

APPLICATION NO	PA/2017/2137
APPLICANT	Mr Matt Smith, Gleeson Regeneration Ltd
DEVELOPMENT	Planning permission to erect 85 dwellings and associated infrastructure
LOCATION	Land off Roman Way, Scunthorpe, DN17 2RD
PARISH	Scunthorpe
WARD	Brumby
CASE OFFICER	Mark Niland
SUMMARY RECOMMENDATION	Subject to a Section 106 agreement, grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Member 'call in' (Cllr Steve Swift – significant public interest)

POLICIES

National Planning Policy Framework: Paragraphs (not exhaustive) 14, 19, 32, 34, 35, 37, 49, 56, 64, 118, 128, 173.

North Lincolnshire Local Plan: D1, DS5, DS7, DS11, DS14, LC12, H10, C1.

North Lincolnshire Core Strategy: CS1, CS2, CS3, CS5, CS6, CS7, CS8, CS9, CS17, CS19.

CONSULTATIONS

Highways: No objections subject to a series of conditions relating to surface water, the laying out of hard areas and travel assessment compliance.

Severn Trent Water Ltd: No objections subject to a pre-commencement planning condition.

Drainage: Holding objection until drainage scheme has been submitted.

Section 106 Officer: The officer makes comments on the proposal in relation to the following:

- Affordable Housing Contribution – 20% to be secured by a Section 106 agreement
- Recreation Contributions – Locally Equipped Area of Play and management agreement of public open space
- Education Contribution – no response received from Education department but there is potential for both primary and secondary school contributions.

Education: The proposal would trigger an education contribution of £8,301 per dwelling.

Street Lighting: No response received.

Town Team: No response received.

Planning Policy: Acceptable in principle (subject to contributions/viability).

Ecology: No objections subject to a condition relating to a biodiversity management plan.

Tree Officer: No objections subject to planning conditions relating to landscaping.

Environment Agency: No objections to the proposal.

Environmental Health: No objections subject to a condition relating to land quality.

NHS/CCG: No comments received.

Humberside Police: No objections to the proposal.

Archaeology: No objections subject to conditions relating to the implementation of an archaeological mitigation strategy.

Yorkshire Water: No comments received.

North Lincolnshire Leisure Services: No response received.

Humberside Fire Brigade: No objections.

Anglican Water: No response received.

Public Health: No objections.

Waste Disposal: The officer seeks clarification as to the ability of a service vehicle to negotiate the scheme.

TOWN COUNCIL

No comments received.

PUBLICITY

The application has been advertised by site notice and within the local press for a period of not less than 21 days prior to writing this report. There have been five objections to the proposal which are summarised as follows:

- access road too narrow
- access road goes over third party land
- drainage issues
- impacts upon road and path users
- noise during construction
- air quality during construction

- residential amenity.

STATEMENT OF COMMUNITY INVOLVEMENT

No statement of community involvement has been provided.

ASSESSMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. In this instance the development plan consists of the North Lincolnshire Local Plan (NLLP) which was adopted in May 2003, the North Lincolnshire Core Strategy (NLCS) which was adopted in June 2011 and the Housing and Employment Land Allocations (HELA) DPD which was adopted in March 2016. Material considerations exist in the form of national planning policy and guidance contained within the National Planning Policy Framework (NPPF) and the suite of documents comprising the Planning Practice Guidance (PPG).

Planning history

PA/2013/1505: Outline planning permission for residential development (appearance, landscaping, layout and scale reserved for subsequent approval) – approved 28/02/2014.

Site characteristics

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 Pub is located to 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 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.

The applicant is seeking to erect 85 dwellings whilst providing public open space on site. The proposal would be accessed from Roman Way. Furthermore, the applicant proposes 20% of the units to be offered on the Government's help to buy scheme. The applicant has submitted a viability statement which concludes that all other contributions would impede the deliverability of the scheme.

Key issues for determination are whether or not the proposed development is acceptable in principle with regard to the development plan and other material considerations, and whether the proposed scheme mitigates all externalities that the development would introduce.

Principle of development

The application site is allocated as Schuh-5 within the Housing and Employment Land Allocations. The site is considered to be acceptable for residential development. Furthermore, the site has previously benefitted from permission for residential development under PA/2013/1505 and been considered under the existing policy framework.

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. The proposal is therefore in accordance with the overarching spatial strategy for North Lincolnshire along with relevant housing policies of the Core Strategy.

Highways and sustainable transport

Policy T1 of the local plan is concerned with the location of development and is succinct with the overall spatial strategy of the Core Strategy. Policy T2 is concerned with access to development. It states that all development must be provided with a satisfactory access. In larger developments it should be served adequately by:

- i) being readily accessible by a choice of transport modes; and
- ii) existing public transport services and infrastructure; or
- iii) additions or extensions to such services linked directly to the development; and
- iv) the existing highway network.

The applicant has submitted a transport assessment as well as a site layout plan. The scheme has had a previous approval for a similar access arrangement from Roman Way and Highways have no objection to the proposed development subject to conditions and contributions. Highways suggest that a £10,000 contribution should still stand as part of any subsequent Section 106 agreement to contribute to the following:

- improving bus stops on Burringham Road
- providing at least 1 x 4-weekly stagecoach Megarider ticket per dwelling
- enhancements to the existing cycle infrastructure in the area.

The applicant has not provided any contributions towards the above but has provided a transport statement that espouses the proposal's sustainability and accessibility in relation to its proximity to existing services and amenities.

Highways have recommended the attachment of planning conditions ensuring that the submitted travel plan is implemented and brought into use. Other conditions relate to preventing surface water entering the highway, the laying out of hard areas prior to occupation and the prevention of loose material entering the highway. There have been

objections relating to the width of the access road and other internal roads to the scheme; Highways consider that road widths are accessible by service and emergency vehicles and therefore the road widths are considered acceptable. The network will also undergo an adoption process or have to be made up to these standards. Policy SCHUH-5 states that:

- vehicular access points to the site will need to be agreed with the highway authority;
- good footpath and cycle provision should be provided throughout the site, linking the development with local services, and developer contributions for off-site works, including cycleway and bus stop provision, will be required;
- a transport assessment and residential travel plan will be required to demonstrate that the development will have no adverse impacts on the highway network.

The applicant has provided the above and therefore, subject to a satisfactory Section 106 agreement the proposal is in accordance with the aforementioned policies.

Flooding and drainage

Policy CS19 of the Core Strategy is concerned with flooding whilst policy DS14 of the North Lincolnshire Local Plan is concerned with both surface water and foul drainage; both are relevant. 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.

The Lead Local Flood Authority (LLFA) has requested further information in relation to sustainable urban drainage and the applicant is in dialogue with the LLFA over this issue. It is worth noting that the site has previously benefitted from permission for a residential scheme of a similar scale. This approval, which was in outline, was subject to drainage conditions. It is therefore considered, given that the drainage issues were considered to be mitigated by condition previously, that it would be unreasonable not to extend this to the current planning application. The allocation policy for the site SCHUH-5 states that “A Flood Risk Assessment should be prepared as part of the application process to assess and mitigate the risk of flooding from surface water drainage. Where practical Sustainable Urban Drainage Systems should be incorporated into the development.” Therefore, subject to the control of the drainage scheme through conditions, the proposal is in accordance with the aforementioned policy as well as policy CS19 of the Core Strategy.

Amenity

Policy DS1 of the North Lincolnshire Local Plan is in part concerned with amenity. It states that no unacceptable loss of amenity to neighbouring land uses should result in terms of noise, smell, fumes, dust or other nuisance, or through the effects of overlooking or overshadowing.

The development will provide 85 dwelling houses, utilising nine different property styles consisting of 29 two-bedroom houses, 52 three-bedroom houses and 4 four-bedroom houses. Properties are a mixture of detached and semi-detached. All dwellings are two

storeys high and there is a varied mix of architectural styles on offer. This is considered to be in keeping given the broad mix of housing types located around the area.

The main access point emanates from Roman Way and the existing footpath link is to be retained as part of the scheme. The proposed dwellings are all a sufficient distance from existing dwellings so as not to have an unacceptable overbearing impact upon existing dwellings on Roman Way, Burringham Road, Asterby Road and Willoughby Road. Furthermore, all openings are positioned in a way so as not to give rise to any unacceptable levels of overlooking. Lastly there is no information in relation to bin storage and a condition will be attached requiring the developer to provide this information prior to the first occupation.

There have been objections in relation to the impact upon existing residential amenity; however, an assessment of separation distances and the position of openings considered that the impacts will not be at a level that would warrant refusal.

The applicant has provided each dwelling with a sufficient amount of private amenity space that is both proportionate to the plot size and sufficient to enjoy quality outdoor amenity space. The applicant has also provided details of boundaries and types. Given the scale of the proposal, and despite the information submitted, these will be controlled by condition.

It is therefore considered that the proposed scheme would align with the amenity standards set out in policy DS1 of the North Lincolnshire Local Plan.

Appearance

Policy CS5 of the Core Strategy is concerned with design. It states that all new development in North Lincolnshire should be well designed and appropriate for its context. It should contribute to creating a sense of place. The council will encourage contemporary design, provided that it is appropriate for its location and is informed by its surrounding context. Design which is inappropriate to the local area or fails to maximise opportunities for improving the character and quality of the area will not be acceptable.

As mentioned above, there is a varied blend of architectural styles. The applicant has submitted an in-depth design and access statement which has explored the wider styles prevalent within the area. The contextual analysis has informed a design solution that is therefore driven by the existing built form that makes up this area of Scunthorpe.

The applicant has also put forward a list of materials in the site layout plan. The materials again offer a varied palate that would not give rise to any character impacts. However, given the scale of the development, it is considered that more detail is required relating to all external materials, including rainwater goods, and this will be controlled by planning condition.

It is therefore considered that the proposal would be in accordance with policy CS5 of the Core Strategy.

Crime prevention through environmental design

Policy DS3 is concerned with designing out crime. It states that new development should take into account personal safety and the security of people and property. The applicant has submitted a document 'Maximising Security through Design' which discusses the crime prevention merits of the scheme.

It is considered that the layout of the proposal and positioning of openings would allow for an increase in natural surveillance, whilst a condition relating to boundary treatments would increase the territoriality of plots. There is also a good distinction between public and private space. To reinforce the defensible space characteristics of the scheme the proposal would be subject to building regulations approved document 'Q' which would regulate locksets and lighting. The proposal therefore would align with policy DS3 of the local plan.

Environmental issues

Policy DS11 is concerned with polluting activities. It states that planning permission for development, including extensions to existing premises and changes of use, will only be permitted where it can be demonstrated that levels of potentially polluting emissions, including effluent, leachates, smoke, fumes, gases, dust, steam, smell or noise, do not pose a danger by way of toxic release.

The Environmental Health team has been consulted but has made no comments in relation to polluting activities. It is considered that a development of this scale would require mitigation throughout the construction process and therefore a construction environmental protection plan will be secured by planning condition, which would also include hours of work, and control of dust and noise.

There have been numerous objections relating to the disruption that would be caused during the construction process and it is considered that the above condition would provide suitable mitigation. Therefore the proposal would align with policy DS11 of the local plan.

Land quality

Policy DS7 is concerned with contaminated land. It states that in the case of proposals for development on land known or strongly suspected as being contaminated, applicants will be required to demonstrate that the level of contamination can be overcome by remedial measures or improvements.

The land quality officer has assessed the submission which is accompanied by a Geotechnical and Geo-environmental report. Notwithstanding this, the officer has proposed that a desk-top study be carried out followed by remediation and verification reports. Given the attachment of a condition, it is considered that land contamination is mitigated and the proposal accords with policy DS7 of the local plan.

Archaeology

Paragraph 128 of the NPPF, Core Strategy policy CS6 and local plan policy HE9 are all concerned with the historic environment, and more specifically archaeology. The applicant has submitted an archaeological appraisal that has been reviewed by the Historic Environment Record. The report identified that there is potential for a small area where finds may be possible in the south-east corner of the site, where the new access meets Roman Way. The Historic Environment Record have stated that they have no objection to the proposed scheme and are largely in agreement with the submitted assessment subject to conditions for archaeological monitoring and recording. These conditions will duly be attached to any permission.

It is therefore considered, subject to condition, that the proposed development would align with the aforementioned policies relating to the historic environment.

Trees

Policy LC12 is concerned with the protection of trees. It states that proposals for all new development will, wherever possible, ensure the retention of trees, woodland and hedgerows.

There are no trees on site but there are protected trees within close proximity to the site. The applicant has also submitted landscaping information on the submitted layout plan. The council's tree officer has reviewed the submission and has no objections subject to conditions. Notwithstanding the information contained on the layout plan, the tree officer states that further information relating to locations, species and sizes, as well as maintenance of planting areas, is required and this will be controlled by planning condition.

It is therefore considered that, subject to landscaping conditions, the proposal would align with policy LC12 of the local plan.

Biodiversity

Policy CS17 of the Core Strategy, as well as paragraphs 9 and 118 of the NPPF, relate to biodiversity. Paragraph 118 states in part that a net gain for biodiversity should be achieved. The applicant has submitted an ecological assessment which concludes that the site overall is of low ecological value.

The council's ecologist has reviewed the information and has upheld the conclusion of the report. However, given the policy requirement to achieve a net gain for biodiversity, conditions relating to bird/bat boxes being utilised across the scheme, as well as information upon the species of planting (where native species would be appropriate), will be requested and controlled through planning conditions which include the submission of a biodiversity management plan.

The proposal is therefore in accordance with policy CS17 of the Core Strategy and paragraphs 9 and 118 of the NPPF.

Planning obligations and viability

The applicant proposes to erect 85 dwellings which would trigger a requirement for affordable housing, education and public open space/recreation contributions, as well as more site-specific contributions. Policy CS27 is concerned with planning obligations and states that where a development proposal generates an identified need for additional infrastructure, North Lincolnshire Council will, through the negotiation of planning obligations pursuant to Section 106 of the Town & Country Planning Act 1990 and in accordance with guidance set out in Circular 05/2005, seek to ensure that the development proposal:

1. meets the reasonable cost of new infrastructure and improvements to existing infrastructure made necessary by the proposal in order to support, for example, affordable housing, maintenance payments, highway infrastructure, nature conservation, transport initiatives, utilities, education, community facilities, health, leisure and recreation provision, public art and waste management; and/or
2. mitigates the impact(s) of the development; and/or
3. offsets the loss of any significant amenity or resource through compensatory provision elsewhere; and/or

4. provides for the ongoing maintenance of facilities provided as a result of the development.

Paragraph 173 of the NPPF states that “Pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking. Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.”

The applicant has provided a viability statement which claims that contributions, other than on-site public open space, would render the site undeliverable, whilst the council does not agree that the ‘intermediate’ housing (provided through the Government’s help to buy scheme) is intermediate in respect of the definition of affordable housing within the NPPF, Annex 2 ‘Glossary’.

Affordable housing

Policy CS9 is concerned with affordable housing and requires schemes for new residential housing in the Scunthorpe Urban Area and Market Towns to contribute 20% of the scheme for affordable tenure. Ideally 70% of affordable housing supplied should be 70% for rent and, where possible, the housing should be provided on site, but an off-site contribution may be acceptable.

The applicant does not provide any on-site affordable dwellings nor is there any proposition of a commuted sum off-site affordable units. The council’s strategic housing team has been consulted and has stated that the model of affordable dwellings on offer by the applicant are market affordable and not considered to be affordable as per the definition of the NPPF.

It is therefore considered that the proposal is contrary to policy CS9 of the North Lincolnshire Core Strategy and to the aims of policy C1 of the NLLP. However, the applicant has submitted a viability statement which is still under consideration; should this be acceptable the proposed development would be in line with paragraph 173 of the NPPF.

Education

Policy C1 of the local plan is concerned with education facilities. It states that where major new housing proposals would result in an increased demand for education facilities which cannot be met by existing schools and colleges, a developer may be required to enter into a planning obligation under Section 106 of the Town and Country Planning Act 1990, in order to secure the provision of, or contribution towards, new or extended facilities. Policy C1 is supported by SPG 8 ‘Developer Contributions for Schools’ which states that within the Scunthorpe and Bottesford Urban Area only developments of 25 dwellings and upwards are considered major developments (this area has a higher capacity to absorb) and trigger the requirement for an education contribution.

The council’s Education department has been consulted and states that £8,301 per dwelling would be required to mitigate the development against impacts upon local education infrastructure. The proposal is therefore contrary to the aims of policy C1. However, the applicant has submitted a viability statement which is still under consideration; should this be acceptable the proposed development would be in line with paragraph 173 of the NPPF.

Public open space

Policy H10 is concerned with the provision of open space in new housing developments and is supported by SPG10. It states that new housing developments on allocated and windfall sites of 0.5 hectares or more will be required to provide recreational open space on a scale, and in a form, appropriate to serve the needs of residents, or alternatively, where appropriate, to provide commuted payments for this provision to be made off-site, either individually or in combination with existing or other proposed recreational sites and facilities.

The applicant proposes to provide an area of space to the south-east of the site for use as public open space. The Section 106 officer has been consulted and states that on top of the public open space a contribution towards a local equipped area of play (LEAP) is required and this would trigger an additional contribution of £42,000. The applicant has stated that they would seek the council to manage the open space at an additional cost of £37,000 for 10 years.

There is an existing play area accessed from Asterby Road that abuts the site. It is considered that the proposal has the potential to align with policies H10 of the local plan and CS23 of the Core Strategy. Furthermore, the applicant has submitted a viability statement which is still under consideration; should this be acceptable the proposed development would be in line with paragraph 173 of the NPPF.

Conclusion

This application seeks approval to erect 85 dwellings on an allocated site (SCHUH-5). The applicant will provide on-site recreation including a contribution to its ongoing management. The applicant does not propose any other recreational contribution, provision or contribution to affordable housing, contribution to the education infrastructure or to transport infrastructure. The applicant has submitted a Viability Statement stating that these contributions cannot be met; the information is still being assessed. Should the viability be acceptable this would mean that a request for the above contributions would make the site undeliverable; therefore the proposed development would accord with paragraph 173 of the NPPF.

RECOMMENDATION

Subject to the completion of a satisfactory formal agreement (and dependent upon agreement of the submitted viability statement) under Section 106 of the Town and Country Planning Act 1990 to secure the provision of the ongoing management of the on-site public open space, the committee resolves:

- (i) it is mindful to grant permission for the development;**
- (ii) the decision be delegated to the Group Manager – Development Management and Building Control upon completion of the satisfactory obligation;**
- (iii) if the obligation is not satisfactory or completed by 15 September 2018 the Group Manager – Development Management and Building Control be authorised to refuse the application on grounds of inadequate provision of essential community benefits; and**
- (iv) 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.

The development hereby permitted shall be carried out in accordance with the following approved plans: Site Plan 1509.04.01; House Types: 301/G; 202/F; 201/1F; 303/1E; 309/1E; 307/1B; 304/1E; 403/1H; 313/1, Double Garage SD701, Single Garage 700; Travel Plan dated Dec 2017; Ecological Appraisal by RSK.

Reason

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

3.

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.

4.

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.

5.

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.

6.

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.

7.

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.

8.

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.

9.

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.

10.

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.

11.

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.

12.

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.

13.

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.

14.

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.

15.

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.

16.

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.

17.

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, in accordance with policy CS19 of the North Lincolnshire Core Strategy.

18.

The development hereby permitted shall not commence until drainage plans for the disposal of surface water and for the disposal of surface water and foul sewage have been submitted to and approved by the local planning authority. The scheme shall be implemented in accordance with the approved details before the development is brought into use.

Reason

To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem, and to minimise the risk of pollution, in accordance with policy DS14 of the North Lincolnshire Local Plan.

19.

No development shall take place until details have been submitted to and approved in writing by the local planning authority of the make, type and colour of all external facing materials for the development and only the approved materials shall be used.

Reason

To ensure that the building is in keeping with its surroundings in the interests of visual amenity, in accordance with policy DS1 of the North Lincolnshire Local Plan.

20.

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. No dwelling shall be occupied until the agreed boundary treatment for that plot has been built/planted, and once built/planted it shall be retained.

Reason

To provide an appropriate level of screening in accordance with policies CS5 of the North Lincolnshire Core Strategy and DS1 of the North Lincolnshire Local Plan.

21.

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.

22.

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

In the interests of biodiversity and amenity in accordance with policies CS17 of the North Lincolnshire Core Strategy and LC12 of the North Lincolnshire Local Plan.

23.

No development shall take place until details of bin storage have been submitted to and agreed in writing with the local planning authority.

Reason

In the interests of residential amenity and in accordance with policy DS1 of the North Lincolnshire Local Plan.

24.

No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of an archaeological mitigation strategy, to be defined in a Written Scheme of Investigation that 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 by record of archaeological features of identified importance along the eastern boundary of the development site
- (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 the North Lincolnshire 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 paragraph 141 of the National Planning Policy Framework, policy CS6 of the North Lincolnshire Core Strategy and policy HE9 of the North Lincolnshire Local Plan because archaeologically significant remains may be destroyed during construction groundwork along the eastern boundary of the site; the proposed archaeological mitigation strategy will ensure that any remains are appropriately recorded and a permanent archive created.

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 paragraph 141 of the National Planning Policy Framework, policy CS6 of the North Lincolnshire Core Strategy and policy HE9 of the North Lincolnshire Local Plan because archaeologically significant remains may be destroyed during construction groundwork along the eastern boundary of the site; the proposed archaeological mitigation strategy will ensure that any remains are appropriately recorded and a permanent archive created.

26.

A copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at the North Lincolnshire 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 paragraph 141 of the National Planning Policy Framework, policy CS6 of the North Lincolnshire Core Strategy and policy HE9 of the North Lincolnshire Local Plan because archaeologically significant remains may be destroyed during construction groundwork along the eastern boundary of the site; the proposed archaeological mitigation strategy will ensure that any remains are appropriately recorded and a permanent archive created.

27.

No development 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, hedgehogs and nesting birds during vegetation clearance and construction works;
- (b) details of bat roosting features to be installed in at least ten new dwellings;
- (c) details of swift bricks to be installed in at least 15 new dwellings;
- (d) details of at least 10 further bird nesting features to be installed to support a variety of species, including starling and house sparrow;
- (e) restrictions on lighting to avoid impacts on bat roosts, bat foraging areas, bird nesting sites and sensitive habitats;
- (f) provision for hedgehogs to pass through any fencing installed between gardens and between areas of grassland;
- (g) prescriptions for the planting and aftercare of native trees, shrubs and wildflowers of high biodiversity value. Details of wildflower establishment shall include details of low nutrient soils to be used, UK origin seed mixes and the mechanism for long-term ongoing management with removal of mown material;
- (h) prescriptions for biodiversity enhancement in drainage features;
- (i) a commitment to provide each new dwelling with a wildlife gardening advice pack to be approved in writing by the local planning authority;
- (j) proposed timings for the above works in relation to the completion of the dwellings.

Reason

To conserve and enhance biodiversity in accordance with policies CS5 and CS17 of the North Lincolnshire Core Strategy.

28.

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. Prior to the occupation of the seventieth dwelling hereby approved, the applicant or their successor in title shall submit a report to the local planning authority, providing evidence of compliance with the biodiversity management plan.

Reason

To conserve and enhance biodiversity in accordance with policies CS5 and CS17 of the North Lincolnshire Core Strategy.

29.

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.

30.

No stage of the development hereby permitted shall commence until a construction environmental management plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include the following:

Noise and vibration: The CEMP shall set out the particulars of:

- (a) the works, and the method by which they are to be carried out;
- (b) the noise and vibration attenuation measures to be taken to minimise noise and vibration resulting from the works, including any noise limits; and
- (c) a scheme for monitoring the noise and vibration during the works to ensure compliance with the noise limits and the effectiveness of the attenuation measures

Light: The CEMP shall set out the particulars of:

- (a) specified locations for contractors' compounds and materials storage areas;
- (b) areas where lighting will be required for health and safety purposes;
- (c) location of potential temporary floodlights;
- (d) identification of sensitive receptors likely to be impacted upon by light nuisance;
- (e) proposed methods of mitigation against potential light nuisance, including potential glare and light spill, on sensitive receptors

Dust: The CEMP shall set out the particulars of:

- (a) site dust monitoring, recording and complaint investigation procedures;
- (b) identification of receptors and the related risk of dust impact at all phases of the development, including when buildings and properties start to be occupied;
- (c) provision of water to the site;
- (d) dust mitigation techniques at all stages of development;
- (e) prevention of dust trackout;
- (f) communication with residents and other receptors;
- (g) a commitment to cease the relevant operation if dust emissions are identified either by regular site monitoring or by the local authority;
- (h) a no burning of waste policy.

Reason

In the interests of amenity and in accordance with policy DS11 of the North Lincolnshire Local Plan.

31.

Construction and site clearance operations shall be limited to the following:

- 7am to 7pm Monday to Friday

- 7am to 1pm on Saturdays.

No operations shall take place on Sundays or public/bank holidays.

HGV movements shall not be permitted outside these hours during the construction phase without prior written approval from the local planning authority.

Installation of equipment on site shall not be permitted outside these hours without prior written approval from the local planning authority.

Reason

In the interests of amenity and in accordance with policy DS11 of the North Lincolnshire Local Plan.

32.

Development shall not commence until elevations in relation to the substation have been submitted to and agreed in writing by the local planning authority.

Reason

In the interests of amenity in accordance with policy DS1 of the North Lincolnshire Local Plan.

Informative 1

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

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

Informative 2

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.