

<b>APPLICATION NO</b>	<b>PA/2021/1831</b>
<b>APPLICANT</b>	Mr Stephen Williamson
<b>DEVELOPMENT</b>	Outline planning permission to erect two detached dwellings with detached garages (appearance, landscaping, layout and scale reserved for subsequent consideration)
<b>LOCATION</b>	Land at the corner of High Street and Stone Lane, Burringham
<b>PARISH</b>	Burringham
<b>WARD</b>	Burringham and Gunness
<b>CASE OFFICER</b>	Martin Evans
<b>SUMMARY RECOMMENDATION</b>	<b>Grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Member 'call in' (Cllr Josh Walshe – significant public interest)

## **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 47 makes clear that 'Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.'

Paragraph 130 states, '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.

Paragraph 159: Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

Paragraph 162: The aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The strategic flood risk assessment will provide the basis for applying this test. The sequential approach should be used in areas known to be at risk now or in the future from any form of flooding.

**North Lincolnshire Local Plan:**

DS1, DS7, DS14, DS16, H5 and T2

**North Lincolnshire Core Strategy:**

CS1, CS2, CS3, CS5, CS7, CS8, CS17, CS18 and CS19

**Housing and Employment Land Allocations Development Plan Document (DPD)**

**CONSULTATIONS**

**Highways:** Support the proposal, recommending conditions regarding visibility splays, provision of vehicle parking facilities and an informative for works within the highway.

**Drainage (Lead Local Flood Authority):** Support the proposal, recommending a condition and informative noting there is a highway drain within the footway that will require consideration and protection as part of the works.

**Environmental Protection:** Recommend a phase 1 contaminated land assessment is submitted prior to determination or alternatively a comprehensive contaminated land assessment condition is attached to any planning permission.

**Archaeology:** No further recommendations for archaeology.

**Severn Trent:** Foul connection to the public sewer would be subject to a formal application. Reiterates the surface water drainage hierarchy in the Building Regulations. An informative is recommended.

**Tree Officer:** No trees are affected. A good quality landscaping scheme should be considered.

**Environment Agency:** No objection subject to the following condition:

'The development shall be carried out in accordance with the submitted flood risk assessment (EWE Associates Ltd, Rev 0, September 2021) and the following mitigation measures it details:

- Ground floor finished floor levels shall be set no lower than 5.85 metres above Ordnance Datum (AOD).

The mitigation measures shall be fully implemented prior to occupation and shall be retained and maintained thereafter throughout the lifetime of the development.'

## **PARISH COUNCIL**

No response.

## **PUBLICITY**

A site notice has been displayed. One letter of support has been received from residents of 64a High Street, Burringham confirming whilst they would support the application the junction with Stone Lane/High Street is very dangerous and would need traffic calming measures installing.

## **ASSESSMENT**

### **Planning history**

The site has a substantial planning history, the most relevant of which is detailed below:

PA/1999/0325: Planning permission to erect a public house – approved 02/07/1999.

PA/2007/0453: Outline planning permission to erect three detached dwellings and detached garage block (layout and access not reserved for subsequent approval) – approved 24/05/2007.

PA/2010/0313: Approval of reserved matters pursuant to outline planning permission PA/2007/0453 dated 29/5/07, namely the scale, appearance and landscaping of three detached dwellings and a block of domestic garages – approved 24/5/2010.

### **Site characteristics**

The application site comprises a parcel of prominent unused brownfield land at the junction of High Street and Stone Lane in the centre of Burringham. A wide grass verge adjacent to the site contains a number of village assets such as a bench, bin and planters. A bus stop and telephone box (now used as a book swap facility) are adjacent the proposed access to Stone Lane. There is a hot food take away to the east of the site which is otherwise surrounded by housing. The site is within the development boundary for Burringham and is in flood zone 2/3a tidal.

## **Proposal**

Outline planning permission is sought to erect two detached dwellings with detached garages with appearance, landscaping, layout and scale reserved for subsequent consideration. Access is to be considered at this outline stage.

**The key issues for this proposal include:**

- **the principle of development;**
- **design and the impact upon the character of the area;**
- **impact upon residential amenity;**
- **impact upon highway safety;**
- **land contamination;**
- **flood risk and drainage;**
- **biodiversity.**

## **Principle of development**

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), the North Lincolnshire Core Strategy (NLCS) and the Housing and Employment Land and Allocations Development Plan Document (HELADPD). 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).

Central Government places high importance on new homes being delivered throughout the country to address the chronic shortage. Paragraph 11(d) of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. Where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites, relevant policies which guide the supply of housing should not be considered up to date. A recent review of the Five-Year Housing Land Position Statement in August 2021 has identified that North Lincolnshire Council can demonstrate a five-year housing land supply. There is therefore no tilted balance applied through paragraph 11 of the NPPF.

Burringham is classified as a Rural Settlement in the settlement hierarchy of the Core Strategy.

Policy CS1 sets out the spatial strategy for North Lincolnshire stating, 'The spatial vision and the future development requirements will be delivered through the spatial strategy for North Lincolnshire... The spatial strategy will focus on an urban renaissance for Scunthorpe; supporting the market towns;' and 'Supporting thriving rural communities and a vibrant countryside through the protection and enhancement of local services, creating opportunities for rural economic diversification and the promotion of tourism. Rural settlements will be supported as thriving sustainable communities, with a strong focus on

retaining and enhancing existing local services to meet local needs. Development will be limited and should take into account levels of local service provision, infrastructure capacity and accessibility. Any development that takes place should be in keeping with the character and nature of the settlement.’ It continues ‘All future growth regardless of location should contribute to sustainable development in particular in respect of those criteria set out in policy CS2 as well as the other policies of the plan. All change will be managed in an environmentally sustainable way by avoiding/minimising or mitigating development pressure on the area’s natural and built environment, its existing utilities and associated infrastructure and areas at risk of flooding. Where development unavoidably has an environmental impact adequate mitigation measures should be used for the development to be acceptable.’

Policy CS2 sets out that in supporting the delivery of the spatial strategy in policy CS1, as well as determining how future development needs will be met in North Lincolnshire, a sequential approach will be adopted with development firstly focused on the Scunthorpe urban area, then infill within the town, then greenfield urban extensions; secondly within the defined settlement limits of the market towns, then infill within them, then small-scale greenfield extensions to meet local needs. It also requires development to be located to minimise the need to travel.

The application site is within the development limit for Burringham noted in policy CS3 and defined in the Housing and Employment Land Allocations Development Plan Document.

The emerging local plan evidence base includes the North Lincolnshire Settlement Survey 2018 (2019 Revision). Burringham is classed as a smaller rural settlement and is ranked 33<sup>rd</sup> out of 76 settlements in North Lincolnshire. The settlements have been scored based on the services and facilities available within each settlement boundary, and a rank attributed based on the overall outcome. Its facilities and services are limited. It is considered that residents would have to travel outside the village for day-to-day services such as food shopping, work, education and medical appointments. There is no regular bus service in the village. Future occupants of the development would still be largely reliant on the private motor car to access services and facilities outside the village. However, the scale of the proposal would not result in a significant increase in private car journeys. The suboptimal accessibility needs to be balanced against the wider community benefits of developing this site.

The proposal therefore accords with the NPPF, policies CS1 and CS3 of the Core Strategy, saved policy H5 of the local plan and the Housing and Employment Land Allocations Development Plan Document in relation to the broad principle of residential development on this site. There is minor conflict with policy CS2 in seeking to minimise the need to travel.

### **Design and impact upon the character of the area**

Policy DS1 requires that a ‘high standard of design is expected’ and identifies that proposals will be considered against two criteria being:

- (i) the design and external appearance of the proposal should reflect or enhance the character, appearance and setting of the immediate area; and
- (ii) the design and layout should respect and where possible retain and/or enhance the existing landform of the site.

Policy CS5 of the North Lincolnshire Core Strategy is also relevant. It states, ‘...All new development in North Lincolnshire should be well designed and appropriate for their context. It should contribute to creating a sense of place’ and ‘Design which is inappropriate to the local area or fails to maximise opportunities for improving the character and quality of the area will not be acceptable.’

Policy H5 of the local plan, which is concerned with new housing development, and paragraph 127 of the NPPF are also relevant.

The nature of the application means precise design and character impacts are to be determined at a later date if outline planning permission is granted. However, the indicative block plan shows it will be possible to develop this site in a manner sensitive to its prominent village centre location.

As such the proposal is considered to be acceptable in this regard with the requirements of the development plan and national policy.

### **Impact upon residential amenity**

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.’

Policy H5 also requires ‘development does not result in overlooking or a loss of privacy to existing developments, or any other loss of amenity to existing dwellings.’

Indicative separation distances of 17.5m to 61 High Street, 15.5m to 1 Stone Lane, and 43m to 11 to 19 Hadleigh Green show it will be possible to design the dwellings at reserved matters stage without harm to residential amenity.

The proposal would not result in the unacceptable loss of residential amenity. The proposal is therefore considered to be acceptable in this regard with policies DS1, H5 and H7 of the North Lincolnshire Local Plan.

### **Impact upon highway safety**

Policy T2 of the North Lincolnshire Local Plan states that all development should be served by a satisfactory access. Policy T19 is concerned with parking provision, as well as general highway safety.

Vehicular access, which is also to be considered at this stage, is proposed from Stone Lane and High Street, with pedestrian access adjacent to the grass verge.

Highways support the proposal, recommending conditions. Traffic-calming measures are not considered necessary despite the comments of a local resident.

As such there is considered to be no conflict with the requirements of policies T2 and T19.

## Land contamination

Environmental Protection note past potentially contaminative uses, including a smithy. A comprehensive contaminated land condition is recommended to ensure the safety of human health and the water environment.

## Flood risk and drainage

Policy CS2 sets out that 'A "sequential approach" will also be applied to ensure that development is, where possible, directed to those areas that have the lowest probability of flooding, taking account the vulnerability of the type of development proposed, its contribution to creating sustainable communities and achieving the sustainable development objectives of the plan. Where development does take place in the flood plain, mitigation measures should be applied to ensure that the development is safe.'

Policy CS19 states:

'The council will support development proposals that avoid areas of current or future flood risk, and which do not increase the risk of flooding elsewhere. This will involve a risk based sequential approach to determine the suitability of land for development that uses the principle of locating development, where possible, on land that has a lower flood risk, and relates land use to its vulnerability to flood. Development in areas of high flood risk will only be permitted where it meets the following prerequisites:

1. It can be demonstrated that the development provides wider sustainability benefits to the community and the area that outweigh flood risk.
2. The development should be on previously used land. If not, there must be no reasonable alternative developable sites on previously developed land.
3. A flood risk assessment has demonstrated that the development will be safe, without increasing flood risk elsewhere by integrating water management methods into development.

Development within the Lincolnshire Lakes area will comply with the flood management principals set out in the Western Scunthorpe Urban Extension Exception Test Strategy. Any further flood management proposals will have to be agreed by both the council and the Environment Agency during the process of the Lincolnshire Lakes Area Action Plan. Development proposals in flood risk areas which come forward in the remainder of North Lincolnshire shall be guided by the Strategic Flood Risk Assessment for North Lincolnshire and North East Lincolnshire. This will ensure that proposals include site specific flood risk assessments which take into account strategic flood management objectives and properly apply the Sequential and, where necessary, Exception Tests.'

Policy DS16 states:

'Development will not be permitted within floodplains where it would:

- (i) increase the number of people or buildings at risk; or
- (ii) impede the flow of floodwater; or
- (iii) impede access for the future maintenance of watercourses; or



- (iv) reduce the storage capacity of the floodplain; or
- (v) increase the risk of flooding elsewhere; or
- (vi) undermine the integrity of existing flood defences unless adequate protection or mitigation measures are undertaken.'

The Strategic Flood Risk Assessment (November 2020) states:

'4.53 The areas shown as FZ2/3a on these maps should be considered as Flood Zone 3 as defined in NPPF when preparing development plans, making planning allocations or determining planning applications and informing the sequential test.'

The application site is within flood zone 2/3a tidal, as is the entire village of Burringham. The flood map for planning service on gov.uk shows the site is in flood zone 3. The site is also within the Lincolnshire Lakes Area Action Plan boundary. The proposal entails minor windfall residential development on a site at high risk of tidal flooding. The sequential test area of search for this type of proposal is considered to be the development limit of Burringham. The universal flood risk across this area means there are no sequentially preferable sites at lower risk of flooding. The proposal therefore passes the sequential test.

To pass the exception test it should be demonstrated that:

- (a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
- (b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

This site has been subject to notices under Section 215 of the Town and Country Planning Act 1990 'Power to require proper maintenance of land' relating to the condition of the site and the need to improve its appearance in the interests of amenity. The first such notice was served in 2013 and the second in 2017. Development of this prominent brownfield village centre site is considered to have wider sustainability benefits to the community by ensuring future maintenance by occupants. In light of these benefits and the recently implemented Trent flood defence improvements, the sustainability benefits of the proposal are considered to outweigh flood risk.

The FRA recommends that the finished habitable ground floor level of the dwellings should be set no lower than 5.85m AOD. The FRA also notes residents would be able to escape to the first floor in the event of a flood and recommends residents sign up to the EA flood warning service. The proposal is considered safe for its lifetime and would not increase flood risk elsewhere. The exceptions test is therefore considered to be passed.

The Environment Agency raises no objections to the proposal subject to the above condition.

Policy DS14 states, 'The council will require satisfactory provision to be made for the disposal of foul and surface water from new development, either by agreeing details before planning permission is granted, or by imposing conditions on a planning permission.' Foul drainage would be to mains sewer and surface water to soakaway. Final details will be secured by condition.

## **Biodiversity**

Policy CS17 requires 'Ensuring development seeks to produce a net gain in biodiversity by designing in wildlife.' Ecological enhancements will be conditioned.

## **Conclusion**

The proposal is located within the development limit of Burringham, a village with suboptimal access to a range of services and facilities. However, the wider community benefits of developing this long-term vacant brownfield site in the heart of the village, that has, in the past, suffered from poor maintenance, are considered to significantly and demonstrably outweigh these disbenefits. In the absence of identifiable harm to residential amenity, the character of the area or highway safety, and the ability to address technical matters such as land contamination, drainage and ecological enhancements via condition, it is recommended that outline planning permission is granted subject to conditions.

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

1.

Approval of the details of the layout, scale and external 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 external appearance of any buildings to be erected, 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 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 works which shall be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development.

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.

6.

The drainage scheme shall be implemented in accordance with the approved submitted details required by condition 5 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.

7.

Nothing shall at any time, whether permitted by The Town and Country Planning (General Permitted Development) (England) Order 2015 or not, 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.

8.

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.

9.

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

10.

The development shall be constructed in accordance with the mitigation measures detailed within section 5 of the submitted Flood Risk Assessment, including that the ground floor finished floor level of the dwellings should be set no lower than 5.85m AOD. The mitigation measures shall be fully implemented prior to occupation and shall be retained and maintained thereafter throughout the lifetime of the development.

#### Reason

To mitigate the risk of flooding to future occupants in accordance with policy DS16 of the North Lincolnshire Local Plan.

11.

Prior to the first occupation of the development a scheme of ecological enhancements shall be submitted to and approved in writing by the local planning authority. The agreed scheme shall be implemented in full within 6 months of the first occupation of the relevant dwelling and shall thereafter be retained.

#### Reason

To ensure development seeks to produce a net gain in biodiversity by designing in wildlife in accordance with policy CS17.

12.

The development hereby permitted shall be carried out in accordance with the following approved plans: SW/21/03.

Reason

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

### **Informative 1**

The proposal indicates widening the accesses from the highway into the new properties. There is existing highway drainage within the footway which will require consideration and protection as part of the works.

### **Informative 2**

Our records indicate that the proposed development site is bounded by a watercourse (surface water pipe/culvert or ditch). Following inspection, the watercourse may need to be cleared, replaced, protected or diverted by the landowner at their expense in accordance with their riparian responsibilities. An easement adjacent to the watercourse may need to be provided for future maintenance. Any other drainage feature found during excavations must be immediately reported to the LLFA Drainage Team by email to [llfadrainageteam@northlincs.gov.uk](mailto:llfadrainageteam@northlincs.gov.uk) prior to any further construction works being carried out. Please refer to North Lincolnshire Council's 'Guide to Watercourses and Riparian Ownership' detailing riparian rights and responsibilities. Compliance with this guidance is to ensure the free flow of surface water is maintained throughout the development.

### **Informative 3**

Severn Trent Water advise that although their statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under The Transfer of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will try to help you find a solution which protects both the public sewer and the building.

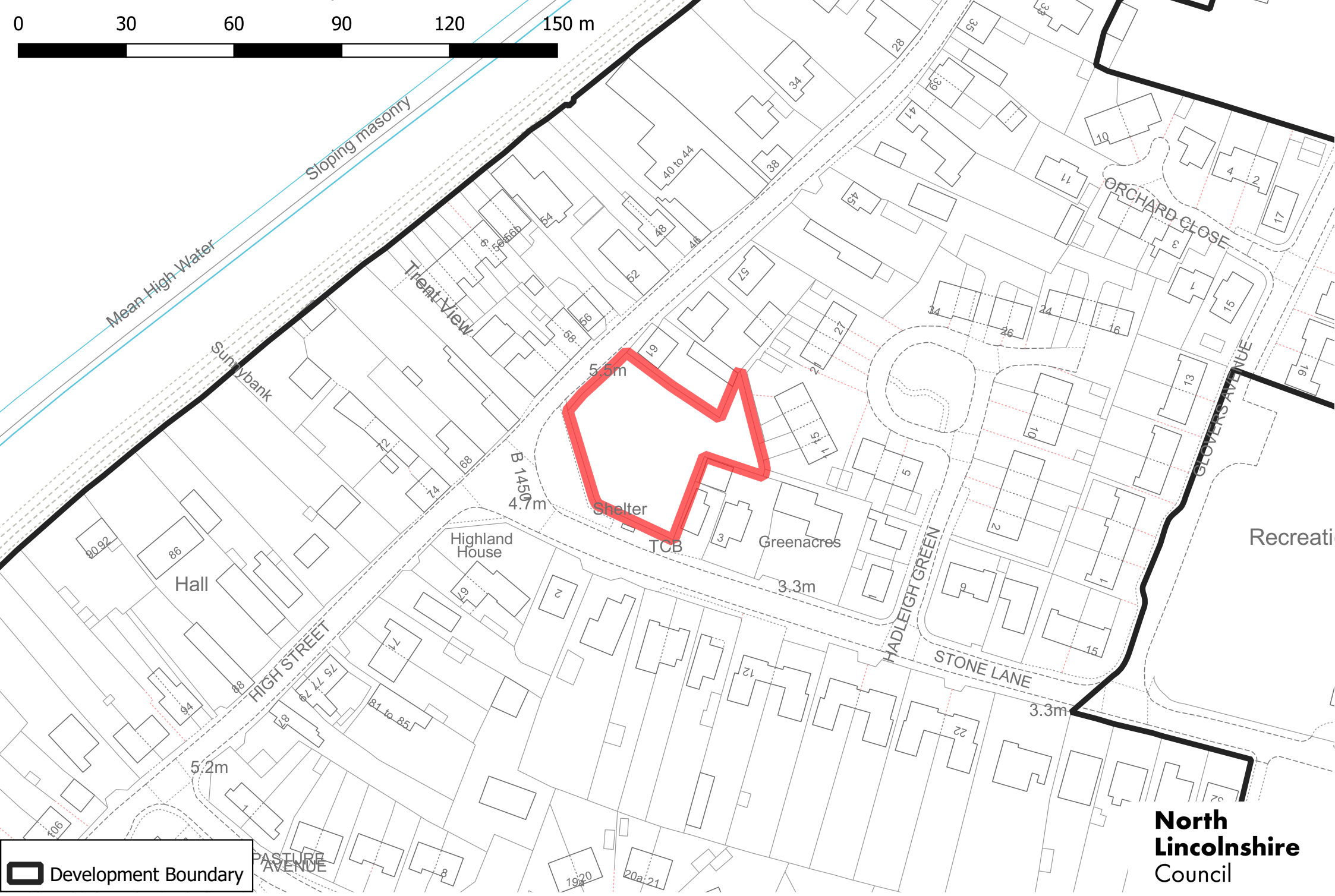
### **Informative 4**

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

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

### **Informative 5**

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



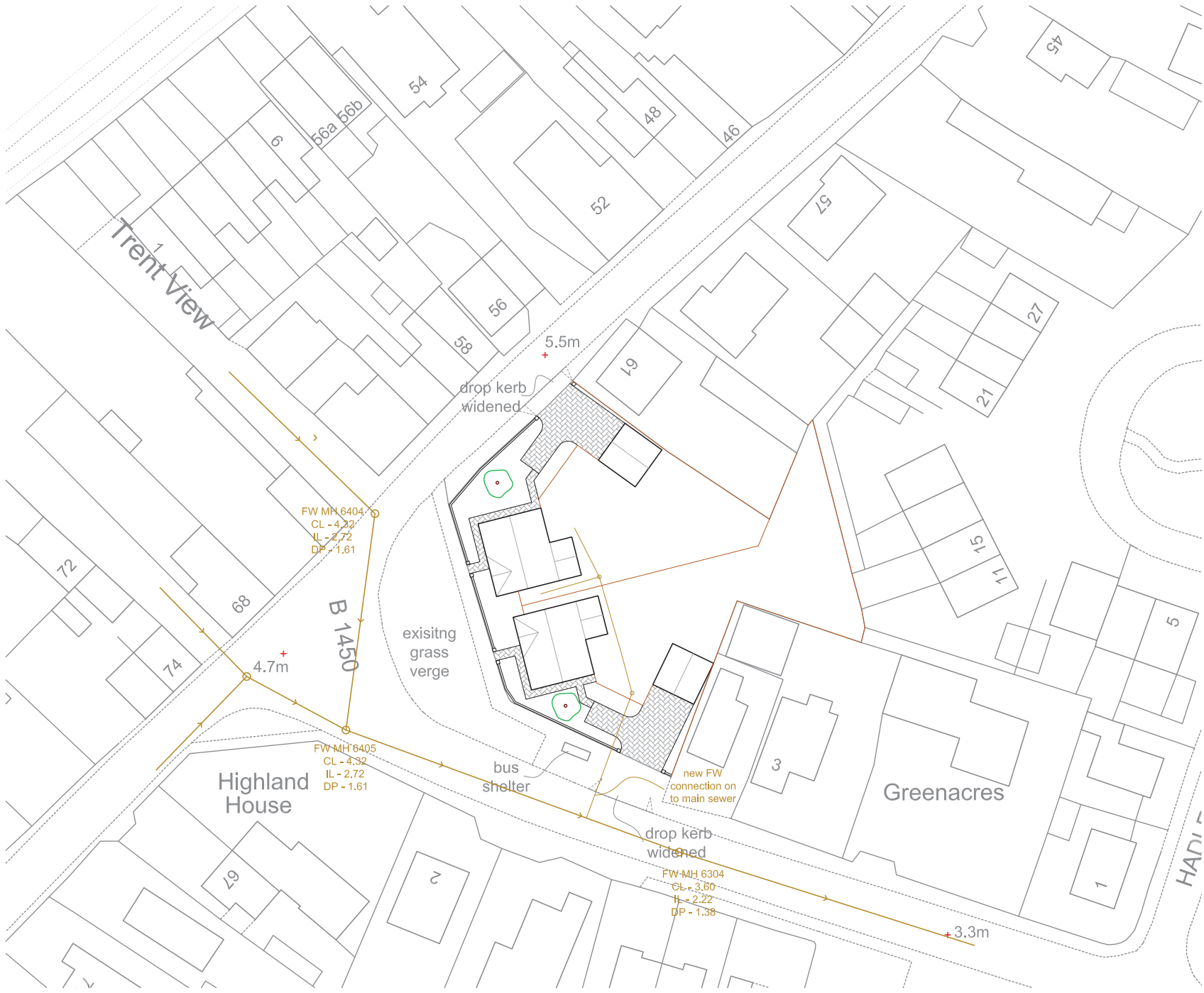
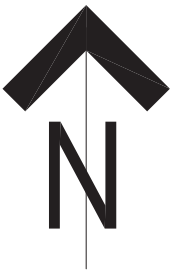
Development Boundary

PA/2021/1831

North  
Lincolnshire  
Council

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# PA/2021/1831 Indicative layout (not to scale)



**JEM  
MANAGEMENT  
SERVICES**

45 Oswald Road    M - 07764922416    T - 01724 282386  
Scunthorpe  
North Lincolnshire    E - jem.managementservices@btconnect.com  
DN15 7PN    W - www.jemmanagementservices.co.uk

client:  
**Mr S Williamson**  
2 Pingle Vale, Brigg, DN20 9GZ

project:  
**Proposed Residential Development  
Land Corner of High St. & Stone Ln.  
Burringham**

drawing title:  
**Proposed Block Plan**

drawn by: <b>NWP</b>	date: <b>19.08.2021</b>	scale: <b>1 / 500 @ A3</b>
drawing No: <b>SW / 21 / 03</b>		rev: