

Full planning permission

APPLICATION NO: PA/2023/616

Address/Agent:

Simon Coyne
CDC Architecture Ltd
35 Louth Road
GRIMSBY
DN33 2HP

Applicant: Patrick Gilboy

North Lincolnshire Council hereby gives notice that the application received on 26/04/2023 for:

Planning permission to erect a detached dwelling and garage at Elsham House, Brigg Road, Wrawby, DN20 8RH

has been considered and that permission for this development in accordance with the plans and written particulars submitted has been granted subject to the following conditions and reasons:

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:

- Drawing number 22-526 - 100 Revision D (Site Location Plan and Block Plan)
- Drawing number 22-526 - 200 Revision E (Proposed Layouts and Elevations)
- Drawing number 22-526 - 102 Revision A (Site Long Section).

Reason

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

3.

The walling of the dwelling hereby permitted shall be constructed of materials as shown on drawing number 22-526 - 200 Revision D (Proposed Layouts and Elevations). The roofing shall be completed in accordance with details of materials which have first been submitted to and approved in writing by the local planning authority.

Reason

In the interests of good design.

4.

The existing vehicular access to the site shall be improved within highway limits in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason

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

5.

The dwelling hereby permitted shall not be first occupied until the proposed parking facilities have been provided in accordance with the approved plans. The parking spaces shall thereafter be retained, available for the parking of vehicles, for the lifetime of the development.

Reason

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

6.

The dwelling hereby permitted shall not be first occupied until the private driveway has been completed up to its junction with the vehicular access to that dwelling in accordance with details which have first been approved in writing by the local planning authority. The private driveway shall thereafter be maintained in accordance with the approved details for the lifetime of the development.

Reason

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

7.

No loose material shall be placed on the access driveway serving the site within 10 metres of the adopted highway.

Reason

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

8.

No development shall take place until a construction phase traffic management plan showing details of:

- (i) a pre/post construction condition survey of the carriageway to identify any defects and how they will be rectified;
- (ii) all associated traffic movements, including delivery vehicles and staff/construction movements;
- (iii) any abnormal load movements;
- (iv) contractor parking and welfare facilities;
- (v) storage of materials; and

- (vi) traffic management requirements, including the means of controlling the deposition of mud onto the adjacent highway, along with appropriate methods of cleaning the highway, as may be required;

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.

Reason

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

9.

Within three months of the commencement of development, the applicant or their successor in title shall submit a biodiversity metric assessment and biodiversity management plan to the local planning authority for approval in writing. The plan shall include:

- (a) details of measures to avoid harm to great crested newts, hedgehogs, bats and nesting birds during demolition, vegetation clearance and construction works;
- (b) details of habitat and hedgerow creation, enhancement and ongoing management measures required to deliver a net gain in biodiversity units of at least 1% in accordance with the Defra Small Sites Metric;
- (c) details of bird nesting and bat roosting features to be installed on the new buildings;
- (d) restrictions on lighting to avoid impacts on bat roosts, bat foraging areas, bird nesting sites and sensitive habitats;
- (e) provision for hedgehogs to pass through any fencing installed between gardens and between areas of grassland
- (f) prescriptions for the retention, planting and aftercare of trees and shrubs of high biodiversity value;
- (g) proposed timings for the above works in relation to the completion of the building; activity/development will require a licence.

Biodiversity units shall be delivered on site, within the red line and blue line boundaries shown on the submitted Location Plan.

Reason

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

10.

The biodiversity management plan approved under condition 9 above, shall be carried out in accordance with the approved details and timings, and the approved features shall be retained thereafter. Prior to the occupation of the dwelling hereby permitted,

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 Core Strategy.

11.

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

A Phase 1 desk study shall be carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk study shall establish a 'conceptual model' of the site and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/Quantitative Risk Assessment (or state if none required). Two full copies of the desk study and a non-technical summary shall be submitted to the local planning authority for approval prior to proceeding to further site investigation. 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 Environment Agency's Land Contamination Risk Management (LCRM) guidance July 2023.

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, 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 the site is safe for future users and construction workers.

12.

The dwelling hereby permitted shall not be occupied until a detailed surface water drainage scheme for the site has been fully implemented in accordance with details which have first been submitted to and approved in writing by the local planning authority. The surface water drainage scheme shall be based upon the submitted Outline Sustainable Drainage Strategy, prepared by Roy Lobleby, Issue No: 1, dated: 20/06/2023 and shall fully address overland flow flood risk and surface water drainage for the existing and proposed access road leading to all properties. The drainage scheme shall demonstrate that surface water run-off generated up to and including the 1 in 100-year critical storm (including an allowance for climate change which should

be based on current national guidance) will not exceed the run-off from the existing site. It shall also include details of how the resulting completed scheme is to be maintained and managed for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime so that flood risk, both on and off the site, is not increased. SuDS must be fully considered in accordance with current PPG guidance. Reference should be made to North Lincolnshire Council's SuDS and Flood Risk Guidance Document. Should infiltration not be feasible at the site, alternative sustainable drainage should be used, focusing on above-ground solutions.

Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation and future maintenance of the sustainable drainage structures in accordance with policy DS16 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraphs 159 to 169 of the National Planning Policy Framework.

13.

No development shall commence until the local planning authority has been provided with either:

- (a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the specified development to go ahead; or
- (b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.

Reason

To conserve great crested newts in accordance with saved policy LC5 of the North Lincolnshire Local Plan and policy CS17 of the Core Strategy.

Dated: 8 December 2023

Signed:



Rebecca Leggott
Development Management Lead

Informatives

1.

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 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.

2.

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

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

3.

Our records indicate that the proposed development site is bounded by, or has running through it, a watercourse (surface water pipe/culvert or ditch). Following inspection, the watercourse may need to be cleared, replaced, protected or diverted by the landowner at their expense in accordance with their riparian responsibilities. An easement adjacent to the watercourse may need to be provided for future maintenance. Any other drainage feature found during excavations must be immediately reported to the LLFA Drainage Team, via email to llfadrainageteam@northlincs.gov.uk prior to any further construction works being carried out. Please refer to North Lincolnshire Council's 'Guide to Watercourses and Riparian Ownership' detailing riparian rights and responsibilities. Compliance with this guidance is to ensure the free flow of surface water is maintained throughout the development.

Alterations and/or connections into the watercourse must be consented by North Lincolnshire Council's LLFA Drainage Team, in their capacity as Lead Local Flood Authority, through an Ordinary Watercourse Consent and appropriate discharge rates must be agreed. Please contact the LLFA Drainage team via email to llfadrainageteam@northlincs.gov.uk for further details. Compliance with this guidance is to ensure the free flow of surface water is maintained throughout the development.

WARNING

THIS DOCUMENT DOES NOT CONSTITUTE ANY APPROVAL
UNDER THE BUILDING REGULATIONS

WARNING

This is a PLANNING PERMISSION ONLY. It does NOT convey any approval or consent required under any enactment, byelaw, order or regulation other than those referred to in the heading of this notice. It is IMPORTANT that you should read the notes concerning APPEALS below.

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.

Please note however:

If your application was for **householder development** (dwelling house extensions, alterations, garages, swimming pools, walls, fences, vehicular access, porches, satellite dishes etc) or for a minor commercial application then you must do so **within 12 weeks** of the date of this notice.

- Appeals can be made online at <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK

Purchase Notices

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the council in whose area the land is situated. This notice will require the council to purchase his interest in the land in accordance with the provisions of Part V1 of the Town and Country Planning Act 1990.