

<b>APPLICATION NO</b>	<b>PA/2009/1166</b>
<b>APPLICANT</b>	Powell Engineering UK Ltd
<b>DEVELOPMENT</b>	Planning permission to erect two detached dwellings and two detached domestic garages
<b>LOCATION</b>	Rear of 91 High Street, Belton
<b>PARISH</b>	<b>BELTON</b>
<b>WARD</b>	Axholme Central
<b>SUMMARY RECOMMENDATION</b>	<b>Grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Objection by Belton Parish Council
<b>POLICIES</b>	<p><b>Regional Spatial Strategy for Yorkshire and the Humber:</b> Policy H1 (Provision and Distribution of Housing) – the region’s housing stock should be improved and increased to provide appropriate accommodation for all households wanting homes.</p> <p>Policy H1 (Sequential Approach to the Allocation of Land for Housing) – previously used land should be the first preference for new housing.</p> <p><b>North Lincolnshire Local Plan:</b> Policy ST2 (Settlement Hierarchy) identifies Belton as a minimum growth settlement and the site is located within the development boundary (policy ST3).</p> <p>Policy H5 (New Housing Development) sets out the criteria to control new housing development.</p> <p>Policies H3 (Previously Used Land), H8 (Housing Mix and Design) and DS1 (General Requirements) also apply.</p> <p>Policy H7 (Tandem/backland Development) sets out the circumstances where backland development may be allowed.</p>
<b>CONSULTATIONS</b>	<b>Highways:</b> No objections subject to conditions.
<b>PARISH COUNCIL</b>	<p>Object to the application on the following grounds:</p> <ul style="list-style-type: none"> <li>• over-intensive development</li> </ul>

- outside the development boundary
- backland development
- dangerous access onto the A161
- inadequate drainage system along High Street
- uncertainty about number of houses to be developed

## **PUBLICITY**

Neighbouring properties have been notified. Two letters have been received in which the following additional issues have been raised:

- the proposal would result in more than three dwellings being developed at this site
- the access is too narrow to serve four dwellings

## **ASSESSMENT**

This application relates to a site to the rear of 91 High Street where it is proposed to erect two detached four-bedroom dwellings with detached garages. The site already has the benefit of an extant reserved matters approval (PA/2008/1690) pursuant to outline planning permission (PA/2006/1548) for two detached five-bedroom three-storey dwellings with rooms in the roof space.

The site was originally occupied by an industrial building which has now been demolished. It is surrounded by residential development to the north, south and east. The site would be accessed from High Street via a track to the north of 91 High Street which will also serve two other dwellings approved to the north of the site.

**The main issues which need to be addressed in determining this proposal are whether it is acceptable in planning policy terms and if so, whether the proposed access, layout, siting and design are also satisfactory.**

The principle of residential development for two units on this site has been established by virtue of outline planning permission PA/2006/1548 and the reserved matters approval (PA/2008/1690) is still extant so the applicant could build in accordance with this approval. This application is purely to amend the layout and design of the dwellings reducing the visual impact and size of the properties. Notwithstanding the parish council's and an objector's comments, only two dwellings will be

accommodated on this site which accords with the settlement policy for a minimum growth settlement.

Concerns relating to the access are noted but Highways have raised no objection to the proposal subject to conditions.

With regard to the backland location, it is not felt that two dwellings will cause such increased noise and disturbance to adjacent residential properties that undue harm to existing residential amenity would result. It is likely that the noise and disturbance associated with a residential use would be less than the former industrial use of the site.

The concerns expressed about inadequate drainage have been recognised by the local drainage board and the water authority and appropriate conditions have been requested to address possible problems.

The Environmental Protection team have identified the site as a possible source of contamination associated with its previous industrial use and have requested that a desk-top study be carried out.

## **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.

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**

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, a 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.

#### **3.**

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.

4.

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.

5.

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

Reason

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

6.

No development shall take place until a scheme for the disposal of foul and surface water has been agreed in writing by the local planning authority and none of the dwellings shall be occupied until it is connected to the approved drainage system.

Reason

To ensure satisfactory drainage is provided in accordance with policy DS14 of the North Lincolnshire Local Plan.

7.

No development shall take place until proposals for landscaping have been submitted to and approved by the local planning authority. The proposals shall include indications of all existing trees and hedgerows on the site, and details of any to be retained, together with measures for their protection during the course of development.

Reason

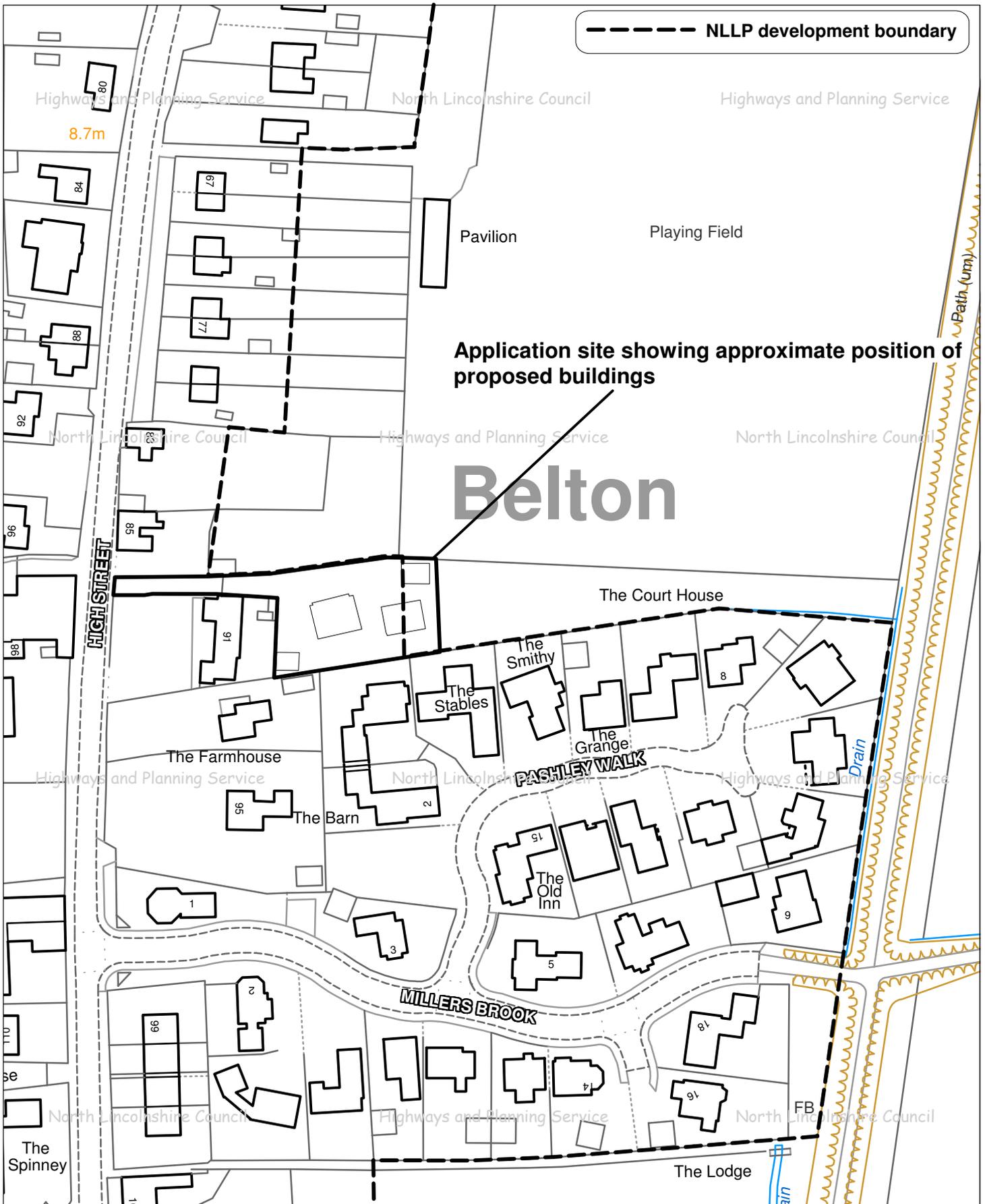
To enhance the appearance of the development in the interests of amenity.

8.

All the approved landscaping shall be carried out within twelve months of development being commenced (unless a longer period is agreed in writing by the local planning authority). Any trees or plants which die, are removed or become seriously damaged or diseased within five years from the date of planting shall be replaced in the next planting season with others of similar size and species to those originally required to be planted, unless the local planning authority agrees in writing to any variation.

Reason

To ensure the implementation and maintenance of the submitted scheme of landscaping for the proposed development.



# Belton

Application site showing approximate position of proposed buildings

----- NLLP development boundary

Drawing Title: 2009/1166

OS Grid Ref: TA02782260

Drawn by: KC

Scale: 1:1250

Date: 23/11/2009



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