

APPLICATION NO	PA/2021/2165
APPLICANT	Mr Nick Hammond, Hammond Homes Ltd
DEVELOPMENT	Planning permission to erect 9 dwellings with associated parking, landscaping and boundary treatments
LOCATION	Land adjacent to Magna Charta Inn, Barrow Road, New Holland, DN19 7PH
PARISH	New Holland
WARD	Ferry
CASE OFFICER	Martin Evans
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by New Holland Parish Council

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 states, '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 states, '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:

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 DS1 (General Requirements)

Policy DS7 (Contaminated Land)

Policy DS14 (Foul Sewage and Surface Water Drainage)

Policy DS16 (Flood Risk)

North Lincolnshire Core Strategy:

Policy CS1 (Spatial Strategy for North Lincolnshire)

Policy CS2 (Delivering More Sustainable Development)

Policy CS3 (Development Limits)

Policy CS5 (Delivering Quality Design in North Lincolnshire)

Policy CS7 (Overall Housing Provision)

Policy CS8 (Spatial Distribution of Housing Sites)

Policy CS17 (Biodiversity)

Policy CS19 (Flood Risk)

Housing and Employment Land Allocations DPD:

Inset 30 New Holland

Policy PS1 Presumption in favour of sustainable development

CONSULTATIONS

LLFA Drainage: Objects because it does not provide an acceptable flood risk assessment and principal drainage strategy; fails to consider SUDS and provide a desktop ground investigation to clarify infiltration.

Subsequent LLFA comments received on 20 April 2022 remove its objection by stating:

'Whilst the revised proposals are acceptable to enable our objection to be replaced with pre commencement conditions, clarification is required with regard to the 2No proposed connections to the Anglian Water Sewer on Barrow Road & Peploe Lane. Our records indicate that these are foul sewers and not a combined or surface water sewer asset. We suggest that the Developer contacts Anglian Water at the earliest opportunity. Additionally, there also needs to be documentation in welcome pack/deeds about the proposed drainage system and what it serves and its function, failure to maintain etc and also removal of it in the future could impact on themselves and others.'

Conditions are recommended to secure the submission of a surface water drainage scheme, its implementation, prevention of surface water run-off from hard paved areas within the site onto the highway and vice versa, as well as three informatives.

Historic Environment Record: No further recommendations.

Highways: No objections subject to conditions and an informative.

Environmental Protection: Recommends a noise assessment is provided prior to determination to consider the impact of the pub upon future residents; a contaminated land assessment is provided prior to determination or by condition; and a construction working hours condition is imposed.

Tree Officer: Suggests that further information is needed to ensure that existing trees are not unduly affected by the proposal and proposed landscaping details should be provided.

Environment Agency: No objection subject to conditions regarding flood risk mitigation, ground floors to be used as shown on the drawings and not for habitable accommodation, and removal of permitted development rights for extensions providing habitable room accommodation. Sequential test advice is provided.

PARISH COUNCIL

Strongly objects to the application on the following grounds:

- The number of dwellings is unsuitable for this site – a previous application for nine properties has already been turned down. This was reduced to six but has once again

increased to nine. The parish council would expect the same reasons for the previous refusal to apply again.

- The access to the site is also unsuitable. It is a tight turn off a busy lane, a very short distance from the junction with the main road. Residents park either side of Peploe Lane and there is another turning into Peploe Crescent immediately past the proposed site access.
- To put three-storey high properties on this site is totally out of keeping with the surroundings. These very large properties would directly overlook bungalows and smaller homes with the resulting lack of privacy for the occupants.
- The parish council would draw the planning committee's attention to the flood authority's report. There is a real flood risk already and adding these large dwellings can only increase this. The drainage system in New Holland is overloaded and the village lacks the infrastructure to support this development.

PUBLICITY

Two site notices have been displayed and 12 letters of objection have been received, summarised below:

- the buildings are too tall and not in keeping with the village – there are no other three-storey houses in the village or others nearby
- unwanted precedent
- overlooking, overshadowing, loss of light, loss of privacy for neighbours
- reduced property value
- congestion, access and parking problems on Peploe Lane and Crescent would be exacerbated
- drains and sewers cause problems during heavy rain which would be exacerbated
- habitat loss, including protected species
- lack of infrastructure and amenities to support the development
- increased flood risk for existing properties due to the land being heavy clay
- increased noise for existing residents, including via cars moving to and from the site
- lack of visitor parking
- the access to properties 7, 8 and 9 could create a quick access route for burglaries and antisocial behaviour.

The Grimsby Area Swift Project co-ordinator recommends the installation of a minimum of three swift bricks per dwelling via condition.

ASSESSMENT

Site characteristics

The application site is a parcel of land within the curtilage of the Magna Charta public house on Barrow Road, New Holland. The site is largely grassed over and appears to have been used by the adjacent public house as an outdoor seating and play area.

The site is L-shaped and wraps around the adjacent public house. Aside from the public house, every other site boundary faces residential dwellings. The site is within a residential area within the New Holland development limit and flood zone 2/3a tidal. There is a wide mix of property types in the area, including bungalows, modern detached houses and older terraced housing.

Planning history

PA/2013/0018: Planning permission to erect six town houses with associated access and landscaping – approved 17/09/2013

PA/2016/1378: Application to discharge conditions attached to PA/2013/0018 – pre-commencement conditions approved 15/09/2016

PA/2011/1076: Planning permission to erect a terrace of three, three-bedroom townhouses with associated access and landscaping (resubmission of PA/2011/0265) – approved 07/01/2013

PA/2021/34: Request for written confirmation of compliance with conditions attached to planning permission PA/2011/1076. The decision notice confirmed the planning permission has been lawfully implemented within the three year time limit following discharge of pre-commencement conditions and that the permission remains extant.

Proposal

Planning permission is sought to erect nine three-storey townhouses. The first block of three townhouses would be located between the public house and 14 Peploe Crescent with access onto Peploe Lane. The second block of three townhouses would be located between the public house and Orchardcroft with access onto Barrow Road. The third block of three townhouses would be located to the rear of the first and second blocks in the south-east corner of the site with access from Barrow Road. Frontage parking and integral garages are proposed for each dwelling. The dwellings on plots 1–3 are 9.7m high and those on plots 4–9 are 9.7m high.

The main issues in the determination of this application are:

- **principle of development**
- **design and character impacts**
- **residential amenity**
- **highway/access matters**

- **land contamination 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 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.

New Holland 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 as outlined below and on the key diagram. 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 focussed 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 continues, '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 principles 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 at 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 emerging local plan evidence base includes the North Lincolnshire Settlement Survey 2018 (2019 Revision). New Holland is ranked 24th out of 76 settlements in North Lincolnshire and has four of the seven key services and facilities. 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 and medical appointments. Significant employment opportunities existing around the port in the village. There is a bus service to larger nearby settlements as well as a train station. 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 site is considered to have some positive sustainability credentials. The site represents a sustainable location for residential development in terms of policies CS1, CS2, CS7 and CS8 of the Core Strategy, policy H5 of the North Lincolnshire Local Plan and the requirements in the National Planning Policy Framework.

The application site is within the development limit for New Holland noted in policy CS3 and defined in the Housing & Employment Land Allocations Development Plan Document. The application site is within flood zone 2/3a tidal as is the entire village. The proposal entails 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 New Holland. The universal flood risk across this area means there are no sequentially preferable sites at lower risk of flooding. The proposal 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.

The proposal provides wider sustainability benefits to the community by increasing the population of the settlement, which will improve the viability of the services and facilities it contains such as the adjacent public house and takeaway. The proposal would utilise underused brownfield land within the development limit. The sustainability benefits of the proposal are considered to outweigh flood risk.

The Environment Agency has considered the flood risk assessment and raises no objection on flood risk grounds subject to conditions to ensure development is carried out in accordance with the flood risk assessment; prevention of habitable ground floor rooms; and removal of permitted development rights for ground floor habitable room extensions. The proposal is classed as more vulnerable but would ensure the ground floor contains only non-habitable rooms, with all habitable rooms at first-floor level and above which is above the predicted flood level and gives residents a means of escape from flood water.

The flood risk assessment also requires residents to sign up to the Environment Agency's flood warning service. The proposal is considered safe for its lifetime. The proposal would not increase flood risk elsewhere because in the event of overtopping or breach of the flood defences the amount of water displaced by the footprint of the buildings would not be of significance. The exceptions test is passed.

In the event this application is refused, the aforementioned planning permission for three almost identical townhouses could continue to be implemented.

The principle of development is acceptable.

Design and character impacts

Policy DS1 states that a 'high standard of design is expected' and that proposals will be considered against two criteria:

- (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 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.'

The proposed dwellings form a small row of terraced properties similar to other dwellings in the immediate vicinity. The dwellings are three storeys in height due to the need to remove habitable accommodation from the ground floor owing to New Holland being in an area of high flood risk.

The ridge height of the dwellings on plots 1–3 is, following amendment, approximately 9.7m. The ridge height was 9.7m under the permission for three townhouses.

The ridge height of the dwellings on plots 4–9 is, following amendment, approximately 9.7m. The ridge height was 9.7m under the previous permission for six townhouses.

The objections of local residents and the parish council regarding three-storey dwellings in a settlement where there currently are none are noted.

The planning history demonstrates there is a strong fall-back position to implement permissions for the construction of three of the townhouses. Amendments have been sought to reduce the height of the current proposals to that previously permitted.

The public house is a large detached property with a ridge line that is higher than the surrounding two-storey dwellings in the area. Therefore, the proposed dwellings will not be out of keeping with the area despite them being three storeys high. The site at present is an under-used area of hard-standing with steel palisade fencing along its northern boundary and as such makes no positive contribution to the street scene. The development of the site and the infilling of this gap in the street scene has the potential to offer a positive contribution to the character and appearance of the area. External finishing materials are detailed as a mixture of red bricks and grey roof tiles which are appropriate to their context. The proposal entails removal of the existing trees/hedges on the site frontage to Peplow Lane which was agreed under the previous permission and is not considered to amount to a reason for refusal. Three existing trees along the southern site boundary are shown to be retained. These are relatively low quality trees that are not protected. Therefore, their retention as shown on the proposed plans is to be encouraged but does not require further

information as suggested by the tree officer. The layout is considered to provide sufficient natural surveillance to prevent undue risk of crime or antisocial behaviour.

Since the previous permissions were granted, the NPPF has been amended to place greater emphasis on placing making, design and 'beauty'. The amendments to the proposal are considered to make the design and impact upon the character of the area acceptable given the dwellings are of a size previously permitted.

The design is appropriate in this context and would not harm the character of the area.

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 that 'development does not result in overlooking or a loss of privacy to existing developments, or any other loss of amenity to existing dwellings.'

The submitted annotated block plan demonstrates a separation distance of 13.4m between the proposed plots 1–3 and 14 Peploe Crescent. Plots 7–9 would be 13.2m from 10 Peploe Crescent. Plots 4–6 would be 9.9m from Orchardcroft. These separation distances are considered sufficient to prevent an undue overbearing impact or loss of light to neighbouring properties. All side windows would serve bathrooms or hallways which would be obscure glazed by condition. There would be no harmful overlooking.

The nature and amount of vehicular traffic generated by the proposed parking court near Orchardcroft is not considered to result in noise and disturbance that would harm residential amenity.

Reasonable accommodation and garden sizes are proposed. Environmental Protection's request for a noise assessment in relation to the impact of the public house upon residents of the proposal is noted. The previous planning permissions dealt with this by attaching a condition requiring noise mitigation within the development. Attaching the same condition is a consistent and proportionate response to ensuring acceptable future living conditions. Construction hours are conditioned to prevent undue harm to amenity.

The above factors lead to the conclusion that the proposal would provide a reasonable level of amenity for future occupants and would not harm that of existing surrounding residents by virtue of overlooking, overbearing impact, loss of light or any other form of harm to residential amenity.

Highway/access matters

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

Highways raise no objection to the proposal subject to conditions. Sufficient access widths and visibility are proposed. Two car parking spaces per dwelling, sufficient turning space and a bin storage area are proposed. There is not considered to be harm to pedestrian or vehicular safety arising from the proposal. Whilst Peploe Lane and Crescent do have some

on-street parking, the road conditions are such that this is not considered to amount to a reason for refusal. The internal access road and surrounding road network have capacity for visitor parking.

The conditions recommended by Highways include:

- No loose material within 10m of the highway – *this is necessary*.
- Preventing anything over 1.05m in height for the first 2m of the site from the highway, across the site frontage – *this is necessary*.
- Provision of vehicle facilities prior to occupation – *this is necessary*.
- Private driveway details – *this is necessary*.
- Private driveway provision prior to occupation – *this is unnecessary because it is included in another attached condition*.

An informative regarding works within the highway is recommended.

Highway and access matters are acceptable.

Land contamination and drainage

Policy DS7 requires consideration of contaminated land potential. Environmental Protection recommends a phase 1 contaminated land assessment is submitted prior to determination of the application or failing that a full contaminated land assessment condition be attached. However, instead, a contaminated land condition for contamination encountered during construction is recommended to address such potential. Such a condition was attached to the previous permission and is a consistent and proportionate response to the matter.

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.'

The objections regarding foul and surface water drainage problems are noted. Mains sewerage connection is available in Barrow Road. Necessary connections and upgrades can be secured via the Water Industry Act 1991 (as amended).

A foul and surface water drainage strategy has now been submitted. The LLFA has been reconsulted and withdraws its objection subject to conditions to secure the submission of a surface water drainage scheme, its implementation, prevention of surface water run-off from hard paved areas within the site onto the highway and vice versa, as well as three informatives.

Biodiversity

Policy CS17 requires 'Ensuring development seeks to produce a net gain in biodiversity by designing in wildlife.' Ecological enhancements are conditioned. There is not considered to be a need for a protected species survey of the site because it is public house garden surrounded by dwellings which is of low ecological potential.

Conclusion

The proposal is located within a sustainable location for residential development. The site benefits from an extant planning permission for three townhouses. The principle of development is acceptable. The proposal is appropriately designed and character impacts are acceptable. There would be no harm to residential amenity or highway safety subject to conditions. Land contamination, biodiversity and drainage are dealt with by condition. The proposal is acceptable and it is recommended that permission be granted.

Pre-commencement conditions

These have been agreed with the applicant/agent.

RECOMMENDATION Grant permission subject to the following conditions:

1.

The development must be begun before the expiration of three years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.

The development hereby permitted shall be carried out in accordance with the following approved plans:

RD:4998-01 Proposed plans plots 4-9

RD:4998-02 Rev A Proposed elevations plots 4-9

RD:4998-03 Proposed plans plots 1-3

RD:4998-04 Rev B Proposed elevations plots 1-3

RD:4998-06 Rev A Proposed site plan

RD:4998-07 Site location plan

RD:4998-09 A Proposed materials.

Reason

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

3.

Prior to occupation of each dwelling, a scheme to protect the residents of that dwelling from potential noise from the adjacent public house shall have been submitted to and agreed in writing by the local planning authority. All works which form part of this scheme shall be completed before the relevant dwelling is occupied and shall be retained indefinitely in their entirety.

Reason

To protect future occupants of the dwellings from noise and disturbance from the adjacent public house in accordance with policy DS1 of the North Lincolnshire Local Plan.

4.

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

Reason

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

5.

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.

6.

A scheme of ecological enhancements shall be submitted to and approved in writing prior to occupation of the dwellings. The agreed scheme shall be installed prior to occupation of the penultimate dwelling and shall thereafter be retained.

Reason

To secure ecological enhancements in accordance with policy CS17 of the Core Strategy.

7.

The development shall be carried out in accordance with the submitted flood risk assessment (ref RD4998/Ross Davy Associates) and the following mitigation measures it details:

- the proposed dwelling to have non-habitable ground floors
- finished first-floor levels to be set no lower than 5.9 metres above Ordnance Datum (AOD)
- flood resilience and resistance measures to be incorporated into the proposed development as stated.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed

above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason

To reduce the risk of flooding to the proposed development and future occupants.

8.

The ground floors hereby approved shall be used as garages, WCs, utility rooms and entrance lobbies only as shown in drawings RD:4998-03 and RD:4998-01 and for no other, habitable accommodation.

Reason

To reduce the risk of flooding to the proposed development and future occupants.

9.

Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions to provide additional habitable/living accommodation shall be erected.

Reason

To reduce the risk and impact of flooding.

10.

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.

11.

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.

12.

Before the dwellings are first occupied all windows in their side elevations shall be obscure glazed and retained in that condition thereafter.

Reason

To protect the living conditions presently enjoyed by the occupants of adjoining properties in accordance with policy DS5 of the North Lincolnshire Local Plan.

13.

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

Reason

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

14.

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 the amenity of neighbouring properties in accordance with policy DS1 of the North Lincolnshire Local Plan.

15.

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 hydrogeological context of the development. This must be based upon the submitted Drainage Strategy Report, prepared by RCD Consultants on behalf of Ross Davy Associates, Rev A, dated 21/03/2022 and Drainage Layout Drawing Number 1115-2204-CIV-10 Rev P1, dated March 2022.

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 159 to 169 of the National Planning Policy Framework.

16.

The drainage scheme shall be implemented in accordance with the approved submitted details required by condition 15 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 159 to 169 of the National Planning Policy Framework.

17.

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 paragraphs 159 to 169 of the National Planning Policy Framework.

18.

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 159 to 169 of the National Planning Policy Framework.

Informative 1

Clarification is required with regard to the two proposed connections to the Anglian Water sewer on Barrow Road and Peploe Lane. Our records indicate that these are foul sewers

and not a combined or surface water sewer asset. We suggest the developer contacts Anglian Water at the earliest opportunity.

Informative 2

The proposals may require new (restricted discharge) connections into the highway drainage system on Barrow Road and Peploe Lane. This is not a public sewer and therefore the developer has no 'as of rights' connection into this drain. Any additional flows into this drain must be fully modelled by the developer and upgrades to this drainage system may be required to facilitate the connection (at the developer's expense). This must be consented by North Lincolnshire Council's LLFA Drainage Team, in their capacity as Lead Local Flood Authority through an Ordinary Watercourse Consent and appropriate discharge rates must be agreed. Please contact the LLFA Drainage team on 01724 297522 or via email to llfadrainageteam@northlincs.gov.uk for further details. Compliance with this guidance is to ensure the free flow of surface water is maintained throughout the development.

Informative 3

There also needs to be documentation in welcome packs/deeds about the proposed drainage system, what it serves and its function, failure to maintain etc and also removal of it in the future could impact on themselves and others.

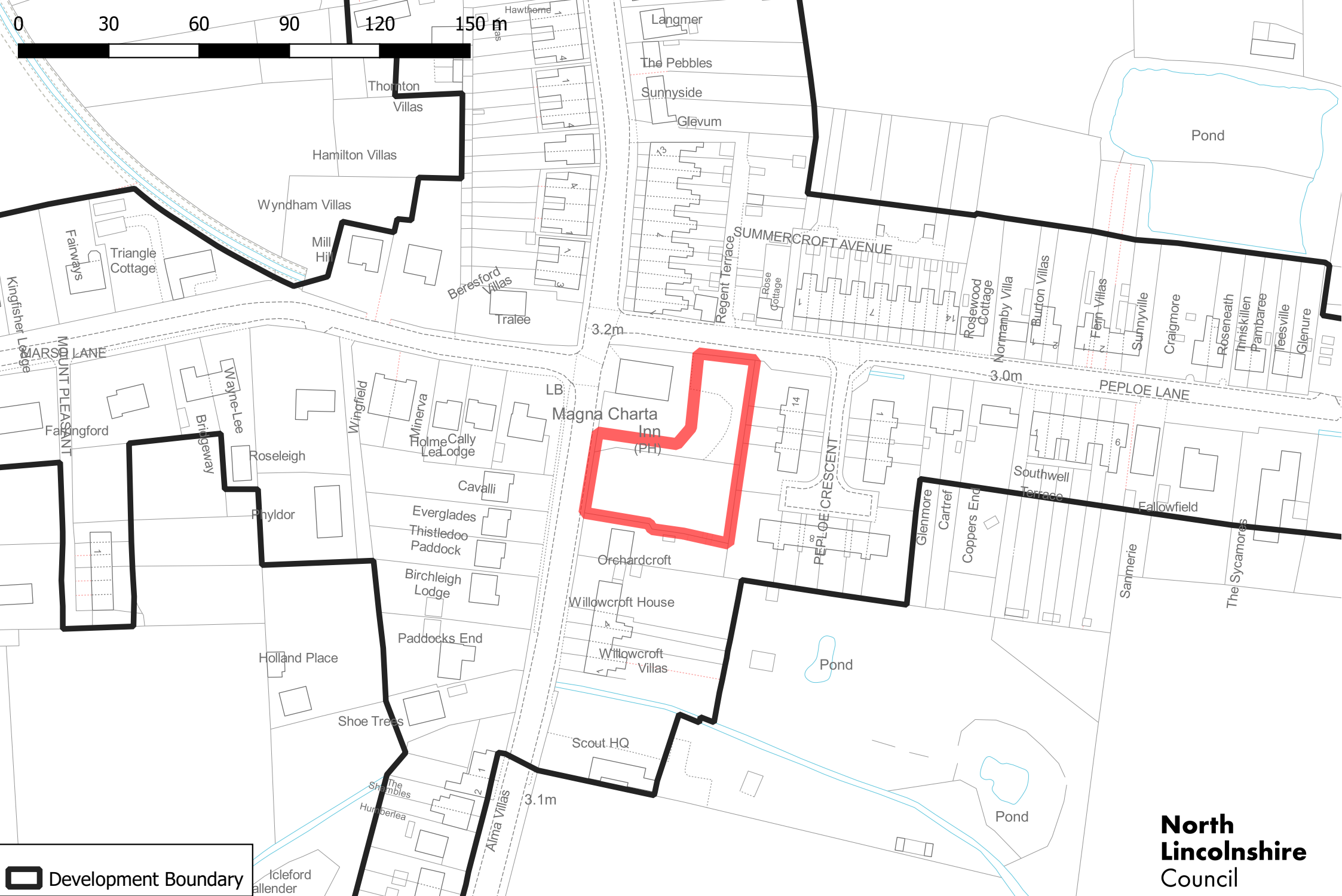
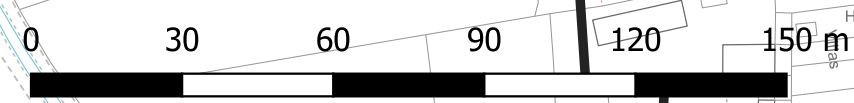
Informative 4

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

Informative 5

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.



PA/2021/2165

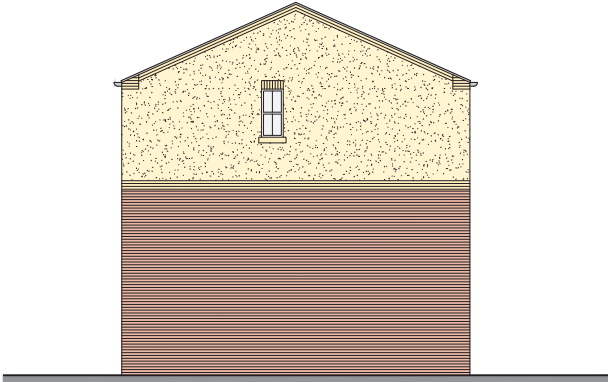
**North
Lincolnshire
Council**

PA/2021/2165 Proposed elevations (Plots 1-3) (not to scale)



Front Elevation

1:100



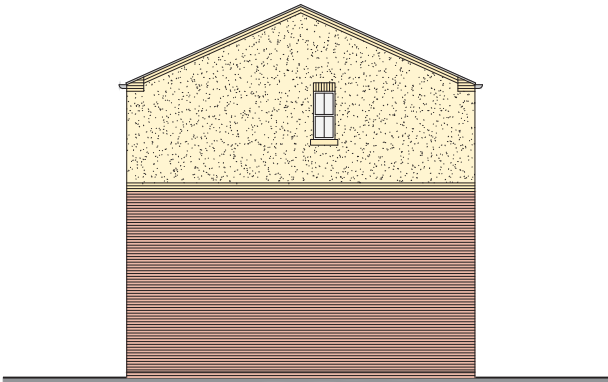
Side Elevation

1:100



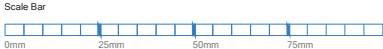
Rear Elevation

1:100



Side Elevation

1:100



Notes

- Drawing copyright of Ross Davy Associates
- Used figured dimensions only, do not scale from this drawing
- All materials specified are to be used in strict accordance with manufacturers written instructions and current codes of practice.
- Should the project fall under the scope of the Equality Act, Party Wall Act or the CDM Regulations, it is the Employer's responsibility to initiate the following:
 - Party Wall Notices and Surveys (if required)
 - Pre-Construction Health and Safety Plan
- These drawings are to be considered as Preliminary and for information only until technical approval has been obtained from the relevant Local Authority/Approval Consultant. Commencement of work on site prior to these approvals is at the Client's/Contractor's risk.
- All building works to be constructed in accordance with the current Approved Documents to the Building Regulations (England)

Inspections and Surveys

Where elements of the construction are not visible during the survey, it is the contractor's responsibility to identify structural elements such as floor joist spans and supporting structures, prior to any demolition works and inform client/ architectural consultant. Additional works may therefore be necessary. Our survey does not include any destructive investigation.

Drawing Revisions

A 10-01-21 - Plots numbers amended

B 07-03-22 - Heights reduced to match earlier approvals

NOTE

Building heights drawn to match those under planning approval PA/2011/1076



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Project	Housing Scheme at Land adjacent Magna Charta New Holland		
Drawing Title	Proposed Elevations Plots 1-3		
Drawn	hjs	Scale	1:100
Date	23/09/2021	Size	A2

APPROVAL

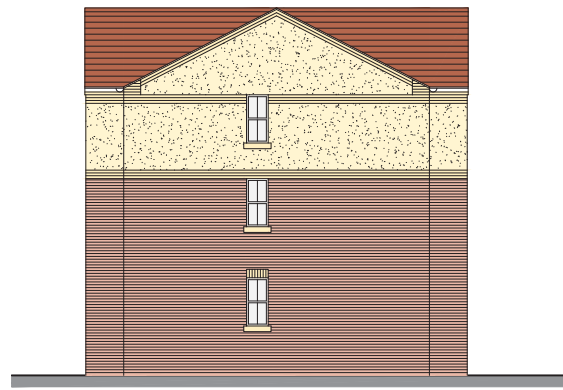
Drawing No. **RD:4998-04** **B**

PA/2021/2165 Proposed elevations (Plots 4-9) (not to scale)



Front Elevation

1:100



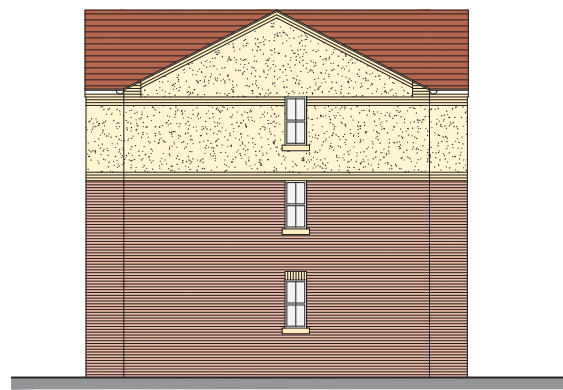
Side Elevation

1:100



Rear Elevation

1:100



Side Elevation

1:100



Notes

- Drawing copyright of Ross Davy Associates
- Used figured dimensions only, do not scale from this drawing
- All materials specified are to be used in strict accordance with manufacturers written instructions and current codes of practice.
- Should the project fall under the scope of the Equality Act, Party Wall Act or the CDM Regulations, it is the Employer's responsibility to initiate the following:
 - Disabled Access Audit
 - Party Wall Notices and Survey (if required)
 - Pre-Construction Health and Safety Plan
- These drawings are to be considered as Preliminary and for information only until technical approval has been obtained from the relevant Local Authority/Approval Consultant. Commencement of work on site prior to these approvals is at the Client/Contractors risk.
- All building works to be constructed in accordance with the current Approved Documents to the Building Regulations (England)

Inspections and Surveys

Where elements of the construction are not visible during the survey, it is the contractors responsibility to identify structural elements such as floor joist spans and supporting structures, prior to any demolition works and inform client/ architectural consultant. Additional works may therefore be necessary. Our survey does not include any destructive investigation.

Drawing Revisions

A 07-03-22 - Heights reduced to match earlier approvals

NOTE

Building heights drawn to match those under planning approval PA/2013/0018

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Project Housing Scheme at Land adjacent Magna Charta New Holland

Drawing Title Proposed Elevations Plots 4-9

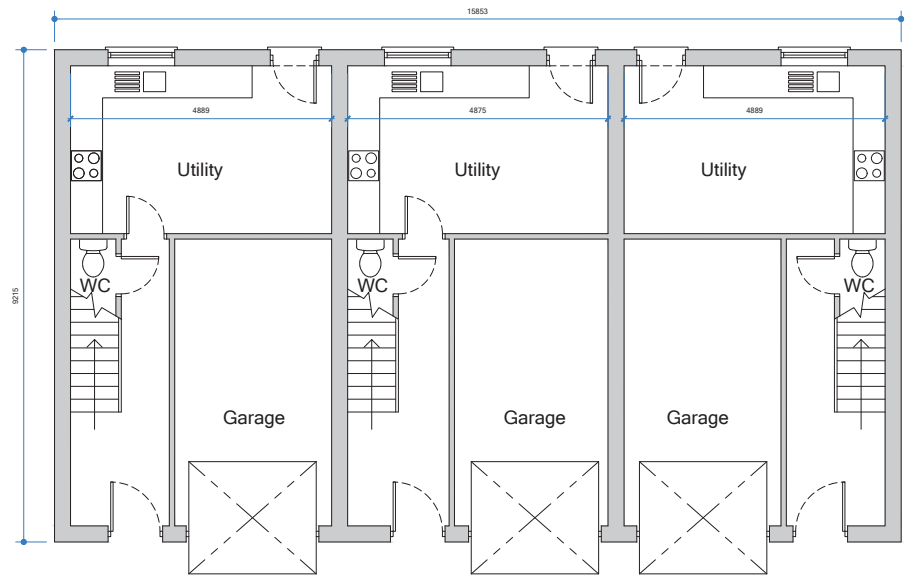
Drawn hjs Scale 1:100

Date 23/09/2021 Size A2

Drawing No. RD:4998-02 A

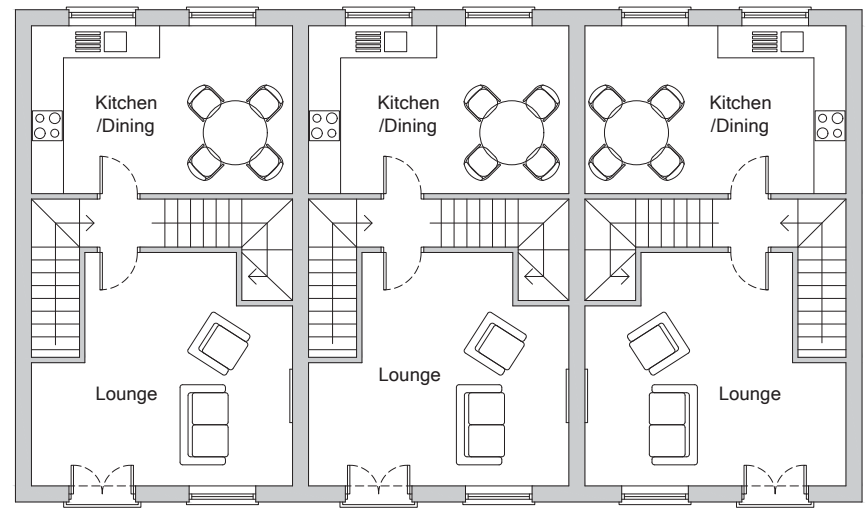
APPROVAL

PA/2021/2165 Proposed floor plans (Plots 1-3) (not to scale)



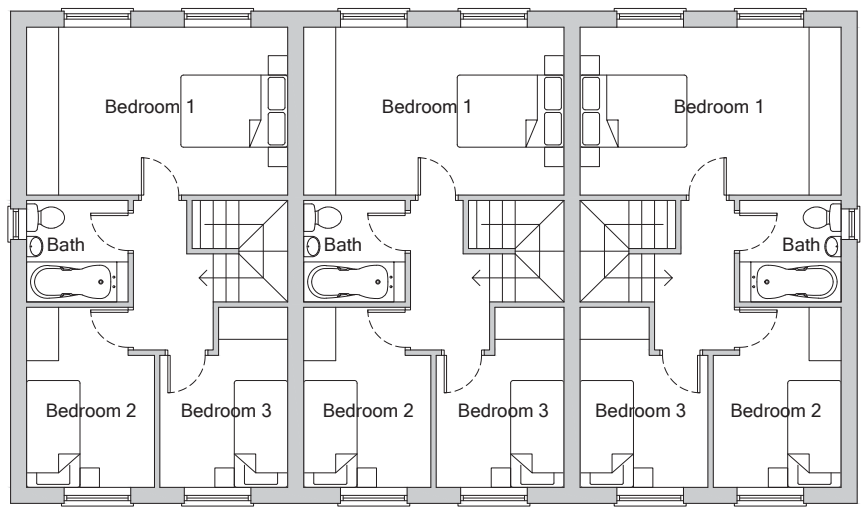
Ground Floor Plan

1:50



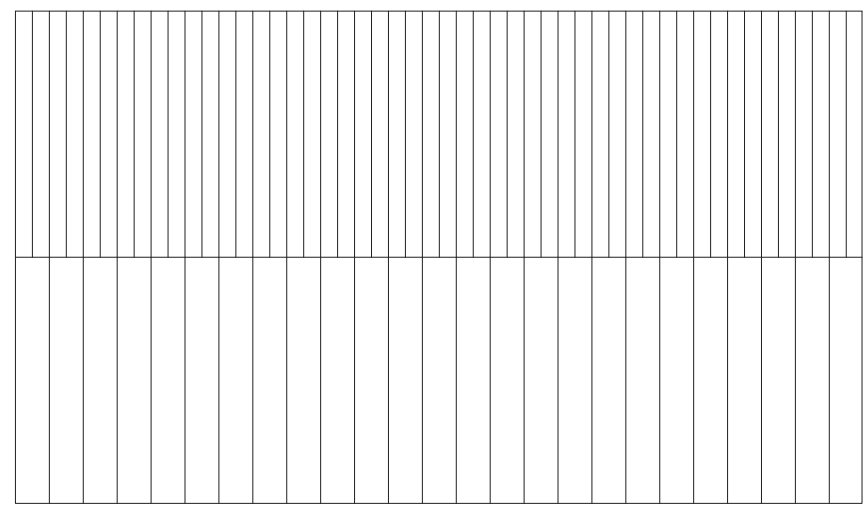
First Floor Plan

1:50



Second Floor Plan

1:50



Roof Plan

1:50



Notes:
 - Drawing copyright of Ross Davy Associates
 - Used light grey elements only, as per notes from this drawing
 - All content provided here is for use as a guide only and does not constitute a contract. The client is responsible for ensuring that the project is compliant with all applicable laws and regulations, including but not limited to the Equality Act, Party Wall Act or the CDM Regulation, and the Employer's responsibility to ensure the safety of the building.
 - The client is responsible for ensuring that the building is compliant with all applicable laws and regulations, including but not limited to the Equality Act, Party Wall Act or the CDM Regulation, and the Employer's responsibility to ensure the safety of the building.
 - These drawings are to be considered as preliminary and for information only. Technical approval has been obtained from the relevant Local Planning Authority. Construction of works on the plots is the responsibility of the client.
 - The client is responsible for ensuring that the building is compliant with all applicable laws and regulations, including but not limited to the Equality Act, Party Wall Act or the CDM Regulation, and the Employer's responsibility to ensure the safety of the building.
 - The client is responsible for ensuring that the building is compliant with all applicable laws and regulations, including but not limited to the Equality Act, Party Wall Act or the CDM Regulation, and the Employer's responsibility to ensure the safety of the building.

Revisions

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Project: Housing Scheme at Land adjacent Magna Charta New Holland

Drawing Title: Proposed Plans Plots 1-3

Drawn: hjs Scale: 1:50

Date: 23/09/2021 Size: A1

Drawing No: RD:4998-03 -

APPROVAL

