason

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

7.

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.

8.

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 DEFRA and the Environment Agency's 'Model Procedures for the management of Land Contamination, CLR 11'.

Part 2: Submission of Remediation Scheme

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

Part 3: Implementation of Approved Remediation Scheme

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

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

Part 4: Reporting of Unexpected Contamination

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

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

Reason

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

9.

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

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

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

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

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

Reason

To protect residential amenity.

10.

No development shall take place until a comprehensive noise assessment has been submitted to and approved in writing by the local planning authority. The assessment shall take into account all existing and proposed new noise sources associated with the development and should identify what appropriate noise attenuation measures are to be put in place to ensure that local residents and commercial businesses will be protected from any undue noise disturbance.

The noise impact assessment shall be carried out with reference to:

- National Planning Policy Framework (2019)
- National Planning Practice Guidance (2014)
- ProPG: Planning & Noise, New Residential Development (2017)
- BS 4142:2014 + A1:2019 Methods for rating and assessing industrial and commercial sound
- World Health Organisation Environmental Noise Guidelines for the European Region 2018
- World Health Organisation Guidelines for Community Noise (1999)
- World Health Organisation Night Noise Guidelines for Europe (2009)
- BS8233:2014 Guidance on sound insulation and noise reduction for buildings

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

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

Reason

To minimise the impact of the development on adjacent properties in accordance with policy DS1 of the North Lincolnshire Local Plan.

11.

The details to be submitted in respect of reserved matters for any phase of development shall include a scheme for the provision of surface water drainage for the site (including the existing shared driveway/access road) and shall include the following criteria:

- (a) any proposal to discharge surface water to a watercourse from the redevelopment of a brownfield site should first establish the extent of any existing discharge to that watercourse
- (b) peak run-off from a brownfield site should be attenuated to a minimum of 70% of any existing discharge rate (existing rate taken as 1.4litres sec/ha or the established rate whichever is the lesser for the connected impermeable area)
- (c) discharge from "greenfield sites" taken as 1.4 lit/sec/ha (1:1yr storm)
- (d) no above-ground flooding to occur up to the 100 year plus climate change critical flood event (based on current national guidance)
- (e) a range of durations should be used to establish the worst-case scenario
- (f) the suitability of soakaways, as a means of surface water disposal, should be ascertained in accordance with BRE Digest 365 or other approved methodology
- (g) a scheme for the provision of a positive outlet of surface water from the site
- (h) adoption and maintenance agreements for all surface water and SuDS drainage features.

If a full sustainable urban drainage system (SuDS) scheme is incapable of being delivered, then comprehensive justification of this must be submitted.

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.

12.

The drainage scheme shall be implemented in accordance with the approved submitted details required by condition 11 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.

13.

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.

14.

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.

15.

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.

16.

Adequate vehicle access, parking and turning facilities serving the existing dwelling shall be retained 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 policies T2 and T19 of the North Lincolnshire Local Plan.

17.

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.

18.

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.

19.

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.

20.

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.

21.

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

Bats: 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
- The Conservation of Habitats and Species Regulations 2017 (legislation.gov.uk:
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 2

The applicant is advised to contact the council's Waste Management team at the earliest stage of building for guidance relating to the provision of adequate storage areas for waste management facilities and good access for refuse collection vehicles.

Informative 3

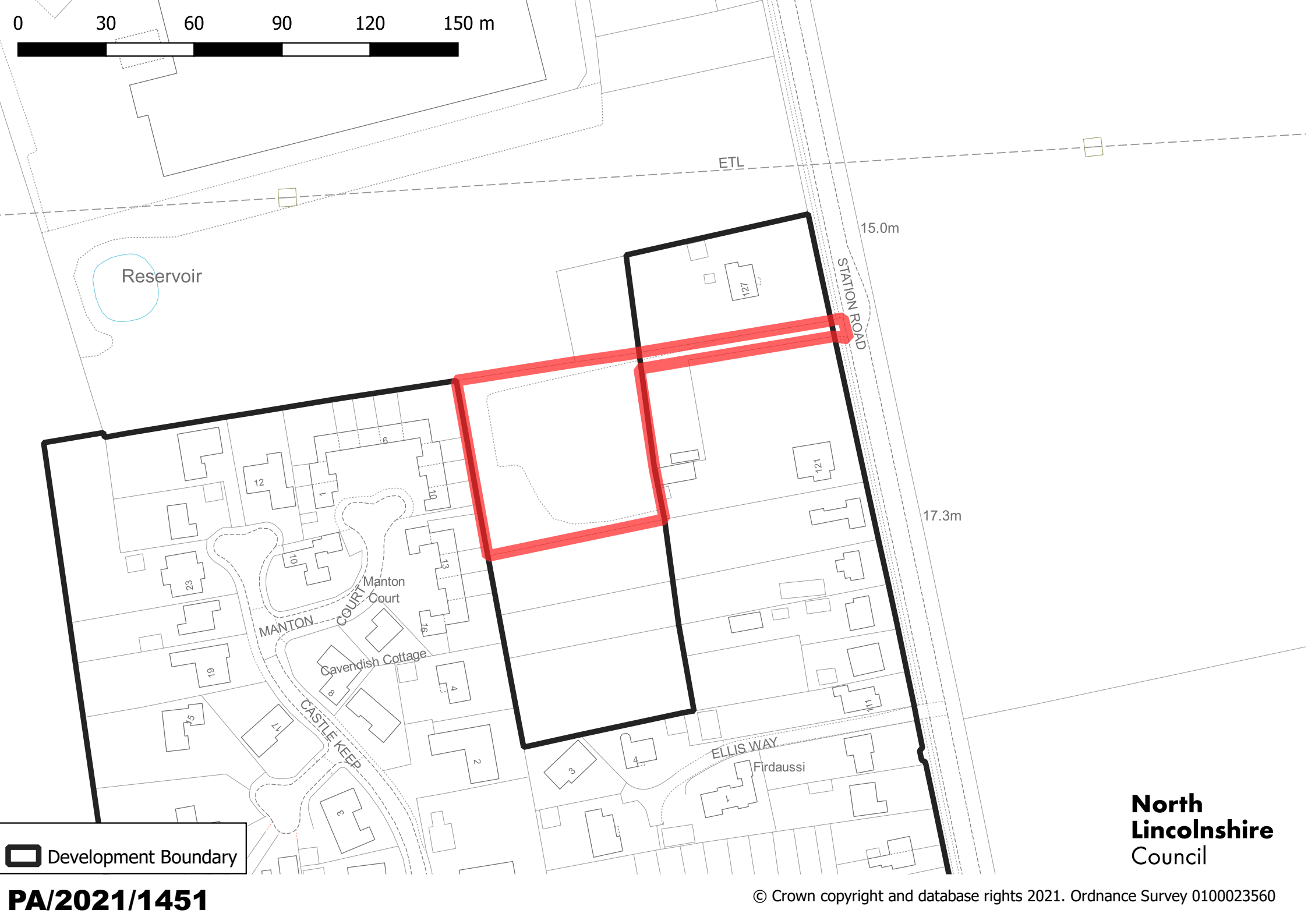
The development hereby granted planning permission requires works to be carried out within the limits of the adopted (public) highway. Therefore:

- 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 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.

0 30 60 90 120 150 m



 Development Boundary

**North
Lincolnshire
Council**

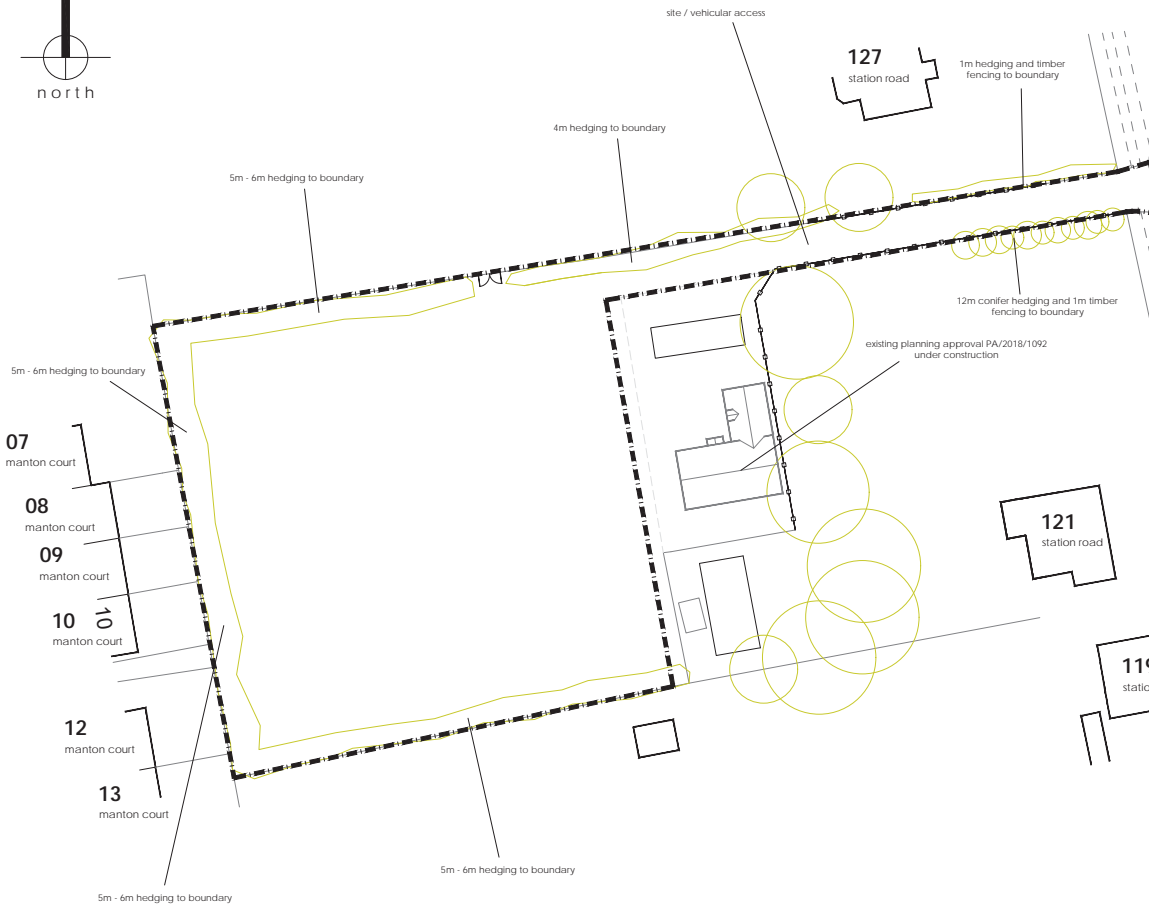
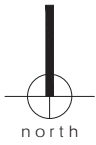
PA/2021/1451

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PA/2021/1451 Proposed layout (not to scale)

A2

scale 1:500



notes:

This drawing is to be read in conjunction with all related drawings. Do not scale from this drawing. All dimensions must be checked and verified on the ground concerning any work or existing site drawings. The engineer should be notified immediately of any discrepancy. This drawing is copyright and remains the property of Philip Bingham Architectural and Planning unless agreement has been offered otherwise.

All foundation details and requirements are to be determined on site by the building inspector and/or structural engineer. Drainage issues are assumed and are to be confirmed by the builder during construction. Ramps and steps are shown notionally and will be determined by an on-site survey and level. A2 to current building regulations.

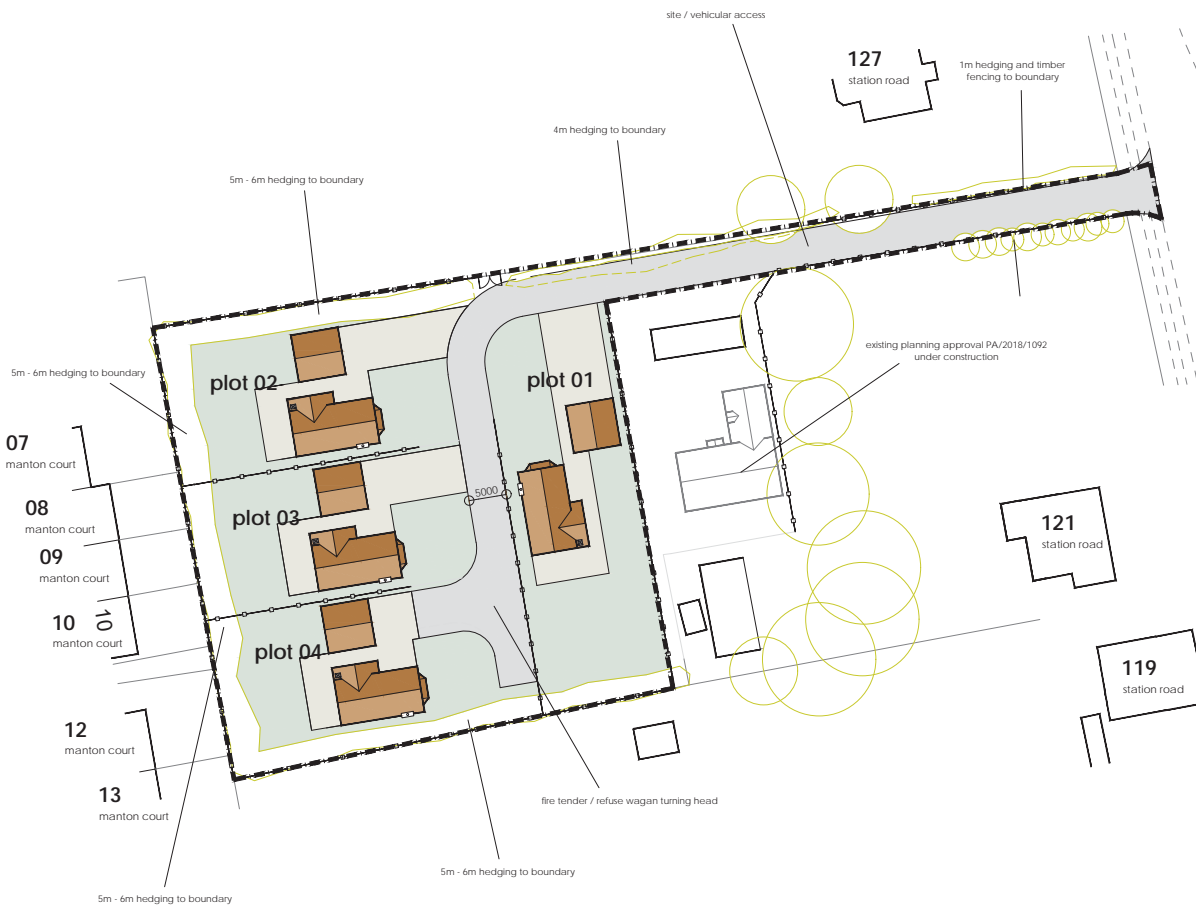
2070 / 002

client:
Mr. P. Coxon
Castledale, Station Road, Hibaldstow. DN20 9DU

scheme:
Outline Planning Application for 4 Dwellings on Land off Station Road, Hibaldstow

existing and proposed site plans

drawn by: P. Bingham	date: 15 July 2021	
checked by: n/a	revision: C	
	status: PLANNING	
A issued for 'APPROVAL'	19 July 2021	PLB
B plot 01 widened by 2m	20 July 2021	PLB
C issued for 'PLANNING'	21 July 2021	PLB



NOTE: trees and hedging shown notionally

14a market place, horsea, east riding of yorkshire. HU18 1AW
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