

APPLICATION NO	PA/2013/1041
APPLICANT	The Executors of Lt Col R Sutton Nelthorpe Deceased
DEVELOPMENT	Planning permission to demolish existing outbuildings, renovate existing dwellings 19, 21 and 23 West Street, Scawby and erect 9 additional dwellings at the site
LOCATION	19 to 23 West Street, Scawby
PARISH	SCAWBY
WARD	Ridge
CASE OFFICER	Nicholas Lawrence
SUMMARY RECOMMENDATION	Subject to the completion of a Section 106 agreement, grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Member 'call in' (Councillor Poole – significant public interest)

POLICIES

North Lincolnshire Local Plan: Policy H8 (Housing Design and Mix) seeks to ensure that residential development takes account of the surrounding environment and complements the area whilst not precluding innovative design.

Policy H10 (Public Open Space Provision in New Housing) requires open space to either be provided on site or addressed by way of a financial contribution depending upon the scale, current facilities and location of development.

Policy T19 (Car Parking Provision and Standards) – proposals should include adequate parking to fully meet demand.

Policy LC5 (Species Protection) – planning permission will not be granted that would have an adverse impact upon protected species and conditions will be considered to allow the development to proceed.

Policy LC12 (Protection of Trees, Woodland and Hedgerows) – landscaping, and tree and hedgerow planting schemes will be required to accompany applications for new development.

Policy DS1 (General Requirements) sets out criteria against which all proposals in the development and use of land will be considered and includes reference to quality of design, amenity, conservation, resources and utilities.

Policy DS14 (Foul Sewage and Surface Water Drainage) – provision for the disposal of foul and surface water, either agreeing details prior to determination or by way of planning conditions.

North Lincolnshire Core Strategy: Policy CS1 (Spatial Strategy for North Lincolnshire) provides clear priorities for the distribution and location of development.

Policy CS2 (Delivering More Sustainable Development) sets out how policy CS1 will be applied and notes that design should be of a high standard.

Policy CS3 (Development Limits) looks to restrict development within defined settlement limits and will restrict development outside these boundaries to development that is essential to the functioning of the countryside.

Policy CS5 (Delivering Quality Design in North Lincolnshire) sets out the key design principles for all new development with the aim of ensuring that development supports the creation of a high quality built environment that is attractive to residents and visitors.

Policy CS6 (Historic Environment) seeks to protect, conserve and enhance North Lincolnshire's historic environment as well as the character and setting of areas of acknowledged importance including conservation areas.

Policy CS9 (Affordable Housing) looks to attract affordable housing schemes based upon the scale of the proposed development and its location.

Policy CS17 (Biodiversity) primarily concerns the conserving and enhancing of North Lincolnshire's wildlife.

Policy CS19 (Flood Risk) requires, in part, the incorporation of Sustainable Urban Drainage Systems (SUDS) to manage surface water drainage.

Policy CS27 (Planning Obligations) sets out the council's approach to negotiating planning obligation agreements, either by on-site development or an off-site provision payment.

National Planning Practice Guidance: Design (id 26-001-20140306); Conserving and enhancing the historic environment (id 18a-001-20140306)

National Planning Policy Framework: Establishes a presumption in favour of sustainable development that should be seen as a golden thread running through the plan-making and decision-taking processes. Core Planning Principles – underpin decision-taking and include, in part, the securing of high quality design and standards of amenity, different roles and the character of different areas, and encourage the effective use of land. Establishes an overarching requirement to significantly boost the supply of housing.

Section 6 (Delivering a wide choice of quality homes) will permit housing development on windfall sites where such sites have provided a reliable source of supply; requirement to bring back empty buildings into productive use.

Section 7 (Requiring good design) – design is seen as an aspect of sustainable development.

Section 11 (Conserving and enhancing the natural environment) – minimising impacts on biodiversity and providing net gains in biodiversity.

Section 12 (Conserving and enhancing the historic environment) – conservation looks to promote the enjoyment of the historic environment, putting assets into viable uses and

recognising opportunities to draw on the contribution made by the historic environment to the character of a place.

CONSULTATIONS

Highways: No objection subject to conditions (within three months of completion of the new access any redundant access to the site shall be removed; details of surface water run-off onto the highway; no planting within 2 metres of the highway; no dwelling occupied until vehicular access and vehicle parking spaces have been completed; no development to take place until details of the private drive have been agreed in writing with the local planning authority; no works to commence on site until details for wheel washing have been agreed in writing by the local planning authority; no development to commence until details of the proposed access road and junction have been agreed in writing by the local planning authority; no dwelling occupied until access road and footway has been completed at least to base course level; details for junction and visibility splays; no works to commence on penultimate dwelling until the access road has been completed; any planting on service strip to be agreed in writing with the local planning authority.

Strategic Housing: Seek an affordable housing financial contribution.

Open Space: Seek a financial contribution towards open space to allow the developer to maximise build potential and allow a contribution to be given towards the upgrade and improvement of recreational facilities at the parish council playing field.

Environmental Health: No objection subject to a condition covering hours of building operations.

HER: No objection.

Anglia Water: No objection.

Public Health: No objection.

Environment Agency: Does not wish to make any comments.

Humberside Airport: No objection.

Environment Team: No objection subject to a condition requiring a biodiversity management plan.

Humberside Police: No objection subject to conditions.

PARISH COUNCIL

In principle Scawby Parish Council looks favourably on this planning application but feels it must object due to severe concerns regarding the current drainage systems serving this location.

PUBLICITY

Neighbouring properties have been notified, and site and press notices posted. Four responses have been received objecting to the scheme on the following grounds:

- effect upon amenity
- this is a select village that does not need further development
- flooding
- the proposal would detract from the beauty and character of the village
- additional traffic in the village so close to the school - it is already congested without additional vehicles due to extra housing
- poor drainage

ASSESSMENT

The application site is roughly a 'cleaver' shaped parcel of land totalling some 0.44 of a hectare in area on an east-west axis. The subject land has a frontage width of 28 metres onto West Street that extends to 55 metres at the eastern boundary, whilst the depth of the site at the 'blade' element of the site is 51 metres.

With regard to composition, the application site comprises that area of built development constituting the three derelict terraced cottages within the 'handle' part of the site, with the balance of the application site given over to garden land as described by the agents.

The application site is bounded to the north-west by the car park to the village hall, to the north-east by an Area of Amenity Importance, to the south and west by dwellings serviced off Ingram Gardens and West Street, and to the east by the garden to 5 Ingram Gardens.

In terms of designations, the application site is within the defined development limit for Scawby as set out on Inset Plan 35 of the local plan. In addition, that part of the application site including and to the west of abandoned outbuildings is within the Scawby conservation area that was designated in August 1985.

The wider area of the application site is typified primarily by residential development, save the village hall and local school, within which there is no one prevailing form of design, spatial arrangement or plot size. It is the very nature of the eclectic mix of dwellings, constituent materials and their settings that gives the area its particular character.

Planning permission is sought for the erection of nine new dwellings (four semi-detached and five detached) together with the reinstatement of a terrace of three derelict cottages, together with gardens, garaging and parking areas. To facilitate the proposed development the applicant is proposing to demolish two single-storey abandoned outbuildings to the former cottages and this matter is dealt with by way of a separate application.

In terms of disposition, the three former cottages are on the northern side of the access road and are gable on to West Street. The pattern of the development facing the access road is carried over to the semi-detached/linked properties to the east of the cottages (plots 4 and 5). Plots 7, 8, 9 and 10 are set towards the centre of rear of the application site, again with the frontages to the internal road. The southern quadrant of the application site (plots 10, 11 and 12) comprises three detached dwellings – two, two-storey and a single-storey building – that are set back from the southern boundary of the application site. Gable to gable distance between plot 10 (two-storey) and 1 Ingram Gardens is 26 metres, whilst the distance between the single-storey dwelling (plot 11) and the rear of 3 Ingram Gardens is 11 metres.

With regard to design, the proposed dwellings adopt both a traditional form to living accommodation and appearance. This is evident by the use of single pitch roofs, local roofing and facing materials, chimneys, bargeboards, windows that have a vertical emphasis, porches and glazed extensions that are subservient to the 'principal dwelling'. Each of the dwellings has an open aspect to the public areas, with private garden areas to the rear. Ancillary development such as the garages and archways adopt the design principles of the dwellings and read as part of a homogeneous development. The applicants have illustrated a landscape scheme and the final form of any scheme can be controlled by a planning condition.

The main issues in the determination of this application are whether the proposed development would be acceptable in principle, and if acceptable in principle, would the proposed development in its detailed form be harmful to the character and appearance of the area.

The development plan for the purposes of this application comprises the adopted North Lincolnshire Local Plan and the North Lincolnshire Core Strategy. The National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) constitute material considerations in the decision-taking process.

The local plan, under its aims and objectives, seeks to make optimum use of derelict and under-used land, whilst recognising the need to conserve, and where possible contribute, to the character and identity of North Lincolnshire. The core strategy sets the overarching framework for the period to 2026 against which development proposals should be considered. The core strategy, as part of its spatial vision, sets out a series of objectives. Objective 3, on the matter of delivering better homes, seeks to secure an appropriate mix, type and tenure across North Lincolnshire.

Policy CS1 sets out the broad framework for the spatial development of North Lincolnshire and establishes a settlement hierarchy. Scawby is classified as a rural settlement where small-scale development will be permitted and such development will look to make the best use of land and buildings within these settlements. Core strategy policy CS3 looks to focus development, including residential, within the defined development limits and these limits are strongly supported as a planning policy tool to concentrate development in sustainable locations. Core strategy policy CS8 reaffirms the position of policy CS1 by noting that new housing in the rural settlements can be achieved by way of small-scale infill that maintains the viability of the settlement.

At the national level the NPPF looks to significantly boost a series of specific developable sites to meet the housing supply requirement. The NPPF establishes the presumption in favour of sustainable development and further establishes a series of core principles that include, in part, the encouragement on the effective use of land and the re-use of existing resources (ie adaptation of existing buildings). The NPPF, in line with national housing policy, actively promotes bringing empty housing and buildings back into productive use. Aside from the NPPF, the NPPG recognises the essential role of housing in supporting the broader sustainability of villages and smaller settlements.

The application site is within a defined settlement boundary, is located in a settlement that can accommodate residential development, constitutes a windfall site, is deliverable and incorporates the re-use of former dwellings. As such it is considered that the principle of the residential development of the application site accords with the aims and aspirations of the local plan, core strategy, NPPG and the NPPF.

Both the local plan and core strategy look to promote the use of land within defined settlement boundaries for residential development.

It is therefore considered at first instance that the scale of development should be assessed against the settlement as a whole. The 2009 Sustainable Settlement Survey identified 739 dwellings in the parish of Scawby and Sturton. The proposed development looks to create 12 dwellings: three by way of reinstatement and nine as new build, which represents some 1.6% of the total number of dwellings and it is therefore considered to represent small-scale development.

On the matter of efficient, effective and the best-use of land, the proposed development effectively reinstates former buildings to their original use as cottages and the new build dwellings are arranged to provide adequate amenity space and areas for parking as well as a clear division from neighbouring dwellings. Policy CS7 of the Core Strategy considers overall housing provision and references a generic net number of dwellings per hectare (dph) figure for rural settlements of 30-35 dph. This notional figure has to be guided in part by the character of the area. The proposed development equates to some 27 dph, which is fractionally below the suggested figure.

The NPPG, in terms of sustainable resource use, notes that in the case of buildings generally the risks of neglect and decay of heritage assets are best addressed through ensuring that they remain in active use that is consistent with their conservation.

It is therefore considered that the proposed development represents an efficient, effective and best-use of the land to deliver housing.

In terms of dwelling type, the 2009 survey identified the following composition:

Type	Number	Percentage	Proposed development %
Detached	461	64.2	41.7
Semi-detached	217	30.2	33.3
Terraced	16	2.2	25.0
Flats	24	3.3	
Vacant	31	4.2	

The proposed development provides for three terraced, four semi-detached and five detached dwellings, which broadly follows the existing spread of housing type in the parish, save that it increases the percentage of terraced properties (column 4). It is therefore considered that the proposed development represents a mix of dwelling types that accords with the spatial vision set under the core strategy, local plan policy H8 and guidance set within the NPPF.

The character of any area is more than the visual flow of the type of buildings and their associated materials; it also embraces the juxtapositions of buildings, their setting and the spaces they create. Any development, ranging from adaptation through to new build of

whatever scale, should not be considered in isolation and must be informed by the wider context.

At national level the presumption in favour of sustainable development notes that there is a causal relationship between local character and sustainable development; whereby local identity and sustainable development are both achieved by making full use of the resources at hand. The NPPF goes on to comment that retaining existing structures (eg buildings), topography and trees is often far more effective in maintaining a sense of character than a pastiche design.

Policy H8 of the local plan, aside from considering the matter of housing mix and design, requires development to maintain, or where possible enhance, the character of the area. This position is also encompassed within local plan policy DS1.

Core strategy policy CS6 considers the matter of the historic environment and will permit development provided that such development respects and enhances the local character of the area in which it would be situated. In this instance the Scawby Conservation Area Appraisal (SCAA) sets out those features that make the conservation area distinctive. The SCAA identifies a number of unlisted buildings that have been assessed as Buildings of Townscape Merit, which includes the derelict cottages. These former cottages, as they stand, are considered to contribute positively to the character of the conservation area and their loss or unsuitable alteration would harm the character of the area.

Within the SCAA Scawby is described as a rural village, and outside the historic core the remainder of the conservation area is composed of a combination of late 18th and 19th century vernacular stone two-storey cottages with later infill development from the second half of the 20th century. The buildings are generally set within generous gardens with small fields and public open spaces in the village core that provide the area with a spacious rural character.

The area beyond the conservation area is typified by extensive 20th century residential development including those residences to the immediate south of the application site. Apart from describing the character and architectural interest of the conservation area the SCAA sets a series of key views within the village and the nearest key view to the application site is facing east from the village hall car park.

Aside from the built development, an intrinsic part of the character of the area is the open landscape to the north-east and east of the application site. This area is identified as an Area of Amenity Importance within the local plan and represents a zone of transition between the relatively uniform suburban development and the conservation area.

It is considered that the conditions sought by Humberside Police will negatively impact upon the quality of the development and seek to sterilise development that looks to respond positively to its setting.

Both the local plan and core strategy seek to deliver high quality design within North Lincolnshire by considering context, high quality townscapes and streetscapes, layout, scale, detailing and materials.

The adopted position of the local planning authority to design is embraced within the NPPF and NPPG. The former document sees good design as being indivisible from good planning and notes that decisions should aim to ensure that developments:

- are visually attractive as a result of good architecture and appropriate landscaping; and
- respond to local character and history, and reflect the identity of local surroundings and materials, whilst not preventing or discouraging appropriate innovation.

In this instance the design of the new build dwellings draws upon the architectural form and styles of the area and in particular the vernacular of the conservation area whilst avoiding replicating the past. This is evident by the simple domestic scale and form, clear pitched forms, use of chimneys, arched detailing to the ground floor windows and the bargeboarding, without becoming a pastiche. The final palette of materials can be subject to a planning condition, which will allow the local planning authority to exercise control over the final appearance of the proposed development. The domestic presence of the dwellings is maintained by the subordination of the porches and glazed roofed 'extensions', as well as the garages and car ports. The layout of the proposed development embraces elements found elsewhere in the village such as walled gardens, open spaces and juxtapositions between dwellings, together with the creation of vista stops.

The linkage of the new development to the existing built development, principles of sustainable development and character of the area are further reinforced by reinstating the buildings of townscape merit back to their original purpose, thereby ensuring that these heritage assets remain in active use and are valued. Such a course of action will enhance the visual appearance, together with the architectural and social vitality of the conservation area and the wider area.

It is therefore considered that the proposed development does not harm the character and appearance of the area. Indeed, the proposed scheme is of such a design and composition that it adds another layer of interest to the village and thereby complies with the requirements of the local plan, core strategy, NPPG and the NPPF.

The proposed development meets the requirements of the council in terms of the level of parking associated with the proposed development. On the matter of highway safety, the application site is within walking distance of the primary school and there is no reason why residents cannot walk their children to school.

As part of the application process Anglian Water has been consulted on a number of occasions on the question of flooding resulting from the proposed development. The applicants produced a Sustainable Urban Drainage System (SUDS) following comments raised during the assessment process. Anglian Water has raised no objections in principle to the proposed SUDS scheme and has requested that any SUDS scheme is subject to a planning condition.

The applicants, following initial comments by the council's Historic Environment Record, undertook archaeological investigations which were submitted to the council in November 2011. No significant archaeological remains were uncovered and the cottages had no features of architectural interest.

The submission is supported by an Ecology and Protected Species Survey undertaken in August 2013, albeit the report is dated July 2013, which noted that the cottages were not used by bats. The survey indicated use of the cottages by swifts and as such it recommended that development in respect of the cottages should not be undertaken during the active breeding season (March to September) and any approval should seek biodiversity benefits that should include specially designed nest 'boxes' for swifts.

RECOMMENDATION

Subject to the completion of a formal agreement under Section 106 of the Town and Country Planning Act 1990 providing for a financial contribution for affordable housing and open space, the committee resolves:

- (i) it is mindful to grant permission for the development;**
- (ii) the decision be delegated to the Head of Development Management upon completion of the obligation;**

if the obligation is not completed by 9 April 2015 the Head of Development Management be authorised to refuse the application on grounds of failure to provide a legal agreement contrary to policy CS17 of the North Lincolnshire Core Strategy and policy H10 of the North Lincolnshire Local Plan; and

- (iii) the permission so granted be 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.

Notwithstanding condition 1, development shall not commence on the cottages marked as plots 1-3 on Drawing No. BSN-RUA-001 Rev C between March and August (inclusive) in any calendar year.

Reason

To protect recognised features of nature conservation interest in accordance with policy CS17 of the North Lincolnshire Core Strategy.

3.

The development hereby permitted shall be carried out in accordance with the following approved plans: SCW-RUA-000 Site Location Plan; SCW-RUA-002 Street Scenes A-A and B-B; SCW-RUA-003 Existing Plans (Workman's Cottages); SCW-RUA-004 Existing/Proposed (Workman's Cottages); SCW-RUA-005 Proposed Plan (Workman's Cottages); SCW-RUA-006 Sections A & B; SCR-RUA-007 Planning Drawing Type A; SCW-RUA-008 Planning Drawing Type B; SCW-RUA-009 Planning Drawing Type C; SCW-RUA-010 Planning Drawing Type D Plans ; SCW-RUA-011 Planning Drawing Type D Elevation; SCW-RUA-12 Planning Drawing Type E; Planning Drawing: Single Garage & Car Port; BSN-RUA-020 Bin Store Planning Drawing; BSN-RUA-0001 Rev C Planning Layout; BSN-RUA-009 Rev A Plot Boundary Ownership Plan and SL2291/1 Topographical Survey.

Reason

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

4.

No development shall take place until a full schedule of all external facing materials has been submitted to and approved in writing by the local planning authority to include all

bricks, joinery products, roof coverings, rainwater goods and external finishes, and only the approved materials shall be used.

Reason

In order to retain the character of the listed building in accordance with policy HE5 of the North Lincolnshire Local Plan.

5.

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.

6.

No development shall take place until details of the positions, design, materials and type of boundary treatment to be built/planted have been agreed in writing by the local planning authority. The agreed boundary treatment shall be built/planted before the dwellings are occupied, and once built/planted it shall be retained.

Reason

To provide an appropriate level of screening in accordance with policies H8 and DS1 of the North Lincolnshire Local Plan.

7.

Within 3 months of the completion of the new access, any redundant access to the site shall be removed and the area reinstated to footway/verge (including the provision of full height kerbs) in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason

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

8.

No development shall take place until details showing an effective method of preventing surface water run-off from hard paved areas within the site onto the highway have been 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.

Reason

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

9.

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.

10.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 (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.

11.

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.

12.

No development shall begin until details of the private driveway, including construction, drainage, lighting and where appropriate signage/street naming arrangements, have been agreed in writing with the local planning authority and no dwelling on the site shall be occupied until the private driveway has been constructed in accordance with the approved details. 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.

13.

Works shall not commence on site until wheel cleaning facilities, in accordance with details to be submitted to and approved in writing by the local planning authority, have been provided within the curtilage of the site, and this facility shall be retained for the duration of the works.

Reason

To prevent material being deposited on the highway and creating unsafe road conditions.

14.

No development shall take place until details of the drainage, construction, services and lighting of the proposed access road, including the junction with the adjacent highway, have been submitted to and approved in writing by the local planning authority.

Reason

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

15.

No dwelling on the site shall be occupied until the access road has been completed to at least base course level and adequately lit from the junction with the adjacent highway up to the access to the dwelling.

Reason

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

16.

No other works shall be commenced on the site until the access road junction with the adjacent highway, including the required visibility splays, has been set out and established.

Reason

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

17.

No dwelling on the site shall be occupied until the footway has been constructed up to base course level from the junction with the adjacent highway to the access to the dwelling.

Reason

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

18.

No works shall be commenced on the penultimate dwelling on the site until the access road has been completed.

Reason

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

19.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 (or any order revoking and re-enacting that order with or without modification), no development shall take place within any service strip adjacent to any shared surface road, and any planting or landscaping within this service strip shall be of species which shall be agreed in writing with the local planning authority prior to planting.

Reason

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

20.

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.

21.

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.

22.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 (or any order revoking and re-enacting that order with or without modification), no new window openings shall be created other than those shown on the submitted plan.

Reason

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

23.

Notwithstanding the provisions of Article 3 and Classes A, B, C, D and E of Part 1 and Class A of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any revoking and re-enacting that Order with or without modification, including Amendment (No.2) (England) Order 2008), the permitted rights of the development hereby approved are removed.

Reason

To prevent the loss of visual amenity or any other harm which may result by developments which otherwise would be permitted development, in accordance with policies H8 and DS1 of the North Lincolnshire Local Plan and policies CS5 and CS6 of the North Lincolnshire Core Strategy.

24.

No development or tree removal shall take place until a biodiversity management plan has been submitted to and approved in writing by the local planning authority. The plan shall include:

- (a) details of measures to avoid harm to bats and nesting birds during demolition and construction works, including details of sensitive wood treatment;

- (b) details of a bat loft with bat access features to be created in the existing roof void of houses 19-23 West Street;
- (c) details of nesting sites to be installed to support swifts (*Apus apus*);
- (d) restrictions on lighting to avoid impact on bat roosts, bat foraging areas, bird nesting sites and sensitive habitats;
- (e) prescriptions for wildlife-friendly trees and shrubs to be planted and retained, including fruit trees grafted from trees listed in the submitted Tree Report reference number 130716;
- (f) proposed timings for the above works in relation to the completion of each building;
- (g) monitoring procedures and remedial measures triggered by monitoring.

Reason

To protect features of recognised nature conservation importance in accordance with policies CS5 and CS17 of the North Lincolnshire Core Strategy.

25.

The biodiversity management plan shall be carried out in accordance with the approved details and timings, and the approved features shall be retained thereafter, unless otherwise approved in writing by the local planning authority. The applicant or their successor in title shall submit photographs of the installed fruit trees and bat roosting and bird nesting features, within two weeks of installation, as evidence of compliance with this condition.

Reason

To protect features of recognised nature conservation importance in accordance with policies CS5 and CS17 of the North Lincolnshire Core Strategy.

Informatives

1. This application must be read in conjunction with the relevant Section 106 Agreement.
2. 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.
3. In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.

PA/2013/1041 Layout Plan

Not to Scale

