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Leith Planning Ltd
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FY8 4AN

Application No:
DC/13/00931/STOUT/STRAT

Case Officer: **Mr Mark Beevers**

NOTICE OF DECISION

TOWN AND COUNTRY PLANNING ACT 1990

Application Type: **Strategic - Outline Planning Permission**

Proposal: **OUTLINE - Residential Development (Renewal of planning permission 02/04149/OUT)**

Location: **Land North Of 49 Coniston Way Goole East Riding Of Yorkshire DN14 6JL**

Applicant: **Mrs J Smith, Mrs C Webster & Mr D Belton**

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. Approval of the details of the layout, scale, appearance, access and landscaping of the development (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced and the development shall be carried out as approved.

This condition is imposed in order to comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

This condition is imposed in order to comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

3. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

This condition is imposed in order to comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

4. No development shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

This condition is imposed because the submitted application did not specify the materials to be used in the proposed development or the specified materials were not considered acceptable. It is considered that the use of inappropriate materials could be harmful to the appearance of the area and that the Council, therefore, needs to retain a measure of control.

Note: The developer's attention is drawn to the fact that this development cannot commence until all the facing materials have been agreed. A period of at least 10 working days should be allowed for the submission and approval process. Developers are, however, advised that whilst the Council expects to be able to respond within 10 working days, the lack of a response within that time should not be taken as a deemed approval. Please note that samples of materials will only be needed if specifically requested. In the event of this, please arrange with the case officer for the samples to be seen on site.

5. The details to be submitted at reserved matters stage shall include a Design and Access Statement with regard to layout/scale/appearance/access/landscaping.

This condition is imposed to ensure that the development proposed at the reserved matters stage is informed by a Design and Access Statement and the highest possible standards of design are achieved.

6. Unless otherwise agreed in writing with the Local Planning Authority, no building or other obstruction shall be located over or within 5 metres either side of the centre line of the sewer which crosses the site.

This condition is imposed to allow sufficient access for maintenance and repair work at all times.

7. The site shall be developed with separate systems of drainage for foul and surface water on and off site.

This condition is imposed in the interest of satisfactory and sustainable drainage.

8. No development shall take place until details of the proposed means of disposal of foul and surface water drainage, including details of any balancing works and off-site works have been submitted to and approved by the Local Planning Authority. This shall include provision for site drainage during the construction stage to ensure that there is no increase in flood risk to neighbouring properties or risk of pollution of adjacent watercourses. The scheme shall be implemented before the construction of impermeable surfaces draining to this system unless otherwise agreed in writing with the Local Planning Authority.

This condition is imposed to ensure the development can be properly drained and to prevent the increased risk of flooding.

9. Unless otherwise approved in writing by the Local Planning Authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

This condition is imposed to ensure that no foul or surface water discharges take place until proper provision has been made for their disposal.

10. No development shall commence until a scheme for the provision and implementation of a surface water regulation system, including pumping station provision and surface water storage, including displacement of any flood storage area by virtue of building construction, has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall be implemented prior to the construction of any impermeable surfaces draining to the system unless otherwise agreed in writing with the Local Planning Authority.

This condition is imposed to prevent the increased risk of flooding

11. The development shall be carried out in accordance with the approved Flood Risk Assessment by JBA Consulting dated March 2013, and shall incorporate all the proposed mitigation measures detailed in that FRA, unless a more up-to-date Flood Risk Assessment is submitted with the Reserved Matters application(s) which is acceptable to the Local Planning Authority.

This condition is imposed to reduce the risk to dwellings in the event of flooding.

12. The floor level of any dwelling constructed on this site shall be a minimum of 3.0m A.O.D.

This condition is imposed to reduce the risk to dwellings in the event of flooding.

13. No development shall take place until full details of both hard and soft landscape works for the whole site together with a programme of implementation have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved prior to the occupation of any part of the development or as may be otherwise agreed in writing by the Local Planning Authority.

These details shall include:

- i. proposed finished levels or contours
- ii. means of enclosure
- iii. car parking layout
- iv. other vehicle and pedestrian access and circulation areas
- v. hard surfacing materials
- vi. minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc)
- vii. planting plans
- viii. written specifications (including cultivation and other operations associated with plant and grass establishment)
- ix. schedules of plants, noting species, plant sizes and proposed number/densities.
- x. a programme for the implementation of the landscaping works
- xi. a scheme for the future maintenance of the areas not included within private curtilages.

This condition is imposed because a well-designed landscaping scheme can enhance the living environment of future residents, reduce the impact of the development on the amenities of existing residents and help to integrate the development into the surrounding area.

14. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme of implementation if this has been previously agreed in writing by the Local Planning Authority.

This condition is imposed because a well-designed landscaping scheme can enhance the living environment of future residents, reduce the impact of the development on the amenities of existing residents and help to integrate the development into the surrounding area.

However, for the landscaping scheme to achieve these objectives, it is necessary to impose a condition, which will ensure that it is implemented.

15. No development shall take place until details of earthworks have been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed showing the relationship of proposed mounding to existing vegetation and surrounding landform together with a programme of implementation. Development shall be carried out in accordance with the approved details and programme.

This condition is imposed because a well-designed landscaping scheme can enhance the living environment of future residents, reduce the impact of the development on the amenities of existing

residents and help to integrate the development into the surrounding area.

However, for the landscaping scheme to achieve these objectives, it is necessary to impose a condition, which will ensure that it is implemented.

16. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with a timetable to be submitted to and agreed in writing with the Local Planning Authority before the development commences. Development shall be carried out in accordance with the approved details.

This condition is imposed in the interests of the visual amenities of the area.

17. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any phase of the development (as notified in advance to the Local Planning Authority), whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

This condition is imposed because a well-designed landscaping scheme can enhance the living environment of future residents, reduce the impact of the development on the amenities of existing residents and help to integrate the development into the surrounding area.

However, for the landscaping scheme to achieve these objectives, it is necessary to impose a condition, which will ensure that it is implemented.

18. If within a period of 5 years from the date of the planting of any tree or shrub that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies (or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective) another tree or shrub of the same species, size and maturity as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

This condition is imposed as landscaping works can enhance a development, both for its own sake and for the benefit of the wider area. Trees and shrubs can fail as a result of a number of causes and it is important that, if the landscaping scheme is to succeed there is provision for replacement planting.

19. The details to be submitted for approval in writing by the Local Planning Authority in accordance with Condition (1) above shall include details of the proposed finished floor levels of the building(s) in relation to the existing and proposed levels of the site and the surrounding land. The building(s) shall then be constructed in accordance with the approved levels.

This condition is imposed to ensure that there is a satisfactory relationship between the proposed development and existing properties/surroundings and avoid a potential conflict with existing residential amenities/privacy. Ground levels are required to ensure that neighbouring properties are not adversely affected by difference in levels and surface water runoff.

20. No development shall take place until details of the proposed floor levels of the building(s) in relation to the existing and proposed levels of the site and the surrounding land have been submitted to and approved in writing by the Local Planning Authority. Those details shall include both cross-sections through the site illustrating the relationship of the levels with existing adjoining land levels and building profiles and a site survey illustrating the relationship of existing and proposed levels on this site and adjoining land. The building(s) shall then be constructed with the approved levels.

This condition is imposed to ensure that there is a satisfactory relationship between the proposed development and existing properties/surroundings and avoid a potential conflict with existing residential amenities/privacy. Ground levels are required to ensure that neighbouring properties are not adversely affected by difference in levels and surface water run-off.

21. Details of construction methods (including the methods of any piling), and measures to minimise the emission of noise and dust and vibration from the site shall be submitted to and approved in writing by the Local Planning Authority before any part of the development commences and the agreed scheme shall be implemented at all times for the duration of the construction works.

This condition is imposed in the interests of the amenities of neighbouring residents.

22. Prior to the commencement of development a noise assessment shall be submitted in relation to the proximity of the site to the railway line.

This condition is imposed in the interests of residential amenity.

23. Deliveries to and from the site, the loading or unloading of raw materials and operation hours during the construction phase of the development shall be restricted to the hours of:

08.00 and 18.00 Monday to Friday
and 08.00 to 13.00 on a Saturday

Except as may otherwise be agreed in writing with the Local Planning Authority. There shall be no works or deliveries on Sundays or Bank Holidays.

This condition is imposed in the interests of residential amenity.

24. An external lighting scheme for the site shall be submitted to and approved in writing by the Local Planning Authority prior to the first use of any part of the development.

This condition is imposed in the interests of local amenity.

25. Surface water run-off from the site will be restricted to 1.4 litres per second per hectare at all times unless otherwise agreed in writing by the Local Planning Authority.

This condition is imposed to prevent flooding on the site and in the surrounding area.

26. The crown level of any new roads on the development will be a minimum of 300mm below the finished floor level of any property.

This condition is imposed to prevent flooding on the site and in the surrounding area.

27. No development shall take place until details for a system of perimeter drains around the site and a time table for implementation have been submitted to and approved in writing by the Local Planning Authority. The details submitted shall include a scheme to increase the capacity of the existing Internal Drainage Board dyke on the northern and eastern boundaries of the site, the creation of a new dyke on the south side of the development and the creation of a French Drain on the western boundary of the site connecting to the Boards existing dyke. All works shall be implemented in accordance with the approved details and will thereafter be adopted by Goole and Airmyn Internal Drainage Board. The storage capacity of all new dykes within the site shall be agreed with the Local Planning Authority.

This condition is imposed to prevent flooding on the site and in the surrounding area.

28. No development shall take place within 9 metres of the IDB maintained drains on the northern and eastern boundaries and east to west across the site and the proposed and improved drains that will run along the western and southern boundaries of the site.

This condition is imposed to enable maintenance of the surface water drainage system.

29. No part of the development shall be brought into use until a Green Travel Plan has been submitted to and approved in writing by the Local Planning Authority, and the Green Travel Plan shall be

implemented, monitored and updated in consultation with the Local Planning Authority in accordance with details to be included in the Plan.

This condition is imposed as the introduction and operation of a Green Travel Plan is required to promote the use of sustainable modes of transport.

30. Prior to the commencement of the development details shall be submitted to and approved in writing by the Local Planning Authority showing the provision of the temporary vehicle parking, loading, off-loading and manoeuvring facilities for the contractors for carrying out building and construction works on the development and no other building or construction works shall be commenced until temporary vehicle parking, loading, off-loading and manoeuvring facilities have been provided in accordance with the approved details. The approved vehicle parking, loading, off-loading and manoeuvring facilities shall be retained during the construction of the buildings on development.

This condition is imposed to ensure highways safety is maintained.

31. Development shall not begin until details of the junction between the proposed service road and the highway have been approved in writing by the Local Planning Authority; and it shall not be first brought into use until that junction has been constructed in accordance with the approved details.

This condition is imposed in order to secure satisfactory access to the proposed development in the interests of road safety.

32. Development shall not begin until details of the layout; drainage, construction, services and lighting of the proposed service road(s), including the junction with the existing publicly maintainable highway have been submitted to and approved in writing by the Local 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 with residential cartilages 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.

33. No dwelling on the site shall be occupied until that part of the service road which provides access to it has been constructed from the junction with the public highway in accordance with the approved plans.

This condition is imposed in order to secure the provision of an adequate access to occupied dwellings in the interests of road safety and residential amenity.

34. No dwelling shall be occupied until vehicular access has been provided and space has been laid for motor cars to be parked and to enable vehicles to turn so that they may enter and leave the site in a forward gear in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

This condition is imposed in order to ensure satisfactory vehicular access and to ensure that parking facilities are restricted whilst still avoiding the need for vehicles to park on the highway where they could adversely affect the safety of other highway users and to allow vehicles to enter and leave the highway in a forward gear, thus minimising the risk of other road users.

35. Development shall not commence until details of the siting of bus stops together with a programme for the provision has been approved in writing by the Local Planning Authority; and the bus stops shall then be provided in accordance with this agreed programme.

The Council is anxious to ensure, in the interests of sustainability, that public transport is available to all sectors of the community, at their homes, places of work, and for shopping and leisure. One of the factors, which will influence the use of public transport, is the availability of conveniently located bus stops. This condition is intended to ensure that such provision is made within this development.

36. The layout of any development on the site shall include links for pedestrian and vehicular traffic to the adjacent adjoining highway network in accordance with details to be submitted to and approved in writing by the Local Planning Authority to secure permeability between the existing and proposed developments as required by current national guidance.

This condition is imposed to satisfy the principles set out Manual for Streets.

37. The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it.

This condition is imposed in order to secure the provision of affordable housing in accordance with the Interim Approach on Affordable Housing (December 2007 - as amended December 2012).

38. No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall be compiled by a suitably qualified ecologist and include a detailed plan. The statement shall include but not be limited to:

- The appointment of an Ecological Clerk of Works (ECW) to oversee the work, and details of the scope and remit of the ECW;
- Measures to physically protect features to be retained, including field boundaries and drainage ditches, from mechanical damage;
- Measures to protect water features from run-off, pollution, adverse changes in water quality and flow;
- Measures to protect breeding birds from disturbance or nest destruction, including timing of works to avoid nesting season;
- Precautionary working methods in relation to water vole; including provision of 10 metre separation distance between working areas and the nearest burrow.
- Measures for dust control.
- Details of site induction information and tool box talks for all relevant on site working practices, including action to be taken if protected species are found during construction.

This scheme shall be implemented as approved and shall include a procedure for monitoring and reporting activity and responding to advice on the need to adjust the agreed measures in order to improve effectiveness.

This condition is imposed in accordance with recommendations made in the Environmental Statement forming part of the application and to ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2010.

39. Should more than 12 months pass from the date of the submitted ecological survey before development commences on site, a new ecological survey of the entire site shall be undertaken, submitted, and approved in writing by the Local Planning Authority. The ecological survey should determine the presence or absence of protected species and should be carried out by a suitably qualified ecologist. The development shall only take place in accordance with the recommendations and mitigation measures contained within the approved ecological survey.

This condition is imposed in the interests of ecology and to ensure that protected species would not be harmed by the re-development of this site.

40. No works of any description shall commence on site until an Ecological Enhancement and Management Plan (EEMP), covering pre-construction, construction and post-construction phases has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include full

details of all avoidance; mitigation and enhancement measures contained within the approved Ecology and Nature Conservation component of the Environmental Statement, and a timetable for their implementation, and shall be compiled by a suitably qualified ecologist. The scheme shall include details of:

- the retention of existing hedgerows and trees;
- layout and design of biodiversity enhancement measures for wetland areas (part of SuDS) including details of meadows, temporarily wet areas, permanent wet areas and open water habitats (if applicable);
- layout and design of biodiversity enhancement measures for green corridors and open spaces;
- a landscape (tree and hedge) planting scheme designed for biodiversity enhancement, including foraging opportunities for a range of species;
- measures to maintain and enhance the biodiversity of the site including the retained hedgerows;
- a lighting strategy which secures dark corridors for bat foraging and nesting birds including the wetland areas and edge habitat;
- measures for incorporating nesting and roosting opportunities for birds and bats within the new buildings and if appropriate within retained features.

All new planting, including trees, seed and other plant material to be used on site shall consist of native species and be of local provenance. Development shall be carried out in accordance with the approved measures and timetable of the EEMP, unless otherwise approved in writing by the Local Planning Authority.

This condition is imposed in the interests of maintaining and improving habitats, biodiversity and the nature conservation value of the site and its surroundings and to comply with the National Planning Policy Framework (NPPF) and the Natural Environment and Rural Communities Act (NERC) 2006.

41. Notwithstanding the provisions of Class A of Part 2 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 or any Order revoking and subsequently re-enacting that Order, no gates, fences, walls or other means of enclosure shall be erected or constructed within any service strip so identified in the approved plans without the prior express consent in writing of the Local Planning Authority.

This condition is imposed because the service strip will eventually form part of the adopted public highway. If gates, walls, fences or other means of enclosure are erected or constructed within a service strip it is unlikely that the Council will be able to adopt the road as a public highway. This will deny residents the opportunity to have their dwelling served by an adopted highway.

Note; The service strip will eventually form part of the highway. No planting works should be carried out without the specific consent of the Council. However, the Council is prepared to allow appropriate planting within the limits of the public highway and early discussion with the Council is advisable. Until such time as the road is adopted the Council is unable to prevent planting taking place. However, the use of inappropriate species could prevent the road from being adopted.

42. The development shall not begin until details of a scheme for the provision of open play space as part of the development in accordance with the Supplementary Planning Guidance 'The Provision of Outdoor Playing Space on New Residential Developments' (December 2007) or any guidance which supersedes it has been submitted to and been approved in writing by the Local Planning Authority. The phasing of the outdoor play space shall be included in the submission of the Reserved Matters application(s) to ensure that adequate and timely provision is made. The submitted scheme shall also include a programme of implementation and arrangements for its future maintenance. The open space shall be laid out and equipped in accordance with this agreed scheme.

NOTE: Due regard should be had to the historic provision of open space to the east of this site by the applicants in the determination of any reserved matters application. This could justify a reduction in the amount of open play space to be provided, however, open space can enhance a development and therefore opportunities should be taken to provide a high standard of design on this site.

This condition is imposed in order to secure the provision of adequate areas of open space within the site.

Note to Applicant

Informatives

The submission of any Reserved Matters application is strongly advised to take account of condition 12 in which finished floor levels are required to be a minimum of 3.0m AOD and the potential impact on existing surrounding dwellings, many of which are bungalows.

It is the developer's own responsibility to ensure that this site can be developed and occupied safely. It is their responsibility to ensure the validity of the submitted Flood Risk Assessment upon the commencement of the development. They should be aware that there will always be a residual risk of flooding in the area if flood defences are breached or overtopped.

The provision of a children's play area is recommended in the submission of any Reserved Matters application. For advice on the optimum location and what the play area should incorporate you are advised to contact the Council's Play and Early Years Officer.

There is a 900mm diameter public foul/combined sewer which crosses the site. The presence of the pipes may affect the layout of the residential development.

The developer is advised to contact the relevant drainage authorities with a view to establishing a suitable watercourse for the disposal of surface water. No surface water should be discharged to the public foul/combined water sewer which crosses the site. The disposal of surface water from this site and culverting of local watercourses is a matter for the Environment Agency and the Goole & Airmyn Internal Drainage Board. No development can take place without the full written agreement of the Goole & Airmyn Internal Drainage Board.

The applicant is advised to have regard to the incorporation of measures into the approved layout under reserved matters(s) to crime prevention and anti-social behaviour, including unlawful use of motorcycles. The applicant is advised to discuss this with the Police Liaison Architectural Officer at Humberside Police.

The applicant is advised they need to resolve any outstanding land ownership issues, with the various interested parties to land ownership of this site.

Goole and Airmyn Internal Drainage Board require a new pumping station on the North-East corner of the site. This can be a twin impellor type pump, and can be built below ground, with a small control panel above. Yorkshire Water or the Internal Drainage Board may need to adopt this pumping station. The capacity of the new pumping station will also have to be capable of carrying the flow from the Boards Southfield pumping station under extreme conditions.

Developer contributions towards off site drainage works and future maintenance costs cannot be accurately calculated at this stage of the planning process. Full drainage details are expected at the Reserved Matters Stage. Once these details are submitted developer contributions will be discussed with the applicants and a Section 106 Legal Agreement entered into if this is considered to be necessary and justifiable.

Relevant Planning Policies

Joint Structure Plan for Hull and East Riding of Yorkshire (June 2005)

SP1	Character and distinctiveness of settlements
SP5	Design of new development
ENV3	Species protection

Boothferry Borough Local Plan (April 1999)

EN25	Landscape Improvement/Tree Planting
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EN30A Species Protection
 EN64 Land Drainage
 EN65 Disposal of Foul and Surface Water
 EN66 Development Affecting Floodplain/Water Course
 S16E Allocation for residential development of land off Coniston Way, Goole
 S47 Standards of layout and design in residential development
 T1 Relationship of Development to Transport System
 LT3 Open Play Space Provision
 LT15 14.2 Hectares of land allocated for use as public open space.

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 8 Promoting healthy communities
 Section 10 Meeting the challenge of climate change, flooding and coastal change
 Section 11 Conserving and enhancing the natural environment
 Technical Guidance to the National Planning Policy Framework (March 2012)

Local and National Planning Policy Guidance

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

Emerging Planning Policy

East Riding Local Plan Publication Submission Strategy Document (January 2014)
 S1 Presumption in Favour of Sustainable Development
 S3 Focusing Development
 S5 Delivering Housing Development
 H1 Providing a Mix of Housing and Meeting Needs
 H2 Providing Affordable Housing
 ENV1 Integrating High Quality Design
 ENV4 Enhancing Biodiversity and Geodiversity
 ENV6 Managing Environmental Hazards

East Riding Local Plan Publication Submission Allocations Document (January 2014)

AD1 Existing Residential Commitments

Reason for Decision

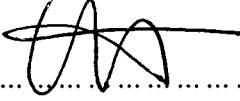
The application seeks to renew a previous outline planning permission for residential development. Since the approval of the Extant Permission there have been changes in planning guidance and policies in the form of the NPPF, the Level 2 Strategic Flood Risk Assessment for Goole and the continued emergence of the Draft East Riding Local Plan. These documents are material planning considerations in the determination of this application and they have been assessed as part of this report, the application is considered to comply with the requirements of these documents. Notwithstanding this, the application still complies with current planning policy within the Development Plan which continues to comprise the JSP and BLP. As such the application is in full compliance with the Development Plan and no material planning considerations indicate that development should not be approved.

Given that this application seeks only to renew an existing planning permission, planning permission has historically be granted, the Development Plan remains the same as used in the determination of application


number 02/04149/OUT' and the site continues to be allocated for housing the application is considered to be acceptable.

The application is deferred to provide the Internal Drainage Board with the opportunity to view the soon to be published 'Flood Investigation Report - Goole Floods 5th and 6th July 2012'. This deferral is recommended due to the importance of flood risk matters in this part of Goole and to ensure all necessary steps are taken to protect the proposed development and surrounding areas from flood risk.

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

Signed 

Date : 28 May 2014

 Alan Menzies, Director of Planning and Economic Regeneration.

Notes to accompany application no DC/13/00931/STOUT/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: 01173 726372.

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 www.planningportal.gov.uk/pcs. 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 Humberston 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.