



Sangwin Architects Ltd
20 Flemingate
Beverley,
HU17 0NR

Application No:
DC/15/00666/STREM/STRAT
PP-04013220

Case Officer: Mr Matthew Sunman

NOTICE OF DECISION

TOWN AND COUNTRY PLANNING ACT 1990

Application Type: Strategic - Reserved Matters

Proposal: Erection of 50 no. dwellings following outline permission 07/06679/STOUT
(Appearance, Landscaping, Layout and Scale to be considered)
Location: Land North East Of Thorntree Lane Goole East Riding Of Yorkshire DN14 6LJ
Applicant: Peter Ward Homes Ltd

The above application has been considered by the Council in pursuance of their powers under the above mentioned Act and has been APPROVED, in accordance with the terms and details as submitted, subject to the following conditions:

1. Development shall not begin on the site until details of the drainage, construction, services and lighting of the proposed service road(s), including the connection with Thorntree Lane publicly maintained highway have been submitted to and approved in writing by the Planning Authority.

This condition is imposed in order to secure an adequate and safe access to the proposed development area and to ensure that reasonable and adequate space is provided within residential curtilages to meet normal parking demands and avoid the need for vehicles to park on the highway where they could adversely affect the safety of other highway users.

2. No development shall take place until full details of a Wildlife Protection and Enhancement Scheme have been submitted to and approved in writing by the local planning authority. The scheme shall be compiled by a suitably qualified ecologist, include a timetable for implementation and a detailed plan. The scheme shall provide full details of all ecological mitigation, enhancement and management measures and a programme for the implementation and monitoring for each element of the development. The scheme shall include:

- o Full details of appropriate precautionary pre-commencement update surveys for water vole, otter and nesting birds to confirm the presence or absence of the species and to update the information previously submitted with the application together with an amended mitigation and/or compensation strategy to mitigate/compensate the impact of the development if required;
- o Full details of Precautionary Working Method Statements (PWMS) to ensure protection and suitable mitigation to all legally protected species and those habitats and species identified as being of importance to biodiversity during construction, including consideration and avoidance of sensitive stages of species life cycles, such as the bird breeding season;

- o Measures to physically protect features to be retained, including field boundaries and drainage ditches, from mechanical damage;
- o Measures to protect water features from run-off, pollution, adverse changes in water quality and flow;
- o Details of relevant on site working practices, including action to be taken if protected species are found during construction.
- o Assessment of all potential impacts of the development on Mayfield and Broom Park Local Nature Reserve to be assessed and for all significant impacts to be mitigated.
- o Full details of measures for incorporating bat bricks, bat access tiles or bat boxes and bird nesting boxes or bricks within the site, the number of which shall amount to 50% of the total number of the dwellings approved for the development. Information shall include final numbers of each type of box/brick/tile, locations. Development shall be carried out in accordance with measures set out in the approved Wildlife Protection and Enhancement Scheme which shall be implemented in full in accordance with the approved measures and timetable unless otherwise agreed in writing by the Local Planning Authority.

This condition is imposed to ensure that protected species would not be harmed by the development of this site having regard to the Wildlife and Countryside Act 1981 (as amended), The Conservation of Habitats and Species Regulations 2010 (as amended) and in the interests of maintaining and improving habitats, biodiversity and the nature conservation value of the site and its surroundings so as to comply with the National Planning Policy Framework (NPPF) and the Natural Environment and Rural Communities Act (NERC) 2006.

3. The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing Number	Description	Date Received
2860.11.PA	Elevations, Floor Plans and Section (Woburn/Banbury)	27 February 2015
2860.12.PA	Elevations and Floor Plans (Harris pl 20-22)	17 March 2015
2860.13.PA	Elevations and Floor Plans (Harris pl 46-48)	17 March 2015
2860.14.PA	Elevations and Floor Plans (Banbury)	27 February 2015
2860.15.PA	Elevations and Floor Plans (Farndale)	27 February 2015
2860.16.PA	Elevations and Floor Plans (Rockingham)	27 February 2015
2860.17.PA	Elevations and Floor Plans (Rockingham H)	27 February 2015
2860.18.PA	Elevations and Floor Plans (Woburn)	27 February 2015
2860.19.PA	Elevations and Floor Plans (Wansford)	27 February 2015
2860.20.PA	Elevations and Floor Plans (Wansford H)	17 March 2015
2860.21.PA	Elevations and Floor Plans (Wells)	27 February 2015
2860.22.PA	Elevations and Floor Plans (Wells H)	17 March 2015
2860.23.PA	Elevations and Floor Plans (Marlow)	27 February 2015
2860.24.PA	Elevations and Floor Plans (Sandridge)	27 February 2015
2860.25.PA	Elevations and Floor Plans (Wilson)	27 February 2015
2860.26.PA	Elevations and Floor Plans (Wilson H)	27 February 2015
2860.27.PA	Elevations and Floor Plans (Clifton)	27 February 2015
2860/101/PA	Site Sections	27 February 2015
2860/04/PA	Existing Levels Plan	27 February 2015
2860/105/PA	Garage Elevation and Floor Plans, Typical Fence and boundary wall sections and entrance door surrounds	27 February 2015

This condition is imposed for the avoidance of doubt and to ensure that the development hereby permitted is carried out in accordance with the approved details in the interests of the character and amenity of the area and the provisions of the development plan.

Note to Applicant

Note to agent from Public Rights of Way

The scale of the Definitive Map and the information contained within the accompanying statement make precise determination of the PROW lines extremely difficult. Applicants should satisfy themselves that they have determined this first prior to submitting an application. Applicants should not use the planning process to determine the width, status or precise route of a public right of way. It may be from time to time that during the application process, during construction, or post construction that evidence is presented to the authority, that would suggest that any route incorporated within a development, or adjacent to a development site, is not on the correct line, even though the line on the Definitive Map might appear to be protected. The authority is legally bound to consider this evidence and it could lead to a situation, through no fault of the Planning or Highway Authority that a route is built upon, or obstructed by gardens or boundary walls. Applicants should be aware of this, and make all reasonable attempts to seek clarification of this prior to commencing development.

The granting of planning permission does not grant permission to obstruct a public right of way, and applicants should ensure that they have protected the line shown on the Definitive Map.

Interference or improvement of the surface of a public right of way requires the specific permission of the PROW section of the East Riding Council. Interference without permission constitutes an offence under the Highways Act.

Applicants should ensure that they have the necessary private vehicular rights to use the public right of way as driving a motor vehicle on a footpath, bridleway or restricted byway may constitute a criminal offence. The rights of way section reserves the right to have sight of this documentary evidence.

Relevant Planning Policies

Joint Structure Plan (2005)

SP1	Character and distinctiveness of settlements
SP5	Design of new development
ENV2	Strategic nature conservation sites
ENV3	Species protection

Boothferry Borough Local Plan (1999)

EN25	Landscape Improvement/Tree Planting
EN27A	Protection of Ramsar sites/SACs and SPAs
EN30A	Species Protection
EN64	Land Drainage
EN65	Disposal of Foul and Surface Water
EN66	Development Affecting Floodplain/Water Course
S16 (D)	1.9 hectares at Whincroft
S47	Standards of layout and design in residential development
T1	Relationship of Development to Transport System
LT3	Open Play Space Provision

National Planning Policy Framework (March 2012)

Section 4	Promoting Sustainable Transport
Section 6	Delivering a Wide Choice of High Quality Homes
Section 7	Requiring Good Design
Section 10	Meeting the Challenge of Climate Change, Flooding and Coastal Change
Section 11	Conserving and Enhancing the Natural Environment
Section 12	Conserving and Enhancing the Historic Environment

National Planning Policy Guidance (March 2014)

Conserving and enhancing the historic environment
Consultation and pre-decision matters
Design
Determining a planning application
Flood risk and coastal change
Housing and economic development needs assessments
Housing and economic land availability assessment
Local plans
Natural environment
Open space, sports and recreational facilities
Planning obligations
Use of planning conditions
Viability
Water supply, wastewater and water quality

East Riding Local Plan

Submitted Strategy Document and Associated Schedule of Changes (September 2014)

S1	Presumption in Favour of Sustainable Development
S3	Focusing Development
S5	Delivering Housing Development
S8	Connecting people and places
H1	Providing a Mix of Housing and Meeting Needs
H2	Providing Affordable Housing
ENV1	Integrating High Quality Design
ENV2	Promoting a high quality landscape
ENV3	Valuing our heritage
ENV4	Enhancing Biodiversity and Geodiversity
ENV6	Managing Environmental Hazards
A4	Goole and Humber Headlands

Submitted Allocations Document/Proposals Map and Associated Schedule of Changes (September 2014)

Site shown as an existing committed site for residential development

AD1 Existing residential commitments

Other Local and National Planning Policy Guidance

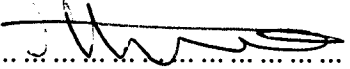
- o Level 1 Strategic Flood Risk Assessment (February 2010)
- o Level 2 Strategic Flood Risk Assessment - Goole (July 2011)
- o Interim Approach on Affordable Housing (July 2014 Update)
- o The Provision of Outdoor Playing Space on New Residential Developments (December 2007)
- o Strategic Housing Land Availability Assessment (SHLAA - April 2014)
- o Affordable Housing Viability Assessment (AHVA - October 2011)
- o Strategic Housing Market Assessment (SHMA - 2011)
- o Manual for Streets
- o Manual for Streets 2

Reason for Decision

The proposal is for the erection of 50 dwellings following outline permission: 07/06679/STOUT. The proposed dwellings, in terms of appearance and scale, together with the site layout and landscaping comply with the principle of development as approved. The proposal also complies with development plan, the Submitted Strategy Document of the East Riding Local Plan, the National Planning Policy Framework and its associated National Planning Practice Guidance in terms of highway safety; drainage and flood risk; and nature conservation. Issues relating to drainage, flood risk, and access were dealt with by way of condition at

outline stage and have not been discharged as part of this reserved matters application. A further highway, as well as a nature conservation, condition are proposed due to the fact they were not included in the outline planning permission.

In making this decision the Council has followed the requirements in paragraphs 186 and 187 of the National Planning Policy Framework.

Signed 

Date : 8 September 2015

✓ Alan Menzies, Director of Planning and Economic Regeneration.

Notes to accompany application no DC/15/00666/STREM/STRAT

- 1. Town and Country Planning Act**
Any approval given by this notice of decision refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under other legislation, e.g. Building Regulations.
- 2. Duration of Permission**
The Town and Country Planning Act 1990 (as amended by the Planning and Compulsory Purchase Act 2004) provides that every permission shall be granted subject to a condition that the development must be begun within a specified time period. This period of time can vary depending on the type of application and the circumstances of the particular case. Usually there will be a specific condition on the notice of decision itself specifying the relevant period but if this has not been imposed, please refer to the provisions of Section 51 of the Planning and Compensation Act 2004 for a definition of the relevant period. Further guidance on this is also available in Circular 8/2005.
- 3. Appeals to Planning Inspectorate**
If you are aggrieved by this decision you can appeal to the Planning Inspectorate within six months of the date of this decision (longer in special circumstances) on a form obtainable from The Planning Inspectorate, 3/05 Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, Tel: 0303 444 00 00. 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 provision of any development order and to any directions given under a development order. The Planning Inspectorate have introduced an online appeals service which you can use to make your appeal online. You can find the service through the Appeals area of the Planning Portal – see <http://www.planningportal.gov.uk/planning/appeals/online/makeanappeal>. The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal). This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.
- 4. Purchase Notice**
If either the Local Planning Authority or the Secretary for the Environment 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 reasonable 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 VI of the Town and Country Planning Act 1990.
- 5. Disabled Persons**
Where permission is granted and relates to development resulting in the provision of buildings or premises to which the public are to be admitted (on payment or otherwise) or of premises being office, shop, railway or factory premises in which persons are employed to work, your attention is directed to Section 4, 7 and 8a of the Chronically Sick and Disabled Persons Act 1970 and to the Code of Practice for Access for the Disabled to Buildings: being the British Standards Institution Code of Practice BS 5810: 1979.
- 6. Fire Brigade Access**
If planning permission is granted and relates to the erection or extension of a building, your attention is drawn to the provisions of Section 14 of the Humberside Act 1982 whereby the Council are required to reject plans submitted for building regulations approval if the plans do not show adequate means of access for the fire brigade to the building or if the erection of the building or extension would render inadequate the means of access for the fire brigade to a neighbouring building.
- 7. Affects Public Right of Way**
A grant of planning permission does not entitle a developer to obstruct a public right of way. Development, in so far as it affects a public right of way, should not be commenced, and the right of way should be kept open for public use, until the necessary order under Section 247 or Section 257 of the Town and Country Planning Act 1990 for the diversion or extinguishment of the right of way has been made and confirmed.
- 8. Approval of Details Required by Condition**
Please note that there is now a fee payable for the submission of any matters required to be submitted for approval by any conditions attached to this permission. The fee is payable for each submission, not for each condition, so you may wish to minimise the fee payable by submitting all of the outstanding details required by all of the conditions at the same time. Relevant forms for the submission of such details are available on the Planning Portal www.planningportal.gov.uk together with details of the fee payable. Please be aware that conditions which require correspondence between the Local Planning Authority and outside bodies could take approximately four weeks, to agree on the suitability of the details submitted. It is therefore in your own interests to submit such information at the earliest opportunity.
- 9. Amendment to Plans**
If you are proposing to alter the plans hereby approved you should first consult the Local Planning Department.