

APPLICATION NO	PA/2013/1505
APPLICANT	North Lincolnshire Council
DEVELOPMENT	Outline planning permission for residential development (appearance, landscaping, layout and scale reserved for subsequent approval)
LOCATION	Former allotment site, off Roman Way, Scunthorpe
PARISH	SCUNTHORPE
WARD	Brumby
CASE OFFICER	Andrew Law
SUMMARY RECOMMENDATION	Subject to a mechanism being put in place to secure contributions, grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Member 'call in' (Cllr Foster – significant public interest and highway concerns) Significant public interest

POLICIES

National Planning Policy Framework: Paragraph 19 states that significant weight should be placed on the need to support economic growth through the planning system.

Paragraph 32 states that all developments that generate significant amounts of movement should be supported by a transport statement or transport assessment. Plans and decisions should take account of whether:

- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- safe and suitable access to the site can be achieved for all people; and
- improvements can be undertaken within the transport network that cost-effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

Paragraph 34 states that plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.

Paragraph 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development.

Paragraph 56 states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Paragraph 64 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

North Lincolnshire Local Plan: Policy H8 (Housing Design and Housing Mix)

Policy H10 (Public Open Space Provision in New Housing Development)

Policy DS1 (General Requirements)

Policy DS3 (Planning Out Crime)

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)

CS9 (Affordable Housing)

CS19 (Flood Risk)

CS25 (Promoting Sustainable Transport)

CONSULTATIONS

Highways: No objections to the proposed residential development or the access via Roman Way in principle. Do raise concerns with the level of on-street parking shown on the indicative layout. Therefore no objection to the scheme subject to conditions and a commuted sum to be used for sustainable transport infrastructure improvements and other highways works.

Archaeology: No objection subject to conditions.

Environmental Health: Due to the site's former use as allotments there is the potential for land contamination. It is therefore essential that the applicant ensures that any potential contamination issues have been addressed. Conditions are recommended to ensure that potential contamination is addressed should the application be approved.

Strategic Housing: No objection as the proposal includes the provision of 24 affordable units which complies with policy CS9 of the core strategy.

Public Open Space: Due to increased usage of the existing Asterby Road play facilities, this area should be expanded. There is a deficit of children's/toddlers' play facilities in the area. A commuted sum is proposed for the provision of play equipment and the developer will be required to pay for maintenance of the area. The developer will also be required to carry out the groundwork for the layout of this area of the site (eg pathways, kerb edges, tarmac areas).

Ecology: The site has limited biodiversity value at present and negligible potential for protected species. Therefore there is no objection to the scheme subject to biodiversity enhancement being secured via condition.

Education: There is a requirement for primary and secondary educational contributions. This contribution will be £7,653 per eligible dwelling linked to the RPI.

Public Health: No objection.

Humberside Police: Recommend that the pumping station is moved so that it is in a more visible position to enable passive surveillance.

Humberside Fire: No objection, make informative comments.

Severn Trent Water Ltd: No response received.

Environment Agency: No objection subject to conditions.

PUBLICITY

Neighbouring properties have been notified, and site and press notices posted.

A significant number of objections have been received on the following grounds:

- Object to Roman Way being used as the access to the site. This road is not suitable to cater for the proposed level of traffic due to its size and design.
- Alternative access routes to the site are available and Roman Way is being used as it is the cheap option.
- The opening up of Roman Way as a through road will be detrimental to road safety in the area, particularly where it crosses the pedestrian access.
- The increase in traffic movements will have an adverse impact on the privacy and amenity of neighbouring properties on Roman Way.
- Public transport systems are not sufficient to reduce the reliance on private cars.
- The proposed works to the junction of Roman Way and Burringham Road are not sufficient.
- Roman Way is already congested and the proposed development will exacerbate this.

- Roman Way is not capable of catering for the construction traffic associated with the development.
- The construction operations and traffic will impact on the amenity of neighbours through noise, disturbance and dust.
- There is no evidence of building curfews to be applied.
- The loss of the fence along the proposed access point will increase access into neighbouring properties and could result in an increase in criminal activity, vandalism and theft.
- The proposed development, including pumping station, will result in noise nuisance to neighbouring dwellings.
- The proposed development could result in overlooking between new and proposed dwellings.
- Light pollution could be experienced by neighbours as a result of streetlights, vehicles and houses.
- The development would result in the loss of green space which is currently in use by local residents.
- The proposed development would constitute over-development of the site and a lower density should be considered which would allow more landscaping and make the site more attractive.
- Excavation work on the site could result in subsidence due to the sloping nature of the site.
- The loss of permeable green space and increase in impermeable surfaces will increase flood risk in the area.
- The area already suffers from low water pressure and this could be exacerbated by the increase in dwellings proposed.
- The proposed development will result in increased levels of criminal activity in the area.
- The proposed development will be harmful to property prices in the area.

ASSESSMENT

The application site is a former allotment site located to the rear of properties which front Burringham Road. The site is located within the Scunthorpe urban area, approximately 2.5 kilometres to the south of the town centre. The surrounding area is predominantly residential in nature and the site is surrounded by residential properties fronting Burringham Road to the north, Asterby Road to the south, Roman Way to the east and Willoughby Road to the west. The Beacon public house occupies a site immediately adjoining the north-west corner of the site, whilst a children's playground and open grassed amenity area sit directly to the south-east. The site is currently disused and has been for a number of years, and comprises unmanaged grassland. The site was previously occupied by

allotments, owned and managed by North Lincolnshire Council, which have been abandoned for a number of years. There is an existing pedestrian access that runs along the eastern boundary of the site linking Burringham Road and Claxby Road and allows access into the site; there is no existing vehicular access to the application site at present. The site falls approximately 6.5 metres along its length from east to west. There are a number of tree preservation orders within neighbouring residential gardens around the application site; however there are no protected trees within the application site itself.

This application seeks outline planning permission for residential development on the site with all matters, except for access, reserved for subsequent approval. Access is proposed to be gained from Roman Way, a small residential cul-de-sac to the east. The applicants have provided indicative information to aid in the assessment of the proposal, including an indicative layout, which proposes 82 dwellings. However it should be noted that this information is for indicative purposes only and that the scale and layout of the development is reserved for subsequent approval should outline permission be granted.

The key issues in the determination of this application are:

- whether Roman Way is a suitable means of access into the site;
- whether the proposed development will result in unacceptable loss of amenity to neighbouring properties;
- whether the proposed development constitutes over-development of the site; and
- whether the proposed development would result in drainage/flooding issues in the locality.

The principle of residential development

The application site is within the principal settlement of Scunthorpe, within the defined settlement boundary; is in a highly sustainable location with access to a full range of educational, cultural, shopping, social and employment opportunities, by means of walking, cycling and public transport; is in a residential area; and there is sufficient social and infrastructure capacity to cater for the additional dwellings within Scunthorpe. It is therefore evident that the proposal accords with the principles of sustainable development as set out within the policies of the local plan, core strategy and the NPPF on delivering residential development in appropriate locations and planning permission is therefore merited.

Highways

The vast majority of comments received on the planning application raise an objection to the use of Roman Way to gain access to the site and the impact that this would have on existing residents on Roman Way. Many objectors refer to the narrowness of Roman Way and its design, including a chicane towards the Burringham Road end, and state that these factors mean that the road is not suitable as the sole vehicular access for such a large residential development. The applicants have submitted a comprehensive transport assessment with the application which considers the suitability of Roman Way, vehicle movements and accident data in the area. The transport assessment identifies that the proposed development is likely to result in approximately 50 additional two-way movements during AM and PM peak periods; this equates to less than 1 two-way trip per minute at

peak times. The transport assessment also identifies that the Burringham Road/Roman Way junction operates with substantial spare capacity during weekday peak periods.

The council's Highways department have assessed this document and have confirmed that the information contained within it is accurate. Highways have raised no concerns or objection to the application subject to various conditions. The developers will also be required to pay a commuted sum of £9,700 to be spent on upgrading sustainable transport infrastructure (such as cycle lanes) in the area and improving the junction of Roman Way and Burringham Road. Highways have raised no objection or concerns with regard to the suitability of Roman Way as the sole vehicular access to the proposed residential development, nor have they raised concerns relating to the impact of the development on the wider highway network. On this basis it is considered that the proposed vehicular access to the site via Roman Way is acceptable and will not be harmful to highway safety in the area.

The layout of the development is reserved for subsequent approval and car parking provision will be one of the issues which is considered at this stage when the detailed layout is assessed. Therefore the local planning authority will be able to ensure that the development is adequately catered for with regard to parking and that no problem is created with overspill parking on Roman Way.

Amenity

The application seeks outline planning permission and the scale and layout of the residential development is reserved for subsequent approval. However the indicative details provided by the applicant, including an indicative layout drawing, demonstrate that it is possible to design a residential scheme within the site which will not result in overlooking of neighbouring properties. Detailed plans will be provided at the reserved matters stage should outline permission be granted and the local planning authority will be able to fully consider the impact of the proposed residential dwellings upon neighbouring properties at this stage.

Neighbours identify construction works as a serious concern with regard to their residential amenity and particularly the traffic associated with such works and the noise and dust that they can generate. Whilst construction works are only temporary it is likely that such a substantial development could be expected to be under construction for a significant period of time and for construction operations to affect the residential amenity of neighbouring properties. On this basis a condition has been recommended to restrict the hours of construction operations and deliveries. It is considered that, subject to this condition, residential amenity will be adequately protected during the construction phase of the development.

Neighbours also identify the proximity of the pumping station as a concern with regard to noise disturbance. The layout drawing submitted with the application is for indicative purposes only and is not the finalised layout for the residential development. Therefore the position of the pumping station could move when a reserved matters application is submitted. There is sufficient space within the site to allow for the pumping station to be positioned in a location where it will not impact on the amenities of neighbouring properties. Pumping stations are a common feature on modern housing estates and are often located relatively close to residential properties without resulting in noise nuisance. The council's Environmental Health department has been consulted on the application and has raised no concerns with regard to noise from the pumping station.

The application site is located in a residential area and is surrounded by residential properties. The proposed residential development of the site will be in keeping with the character and nature of the area and will not result in excessive or unacceptable levels of noise and disturbance for neighbours.

Density

The application site is located within a residential area of the Scunthorpe urban area, surrounded by a mix of detached and semi-detached dwellings. Whilst the scale and layout of development is reserved for subsequent approval, the indicative information provided by the applicant suggests a development of 82 dwellings on the site. This results in a density of 33 dwellings per hectare which is below the suggested density for sites within the Scunthorpe urban area set out in policy CS7 of the core strategy. This is because a significant portion of the site is required to provide the associated infrastructure and open space. This density is in keeping with the surrounding area and will not result in an over-development of the site.

The scheme will provide 24 affordable units, which represents approximately 29% of the proposed dwellings. This exceeds the number of affordable units that is required to be provided under policy CS9 of the core strategy and represents a significant benefit to the local area and Scunthorpe as a whole. These affordable units will be secured as an on-site provision by way of a planning condition.

Drainage/flooding

A flood risk assessment has been submitted as part of the planning application and this document identifies the site as being located within flood zone 1, indicating that there is low probability of flooding. Therefore the site is considered to be suitable for residential development subject to a suitable drainage scheme being agreed and implemented. The Environment Agency and Severn Trent Water have been consulted on the application and have raised no objections in relation to flood risk or drainage subject to conditions requiring an acceptable drainage scheme to be agreed prior to work commencing. A condition has been recommended at the request of the Environment Agency to secure a suitable surface water drainage scheme. This condition will ensure that the development will not result in flooding of neighbouring sites.

Subsidence

Neighbours have suggested that as the site slopes from east to west there may be issues with subsidence once excavation work associated with construction is undertaken. A phase 1 ground conditions investigation has been undertaken by the applicant which has not identified any issue with subsidence across the site. It is not uncommon for sloping sites to be developed and there is no evidence to suggest that this will result in subsidence on this site.

Loss of green space used by local residents

The site is currently overgrown and vacant and was last used as allotments in 1998. The proposed development will result in the development of this vacant site which, as well as tidying the site up and preventing misuse, will bring benefits to the area including affordable housing and an extension to the existing play area. This site has sat vacant for a long time and as such is currently making no positive contribution to the area. Furthermore, the site is

not designated as being of local amenity importance, nor is it used or designated for recreational purposes or as being of any special ecological importance. It should also be noted that the site is proposed to be allocated for residential development in the latest draft of the council's Housing and Employment Land Allocations Development Plan Document and that the development of the site will make a positive contribution towards enabling the council to meet its housing targets.

Increase in criminal activity

Neighbours have complained that opening Roman Way up to the proposed development will result in an increase in criminal activity in the area including theft, vandalism and anti-social behaviour. The proposal will see the development of a site which is currently vacant and unmanaged. Residential development of this site will increase passive surveillance of in the area, including along the existing pedestrian access along the eastern boundary of the site. This will help to discourage antisocial and criminal activity. The proposed development is a small residential development within an existing residential area in the Scunthorpe urban area and there is no reason to believe that this development will in itself result in increased levels of criminal activity. Humberside Police have suggested that the pumping station is moved to a more visible location where residential properties can help with surveillance; this will be addressed at the reserved matters stage when the detailed layout of the development is agreed.

Reduction in house prices

Many neighbours on Roman Way have complained that their properties will be devalued as the area will no longer be a quiet cul-de-sac. The effect of the proposed development on property prices in the area is not a material planning consideration, is purely speculative and as such is not a valid reason for the refusal of planning permission.

Summary

In summary the proposal relates to the residential development of a vacant site within the development boundary of the Scunthorpe urban area. This development will help the council meet its housing targets in a settlement where local policy aims to direct the vast majority of new residential development. The site is not at risk from flooding, and has no formal designation or allocation with regard to amenity importance or ecological significance. The council's Highways department has confirmed that a satisfactory access has been provided into the site via Roman Way. Therefore the development is in line with national and local planning policy and is considered to be acceptable.

It should be noted that there is a requirement for commuted sums to be paid by the developer to be used for the improvement of the local highway network, open space and play area provision/maintenance and education. As the application has been made on behalf of the council it is not possible to secure these contributions via a legal agreement (such as a section 106 agreement) as the council cannot enter into an agreement with itself. As such an alternative mechanism will need to be used to secure these contributions.

RECOMMENDATION

Subject to a mechanism being put in place to secure:

- a commuted sum of £73,921.78 to be put towards extending Asterby Road Park and for the future maintenance of this additional play area, associated landscaping and for the installation of new play equipment;
- a commuted sum of £7,653.00 per eligible dwelling to be put towards primary and secondary school improvements in the catchment; and
- a commuted sum of £9,700.00 to be put towards highway improvement works and for the enhancement of sustainable transport infrastructure;

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 the mechanism being put in place;
- (iii) if the mechanism is not put in place by 12 August 2014 the Head of Development Management be authorised to refuse the application on grounds of insufficient public open space provision, educational contributions and highway safety grounds; and
- (iv) the permission so granted be subject to the following conditions:

1.

Approval of the details of the layout, scale, and appearance of the building(s), and the landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the local planning authority in writing before any development is commenced.

Reason

The application has been made under Article 3(1) of the Town & Country Planning (General Development Procedure) Order 1995.

2.

Plans and particulars of the reserved matters referred to in condition 1 above, relating to the layout, scale, and appearance of any buildings to be erected, and the landscaping of the site, shall be submitted in writing to the local planning authority and shall be carried out as approved.

Reason

The application has been made under Article 3(1) of the Town & Country Planning (General Development Procedure) Order 1995.

3.

Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

Reason

To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

4.

The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason

To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

5.

No development shall take place until details of any within-highway works required to facilitate the development, including footway crossing points, have been 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.

6.

No more than 20 dwellings on site shall be occupied until such time as any works identified in condition 5 above have been completed

Reason

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

7.

No development shall take place until details of:

- (i) the location and layout of the vehicular access; and
- (ii) the number, location and layout of the vehicle parking space(s) within the curtilage of the site;

have been submitted to and approved in writing by the local planning authority.

Reason

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

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.

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.

11.

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.

12.

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.

13.

No development shall begin until details of:

- (i) the layout, drainage, construction, services and lighting of the proposed access road, including the junction with the adjacent highway; and
- (ii) the number and location of vehicle parking space(s) on the site;

have been submitted to and approved in writing by the local planning authority.

Reason

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

14.

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.

15.

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.

16.

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.

17.

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.

18.

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.

19.

The submitted framework travel plan shall be fully implemented prior to the proposed development being brought into use and all conditions and requirements of the plan shall be fully implemented and retained at all times that the use is in operation.

Reason

To ensure that the proposed development operates in a safe and sustainable manner with minimal disruption to the highway network.

20.

The final travel plan shall be submitted to and approved in writing by the local planning authority within six months of the proposed development being brought into use and all conditions and requirements of the plan, once approved, shall be implemented and retained at all times.

Reason

To ensure that the proposed development operates in a safe and sustainable manner with minimal disruption to the highway network.

21.

The travel plan, once approved and in place, shall be subject to monitoring on an annual basis for a period of three years from the approval date. The monitoring report on the impact of the travel plan shall be submitted to the local planning authority on the first of January each year following the grant of planning permission. All amendments to the approved travel plan identified as a result of the monitoring process shall be implemented and retained.

Reason

To ensure that the proposed development operates in a safe and sustainable manner with minimal disruption to the highway network.

22.

No development shall take place until a construction phase traffic management plan showing details of all associated traffic movements, including delivery vehicles and staff/construction movements, any abnormal load movements, contractor parking and welfare facilities, storage of materials and traffic management requirements on the adjacent highway, has been submitted to and approved in writing by the local planning authority. Once approved the plan shall be implemented, reviewed and updated as necessary throughout the construction period.

Reason

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

23.

Construction operations shall be limited to the following hours:

8am to 6pm Monday to Friday;

8am to 1pm on Saturdays;

with no construction operations taking place on Sundays or public/bank holidays.

HGV movements shall not be permitted outside these hours during the construction phase, neither shall installation of equipment on site be permitted outside these hours, without prior written approval from the local planning authority.

Reason

To protect the amenity of neighbouring properties.

24.

No development shall take place until an archaeological mitigation strategy, as defined in a brief prepared by North Lincolnshire's Historic Environment Record, has been submitted to and approved in writing by the local planning authority. The strategy shall include details of the following:

- (i) measures to ensure the preservation in situ, or the preservation by record, of archaeological features of identified importance
- (ii) methodologies for the recording and recovery of archaeological remains, including artefacts and ecofacts
- (iii) post-fieldwork methodologies for assessment and analyses
- (iv) report content and arrangements for dissemination, and publication proposals
- (v) archive preparation and deposition with recognised repositories
- (vi) a timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the strategy
- (vii) monitoring arrangements, including the notification in writing to North Lincolnshire's Historic Environment Record of the commencement of archaeological works and the opportunity to monitor such works
- (viii) a list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications.

Reason

To comply with policy HE9 of the North Lincolnshire Local Plan because the site lies in an area of archaeological interest.

25.

The archaeological mitigation strategy shall be carried out in accordance with the approved details and timings, subject to any variations agreed in writing by the local planning authority.

Reason

To comply with policy HE9 of the North Lincolnshire Local Plan because the site lies in an area of archaeological interest.

26.

A copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at North Lincolnshire's Historic Environment Record within six months of the date of completion of the development hereby approved by this permission or such other period as may be agreed in writing by the local planning authority.

Reason

To comply with policy HE9 of the North Lincolnshire Local Plan because the site lies in an area of archaeological interest.

27.

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.

28.

No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall demonstrate:

- the utilisation of holding sustainable drainage techniques;

- the limitation of surface water run-off to equivalent greenfield rates;
- the ability to accommodate surface water run-off on site up to the critical event with a 1 in 100 chance of occurring in any one year, plus an appropriate allowance for climate change, based upon the submission of drainage calculations;
- responsibility for the future maintenance of drainage features.

Reason

To prevent the increased risk of flooding, to improve and protect water quality, to improve habitat and amenity, and to ensure the future maintenance of the sustainable drainage structures.

29.

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

- (a) details of nesting and roosting features to be installed on the buildings to be constructed, to support pipistrelle bat (*Pipistrellus* spp.) and swift (*Apus apus*);
- (b) restrictions on external lighting to avoid impacts on bat roosts, bat foraging areas and sensitive habitats;
- (c) proposed timings for the installation of the above features in relation to the completion of each building;
- (d) prescriptions for trees, shrubs, mixed native hedges and other features of high biodiversity value;
- (e) details of measures to be taken during the construction phase of the proposal, to avoid harm to nesting birds and other protected species or priority species, including hedgehogs.

Reason

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

30.

Once agreed in writing, the landscape and 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 bat roosting and bird nesting features, within two weeks of installation.

Reason

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

31.

No dwelling on the site shall be occupied until details of the arrangements for the provision of the 24 affordable housing units have been submitted to and agreed in writing by the local planning authority. Such details shall include:

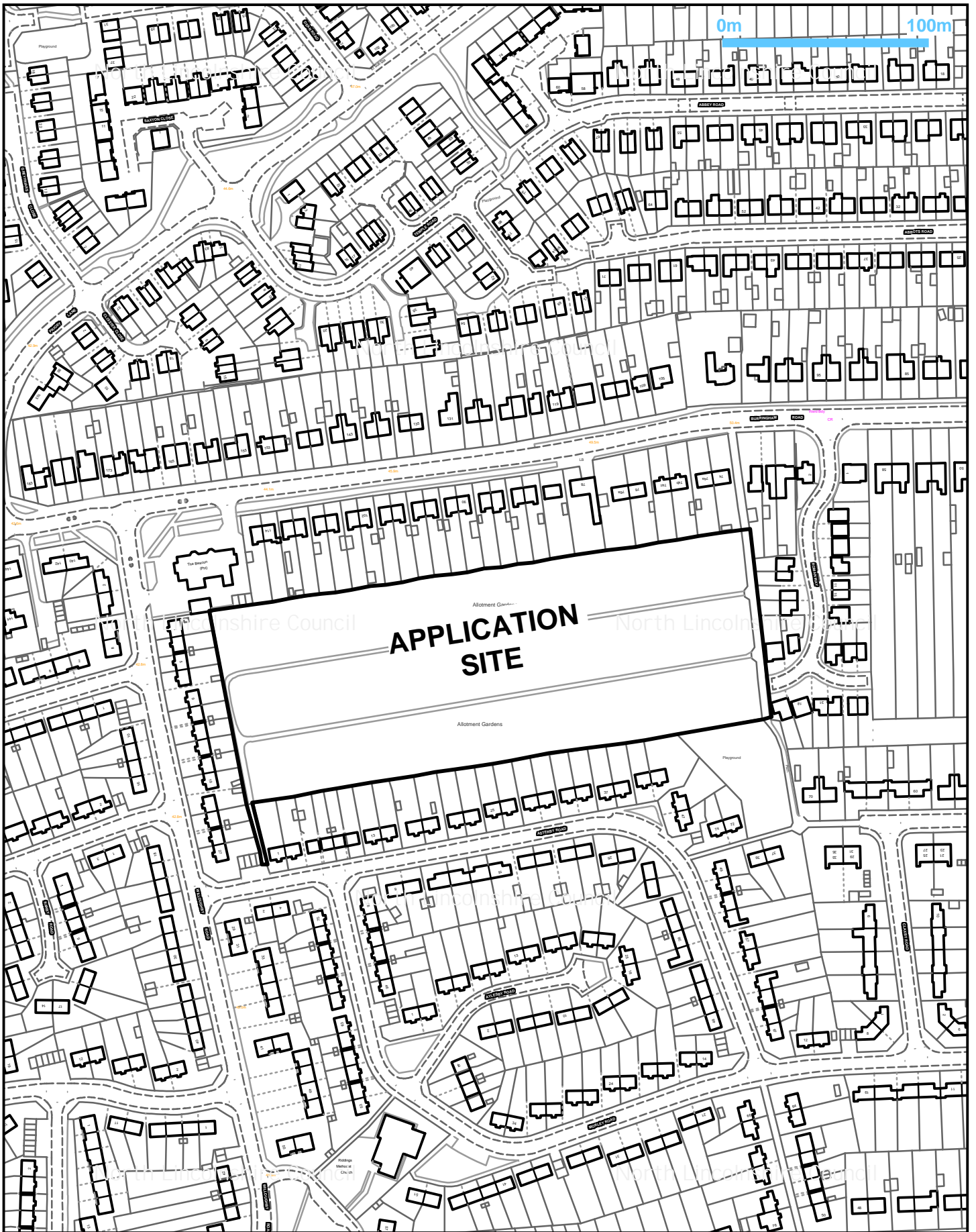
- (i) arrangements to ensure that the dwellings remain available as affordable units both for initial and subsequent occupiers; and
- (ii) the occupancy criteria to be used for determining the identity of prospective and successive occupiers of the housing and the means by which such criteria will be enforced.

Reason

To ensure the provision of an appropriate level of affordable housing as part of the development in accordance with policy CS9 of the North Lincolnshire Core Strategy.

Informatives

1. This application must be read in conjunction with the associated mechanism which has been put in place to secure the commuted sums.
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.



Title: PA/2013/1505

Drawn by: Sue Barden

Date: 23/01/2014

Scale 1:2500



© Crown copyright and database rights 2014
Ordnance Survey 0100023560



Director of Places
Peter Williams
BSc, DMS, CEng, MEI, MCMI, AMIMechE

PA/2013/1505 Proposed Layout Not to scale

