

<b>APPLICATION NO</b>	<b>PA/2015/1235</b>
<b>APPLICANT</b>	Neal Group Ltd
<b>DEVELOPMENT</b>	Planning permission for demolition of existing sales building, canopy link, carwash facilities and 9 Ferriby Road. Part removal of retaining wall and embankment. Erection of new sales building, jet wash bay, retaining walls, extension of forecourt and parking area. Installation of 2 50,000 Ltr underground fuel tanks and alterations to access
<b>LOCATION</b>	Southbank Service Station, Ferriby Road, Barton upon Humber, DN18 5LE
<b>PARISH</b>	<b>Barton upon Humber</b>
<b>WARD</b>	Barton
<b>CASE OFFICER</b>	Andrew Law
<b>SUMMARY RECOMMENDATION</b>	<b>Grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Member 'call in' (Councillor Jonathan Evison – significant public interest)  Objection by Barton upon Humber Town Council

## **POLICIES**

**National Planning Policy Framework:** Paragraph 19 – The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.

Paragraph 56 – The Government attaches great importance to the design of the built environment. 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 60 – Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.

Paragraph 64 – 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.

Paragraph 129 – Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available

evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

#### **North Lincolnshire Local Plan:**

Policy S10 (Petrol Filling Stations)

Policy S7 (Edge-of-centre Retail and Leisure Development)

Policy T2 (Access to Development)

Policy T19 (Car Parking Provision and Standards)

Policy HE2 (Development in Conservation Areas)

Policy DS1 (General Requirements)

#### **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 CS6 (Historic Environment)

Policy CS14 (Retail Development)

Policy CS22 (Community Facilities)

### **CONSULTATIONS**

**Highways:** No objection subject to conditions.

**Environmental Health:** Recommend conditions.

**Conservation:** No objection subject to conditions.

**Barton Civic Society:** Object to the demolition of 9 Ferriby Road. To demolish number 9 would destroy the pleasing symmetry of the properties and the general aesthetics of the street as a whole. Although outside the conservation area, the lower end of Ferriby Road is important as one of the main approaches into the heart of the town and as much of the original character should be retained as possible.

### **TOWN COUNCIL**

Barton Town Council objects to the demolition of 9 Ferriby Road. It is understood that part of the archway to be demolished incorporated part of number 11's property. Demolition of this property would spoil the heritage and street scene of these attractive properties on the

main fare into the town. Demolition of the dwelling appears to be of no benefit to the proposals or address road safety concerns for the surrounding area.

The town council also raises concerns relating to vehicular queuing and congestion on the main road; the positioning of large fuel tanks in a residential area; the unsuitable height and use of materials which are considered to be out of keeping with the surrounding area; and the structural implications of removing/replacing the existing retaining wall which secures the residential gardens to the rear which are at a higher level.

## **PUBLICITY**

Neighbouring properties have been notified by letter and site notices posted. Letters of objection have been received raising the following concerns:

- Damage may be caused to the adjacent property as a result of demolition and construction operations.
- The removal and alteration of the embankment and retaining wall could lead to serious structural issues to this property.
- There is the potential for light pollution from artificial lighting.
- Construction works will result in disturbance to the surrounding area, including local residents and the highway.
- Noise and disturbance will result from the increased comings and goings.
- The proposed ATM could be in use 24 hours per day generating traffic movement throughout the night.
- There are existing noise issues with facilities on the site.
- The proposed retail unit will affect the flow of traffic on site as people leave their cars blocking pumps while shopping. This will result in queuing traffic onto the highway.
- The proposed development will generate a significant increase in vehicle movements on an already busy stretch of road and will result in congestion.
- Pedestrian visitors will be required to walk the length of the forecourt area which is dangerous.
- There are insufficient parking spaces for the proposed development.
- The design of the building is out of keeping with the area and would be harmful to the setting of the adjacent conservation area, particularly the roof.
- The building will impact on the amenities of neighbours as it is closer to the boundary and will result in loss of light.
- The proposed venting stack is directly adjacent to a residential boundary.
- The proposed customer parking area sits directly adjacent to a residential property and will result in noise and disturbance.

- There is no need for a convenience goods store in this location as Barton is already well served with supermarkets and convenience stores close by.
- The demolition of number 9 would affect a historic row of terraced properties.
- Number 11 has right of access through the archway to their rear gate; this needs to be maintained without impedence.
- The boundary wall of number 11 should be better protected from vehicle collisions than the proposed spaced bollards.
- There is a housing shortage in the area and we should not be demolishing perfectly good dwellings.
- The demolition of number 9 will leave a less than pleasing gable to number 11.

Letters of support have been received on the following grounds:

- The updated plans have addressed concerns of queuing on Ferriby Road by adding extra pumps and therefore enabling faster turn-around.
- This is the only petrol station serving a large and growing town and it makes sense to increase its capacity.
- The proposal will benefit the community by creating additional local jobs.
- The proposed ATM will be convenient, particularly given the recent bank closures in Barton.
- Adding three additional pumps and improving access is an improvement to the already consented development on the site.
- The application should be supported as we should be supporting local businesses which wish to grow.
- The proposal will improve the traffic problems caused by the existing site by providing additional pumps and parking spaces.

## **ASSESSMENT**

The application site is Southbank Service Station located on Ferriby Road, Barton upon Humber close to the mini-roundabout junction with Barrow Road, Holydyke and Hungate. The site is located within the development boundary of Barton, adjacent to the conservation area. The site is largely hard surfaced, with a raised grass area to the rear and comprises a bank of fuel pumps housed under a large canopy, a small kiosk building, and car washing facilities towards the rear of the site. Access to the site is via Ferriby Road to the front. The surrounding area is predominantly residential in nature, with dwellings adjacent to the site on either side and to the rear. There are commercial premises across Ferriby Road comprising a hand car wash on the road frontage and other commercial units to the rear.

This application seeks planning permission to demolish number 9 Ferriby Road, the existing sales building, canopy link and car washing facilities and to erect a new, significantly larger

retail building to the rear of the site, an extension to the forecourt and parking area, and a jet wash bay. The proposal also includes the removal of part of an existing retaining wall to the rear of the site and the erection of a new retaining wall to facilitate the construction of the new building and the installation of two 50,000 litre underground fuel tanks.

A previous application (PA/2015/0006) was recently approved by the planning committee for the demolition of the existing petrol station buildings and for the new sales building, altered forecourt area and the replacement of the retaining wall. This current application differs from the previous approval in that it includes the demolition of 9 Ferriby Road and extends the forecourt area to provide an additional three fuel pumps and provides new fuel tanks below ground.

**The main issues to consider in the determination of this application are:**

- **whether the principle of a new retail building in this location is acceptable;**
- **whether the design of the new building would have an unacceptable impact on the character and appearance of the area and the adjacent conservation area;**
- **whether the development would be harmful to highway safety in the area;**
- **whether the proposed development would have an unacceptable impact on the amenity of neighbouring properties; and**
- **whether the demolition of 9 Ferriby Road is acceptable.**

**Principle**

Policies S10 (Petrol Filling Stations) and S7 (Edge-of-Centre Retail Development) of the North Lincolnshire Local Plan are the most relevant policies in this instance. Policy S10 sets out the criteria against which proposals for petrol filling stations will be assessed and policy S7 provides guidance on what constitutes edge-of-centre retail development and when this will be supported.

Policy S10 supports the development of petrol filling stations subject to certain criteria. This policy states that permission will not be granted for new petrol stations in residential areas or the open countryside unless it can be demonstrated that there is no viable alternative site in non-residential areas or within a settlement boundary. Policy S10 also requires that petrol stations do not have an unacceptable impact on the character and appearance of the area, highway safety or residential amenity.

The application site is an existing petrol filling station and the proposed development is for the extension and improvement of facilities on site. The proposal is not for a new petrol station and as such there are no viable alternative sites for the proposed development. On this basis it is considered that the proposed development would comply with policy S10 provided that it does not result in an unacceptable impact on the character and appearance of the area, highway safety or residential amenity. These issues are considered in detail below.

The application site is located outside the defined town centre shopping area, in an edge-of-centre location. In this location new retail developments, in accordance with policy S7 of the North Lincolnshire Local Plan, will only be permitted provided it can be demonstrated that

there is a need for the development, there are no viable alternative locations within the town centre and it is within easy walking distance, with unrestricted links to the shopping centre.

In this instance, the application site is within easy walking distance of the defined town centre, with unrestricted pedestrian links. The proposal is for an enlarged and improved retail development at an existing site and is directly linked to the existing petrol filling station. The existing retail building has a tradeable floor area of approximately 30 square metres, whilst the tradeable area of the proposed building is approximately 200 square metres. The proposed development therefore results in a net increase of approximately 170 square metres of tradeable floor area. The larger retail area will support the existing business, create further jobs and provide enhanced facilities for the local community. There is therefore a demonstrable need for the development to be in this location. As the development is directly linked to the existing filling station on site, there are no viable alternative locations for the development within the defined shopping area. On this basis the proposed development complies with the requirements of policy S7 and a larger retail unit is considered to be acceptable in principle.

## **Appearance**

At present the majority of development is focused towards the front of the site, with the rear of the site being predominantly open and used for car washing and vacuuming. Existing structures on site comprise a large canopy area covering the fuel pumps and linking to a small, single-storey sales building sited on the south-western boundary of the site and a small wash plant building in the rear corner of the site. There is a raised, grassed area at the rear of the site separated from the forecourt area by a retaining wall.

The proposed development will see the existing sales building and link canopy removed from the front of the site and the small plant building removed from the rear corner. These structures will be replaced by a large retail building set to the very rear of the site, on the site of the car washing/vacuuming area and part of the raised grassed area.

The new retail building is of a contemporary design and uses modern materials, including a large amount of glazing to the front elevation, as well as render and cladding, and metal sheeting for the roof. The side and rear elevations of the building are to be constructed of brickwork. This building is much larger than the existing building on site, measuring approximately 26 metres wide by 11 metres deep, with a ridge height of approximately 10 metres

The proposed building, in terms of its design and use of materials, will not be the same as surrounding development which is predominantly traditional brick and tile dwellings. However this is a commercial building, on an existing commercial site and replaces existing structures that are not typical of development in the area. The existing sales building makes no positive contribution to the street scene or the character of the area and is of poor quality design and construction. Furthermore, the new building will be sited to the very rear of the site some 30 metres from the front boundary, behind the existing canopy and fuel pumps. As such the building will only be visible when viewed from the front of the site and will not be widely visible when approaching the site along Ferriby Road when it will be screened by existing dwellings on the road frontage. For these reasons it is considered that the building, whilst not in keeping with adjacent properties, will have no significant harmful impact on the character or appearance of the area.

The site is not located within the conservation area for Barton; however it is located directly adjacent the conservation area. As such the impact of the proposed development on the setting of the conservation area is a material consideration. The council's conservation officer has been consulted and has raised no objections to the proposals subject to a condition requiring the colour of the render panels and metal sheeting for the roof being agreed. Again it should be noted that, due to the building's siting at the rear of the site, it does not sit prominently within the street scene and is not highly visible from important views into or out of the conservation area. Therefore, subject to the recommended condition, it is considered that the proposed development will not be harmful to the setting of the conservation area.

### **Highway safety**

Numerous objections have been raised citing existing problems with congestion along Ferriby Road as a result of the petrol filling station. Concerns have been raised that the proposed development, and in particular the addition of a large area for the sale of convenience goods, will generate significant additional vehicle movements to and from the site, exacerbating this issue. However, the proposed store is linked directly to the existing filling station and is intended to serve customers of the filling station as well as local residents in the immediate area. There are numerous supermarkets and convenience stores located within Barton and it is unlikely that the proposed retail element will attract a significant number of customers from the wider area other than those purchasing fuel. Therefore, whilst the development will likely result in some increase in vehicle movements to and from the site, this increase in movements is unlikely to be significant and will not have any demonstrable impact on highway safety. The council's Highways department has been consulted and has raised no objection to the proposed development on highway safety grounds subject to conditions.

A new parking area with 10 parking bays and 1 disabled parking bay is proposed on the site of 9 Ferriby Road and this area will provide parking for customers visiting the convenience store. Currently there are no customer parking areas serving the site. Furthermore, amended plans submitted with the current scheme introduce an additional 3 fuel pumps to the site, doubling the amount of pumps on site and thereby doubling the number of cars that can be filled with petrol at one time. This will help alleviate existing problems of congestion on Ferriby Road by reducing the need to queue for access to a fuel pump.

Several objectors have also raised concerns that the demolition and construction works proposed will result in significant disruption to the local highway network. Whilst some level of disturbance is associated with the vast majority of development proposals and such disturbance is limited to the duration of works, the Highways department has suggested a condition requiring a demolition/construction phase traffic management plan to be submitted and agreed prior to works commencing. This plan will detail how works are to be managed to ensure that disturbance to the local highway network is minimised. The suggested condition would ensure that the development works themselves do not result in any unacceptable impact on the highway network in the area, and is considered necessary in this instance due to the proximity of the site to a busy roundabout.

### **Residential amenity**

The site is already in operation as a petrol filling station and associated sales building. Therefore the use and operation of the site will remain the same, the main difference being the size of the retail building and forecourt area. There are currently no planning restrictions

governing hours of operation of the site, which could be operated throughout the night if desired. It is proposed by the applicant to open to customers between the hours of 6am and 11pm, seven days per week and this can be secured via a planning condition. Whilst the filling station does not currently open as late as proposed, this could change at any time without the need for planning permission. The proposed hours are considered to be appropriate for a petrol filling station and associated convenience store, particularly considering that the site is currently unrestricted in terms of its hours of operation. The larger sales area may result in some increase in vehicular movements to and from the site, however due to the location of the site and the range of convenience stores in the area, this increase is unlikely to be significant. Therefore there will be no significant increase in noise and disturbance as a result of the proposed development above and beyond what could be expected at present.

The proposed customer parking area does run along the south-western boundary of the site, adjacent to 11 Ferriby Road. However, the parking area sits adjacent to and will be incorporated into the existing forecourt area of the filling station. Furthermore, 11 Ferriby Road will have a blank gable facing onto the site, with no window or door openings. For these reasons, any additional noise and disturbance caused by the introduction of the parking bays in place of 9 Ferriby Road will be minimal.

Concerns have been raised with regard to the proximity of the proposed vent stack to the adjacent property to the north-east of the site. The existing vent stack is located close to this boundary but is set further back in the site and as such the proposed stack is closer to 3 Ferriby Road. However the vent stack has been designed with a kink so that its discharge point is a minimum of 2 metres from the boundary, with a height of at least 5 metres. The council's Environmental Health department has been consulted and has raised no concerns with regard to the proximity of the vent stack to adjacent properties. Environmental legislation requires such vent stacks to be located a minimum of 3 metres from residential properties, with a minimum height of 5 metres. The proposed stack complies with these restrictions. The stack is required for safety purposes.

The proposed building is significantly larger than the structures being replaced and with a height of approximately 10 metres at the highest point has the potential to result in loss of light to neighbouring properties. However, the building is sited to the very rear of the site, 30 metres from the road frontage, whereas the adjacent residential properties are built up to the back of the footpath. As such there is a considerable distance between the building and the neighbouring dwellings. Furthermore, the properties to the south-west, due to their orientation and the path of the sun, will receive direct sunlight, unaffected by the building, for the majority of the day. The properties to the north-east, as well as being located a considerable distance from the building, are separated from it by existing buildings, which sit directly adjacent to the north-east boundary. Properties to the rear are also a long way from the building and in addition are sat at a significantly higher level (approximately 3 metres) than the application site.

A condition has been suggested by the Environmental Health department with regard to external lighting of the site. This condition requires details of all external lighting to be submitted and agreed prior to works commencing, including mitigation measures to prevent light nuisance from potential glare and light spill from the site. This condition will ensure that the proposed development will not result in light pollution or light nuisance to neighbouring properties.



Conditions have also been suggested with regard to hours of demolition and construction works and a dust mitigation plan to be implemented for the duration of these works. These conditions will further protect the amenity of residential properties whilst building works are being undertaken. A further condition is recommended requiring details of all air-conditioning and refrigeration units to be submitted and agreed prior to their installation; these details would include noise levels and any necessary mitigation measures. This condition will prevent unacceptable noise and disturbance as a result of external plant and equipment.

For the reasons outlined above it is considered that, subject to appropriate conditions, the proposed development would not result in any unacceptable loss of amenity for neighbouring residential properties.

### **Demolition of 9 Ferriby Road**

Numerous letters have been received raising objection to the demolition of 9 Ferriby Road due to its importance as part of a historic terrace and due to concerns over the structural implications to neighbouring properties.

Number 9 is not a listed building and is not located within the conservation area for Barton. This is a relatively old property and forms part of a historic terrace and is linked to the other terraced properties over a large archway. The loss of this dwelling would have an obvious impact on the street scene; however the loss of a single dwelling from the end of the long row of terraced properties would not have an unacceptable impact on the character or appearance of the area. The council's conservation officer has been consulted on the application and has raised no objection to the demolition of number 9 and its impact on the setting of the nearby conservation area.

The demolition of number 9 will be subject to control under Building Regulations and will require the input of a structural engineer to ensure that it will not result in structural damage to neighbouring properties. Furthermore, number 9 is separated from number 11 by an arched passage and is only attached at first-floor level; as such the structural impact of the demolition on this neighbouring property will be reduced.

The demolition of number 9 allows for the extension of the forecourt area and helps to alleviate concerns relating to congestion on Ferriby Road. Whilst its loss will be noticeable, it is considered that the impact upon the character of the area will not be significant and that this demolition is acceptable.

### **Miscellaneous**

It has been suggested that the proposed development will result in damage to neighbouring properties as a result of the removal of part of the raised embankment at the rear of the site and the construction of a new retaining wall in a different location to the existing wall. This is not a planning matter and is covered by separate legislation; however the applicants and their architect have a responsibility to ensure that the structural issues regarding the partial demolition and rebuilding of the retaining wall are properly considered. Should planning permission be granted, an informative could be included on the decision notice to make the applicants aware of this issue and that the proper structural assessment and design should take place.

Several objectors have stated that Barton and the area around the site is well served by supermarkets and convenience goods stores, including Lidl, Tesco, Co-op and Spa shops and that there is no need for a new convenience store in this location. There is no requirement for the applicant to demonstrate a need for the proposed development and competition with existing retailers is not a material planning consideration. However the proposed store is directly linked to the existing petrol filling station and will support this existing business by providing improved retail facilities. Due to the nature of the retail development and its direct link to the petrol filling station, the new, larger, retail building will not affect the viability of the town centre.

It has been suggested that the site is of archaeological interest and that the proposed works could have an impact on archaeological remains. The council's archaeologist has confirmed that the North Lincolnshire Historic Environment Record is not aware of any potential archaeological sensitivity of the site and therefore they would not require any archaeological investigation in this instance.

Objections have also been raised with regard to devaluation and future saleability of adjacent properties. This is not a material planning consideration and is not a valid reason for the refusal of planning permission.

**RECOMMENDATION      Grant permission subject to the following conditions:**

1.  
The development must be begun before the expiration of three years from the date of this permission.

**Reason**

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

2.  
The development hereby permitted shall be carried out in accordance with the following approved plans: 140859\_PL10, 140859\_PL11, 140859\_PL12 and 140859\_PL13.

**Reason**

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

3.  
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.

4.  
No development shall take place until details of the positions, design, materials and type of boundary treatment to be built/planted have been agreed in writing by the local planning authority. The agreed boundary treatment shall be built/planted before the building is occupied in accordance with a programme to be submitted to and agreed in writing by the local planning authority before development is commenced, and once built/planted it shall be retained.

Reason

To protect the character of the area in accordance with policy DS1 of the North Lincolnshire Local Plan.

5.

The proposed new unit shall not be brought into use until the vehicle access to it and the vehicle parking, turning and servicing areas serving it have been completed in accordance with the approved details. Once complete the vehicle parking, turning and servicing areas 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 take place until a demolition 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 policies T2 and T19 of the North Lincolnshire Local Plan.

7.

The premises shall not be open to customers before 7am or after 11pm.

Reason

In the interest of protecting the amenity of neighbouring residential properties in accordance with policies DS1 and S10 of the North Lincolnshire Local Plan.

8.

Deliveries to the site shall not take place outside of the following hours:

- Monday to Friday: 7am to 8pm
- Saturdays: 9am to 5pm
- Sundays, bank holidays and public holidays: 10am to 4pm.

Reason

In the interest of protecting the amenity of neighbouring residential properties in accordance with policies DS1 and S10 of the North Lincolnshire Local Plan.

9.

Demolition and construction operations shall be limited to the following hours:

- Monday to Friday: 8am to 6pm
- Saturdays: 8am to 1pm.

No demolition 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 interest of protecting the amenity of neighbouring residential properties in accordance with policy DS1 of the North Lincolnshire Local Plan.

10.

Prior to any demolition, site clearance or construction activities taking place the applicant shall submit to the local planning authority a dust management plan for approval. The approved dust management plan shall be adhered to until the construction phase has been completed.

Reason

To protect residential amenity in accordance with policy DS1 of the North Lincolnshire Local Plan.

11.

No development shall commence until an assessment of the potential for light impact has been undertaken, submitted to and approved in writing by the local planning authority. The assessment shall include:

- identification of sensitive receptors likely to be impacted upon by light nuisance; and
- a lighting scheme which proposes methods of mitigation against potential light nuisance, including potential glare and light spill, on sensitive receptors.

Once approved the agreed lighting scheme shall be implemented and permanently retained. Any deviation from the agreed lighting scheme shall require approval in writing by the local planning authority.

Reason

To protect residential amenity in accordance with policy DS1 of the North Lincolnshire Local Plan.

12.

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) 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.

13.

Spray prevention screens shall be erected within two months of the date of this permission, the location and design of which shall be agreed beforehand in writing by the local planning authority. The screens shall be retained thereafter for as long as the site is used as a car wash.

#### **Reason**

To protect residential amenity in accordance with policy DS1 of the North Lincolnshire Local Plan.

14.

Prior to the commencement of development, details of the air conditioning systems and refrigeration units shall be submitted to the local planning authority for approval. The submitted details shall include the location, layout and specification of the air conditioning system and refrigeration units, including noise data. The noise data must include details of noise levels emitted by the proposed plant, including frequency spectrum information, noise attenuation measures if appropriate and the resulting predicted noise level at the closest residential property. The agreed air conditioning system, including any agreed noise attenuation measures, shall be installed prior to the commencement of use of this development, and shall be retained thereafter.

#### **Reason**

To protect residential amenity in accordance with policy DS1 of the North Lincolnshire Local Plan.

#### **Informatives**

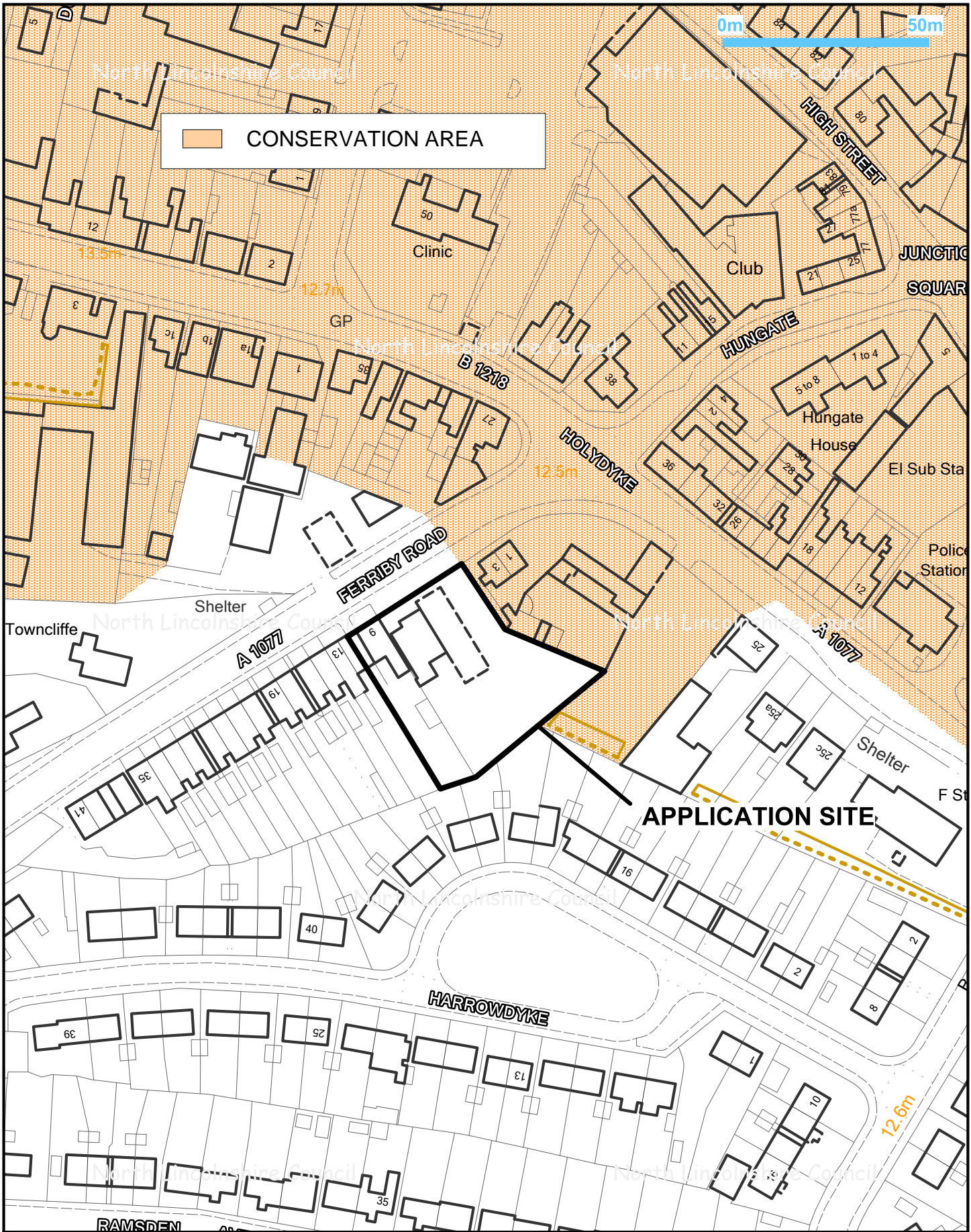
1.

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.

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.

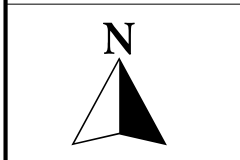


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Drawn by: Sue Barden

Date: 21/01/2016

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