



Appeal Decision

Hearing held on 13 December 2019 and 19 February 2020

Site visit made on 13 December 2019

by Darren Hendley BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th March 2020

Appeal Ref: APP/Y2003/W/19/3230500

Horse Shoe House, 119 Westgate Road, Westgate, Belton DN9 1PY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr A Carruthers against the decision of North Lincolnshire Council.
 - The application Ref: PA/2017/1975, dated 1 December 2017, was refused by notice dated 14 December 2018.
 - The development proposed is a residential development of land to the south of Westgate Road, Westgate for the erection of up to 23 dwellings.
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Decision

1. The appeal is allowed and outline planning permission is granted for a residential development of land to the south of Westgate Road, Westgate for the erection of up to 23 dwellings at Horse Shoe House, 119 Westgate Road, Westgate, Belton DN9 1PY in accordance with the terms of the application, Ref PA/2017/1975, dated 1 December 2017, subject to the conditions in the attached schedule.

Application for costs

2. An application for costs was made by Mr A Carruthers against North Lincolnshire Council. This application is the subject of a separate Decision.

Procedural Matters

3. The application is in outline form with all matters reserved for future consideration apart from access. I have dealt with the appeal on this basis and I have treated any details not to be considered at this stage as being illustrative only.
4. At the hearing on 13 December 2019, the Council stated that it could now demonstrate a 5 year supply of deliverable housing sites in accordance with the National Planning Policy Framework (Framework). This was a different position to what was set out in the agreed Statement of Common Ground (SoCG). I requested that the Council provide the document which sets out this housing land supply (HLS) position. After considering the views of the main parties and as this document would be helpful to my decision, I decided to adjourn the hearing to enable the main parties to consider this document and submit their comments. The hearing dealt with matters that interested parties had raised and the site visit before the adjournment.

5. Prior to when the hearing reconvened, the Council revised its HLS position and stated that it could not provide a 5 year supply of deliverable housing sites. The Council, thus, essentially returned to its position on HLS that it had taken up to the hearing on 13 December 2019, as set out in the SoCG. The 2019 Housing Delivery Test (HDT) results were also published, which I brought to the attention of the main parties. The hearing resumed on 19 February 2020, principally dealing with HLS matters.

Main Issues

6. The main issues are (i) whether the proposal would be in a suitable location for housing with regard to the accessibility of services; (ii) the effect on the character and appearance of the area, in particular the Belton Open Field and the Isle of Axholme Area of Special Historic Landscape Interest; and (iii) if harm arises, whether this would be outweighed by HLS and other considerations.

Reasons

Accessibility of Services

7. The appeal site comprises a house and land to the rear that extends back to include a garden and former paddock areas. It is found adjacent to a mainly linear pattern of development of predominantly residential properties which extend along Westgate Road, as well as on Carrhouse Road, which largely make up the settlement of Westgate. Local services in the vicinity of the site in Westgate are limited to a public house that is found a short distance away. A wider range of services are found in the larger settlement of Belton. These are located between 1 and 2 kilometres away from the site and there is a footway which connects the 2 settlements.
8. Policy CS2 of the North Lincolnshire Council, Core Strategy (2011) (CS) sets out a sequential approach to development that is focussed on the Scunthorpe urban area, market towns and the defined development limits of rural settlements. The site lies outside of such limits under the Council's Housing and Employment Land Allocations Development Plan Document (2016). The type of development proposed does not accord with that which is permitted outside defined development limits or in rural settlements in the countryside, under Policy CS2.
9. As the services that are in the vicinity of the site are of a limited nature, the occupants of the proposal would have to travel to Belton to access a range of local facilities. The footway, even though it is lit, is also narrow and involves crossing Westgate Road on occasion in order for pedestrians to reach the services in Belton on foot. Some of the future occupiers would no doubt make use of the footway but the convenience of the car would be likely to be more persuasive. The public right of way network would also not offer ready access, especially during inclement weather and outside of daytime hours.
10. The services within Belton are within a reasonable cycling distance. Whether this would lessen the reliance on the use of the car to any great extent is unlikely, though, as Westgate Road is well trafficked and cyclists would have to share road space with motorised vehicles. The road conditions do not encourage cycling.

11. The potential to use bus transport to access the services in Belton would also be limited, based on the information before me. Where there are more regular services, these pass through Belton and would require a similar walking distance from the site to the local services themselves. There is also local employment to the site at Sandtoft, but its accessibility suffers similar shortcomings to accessing the services in Belton.
12. As such, the location of the proposal would in all likelihood result in the use of the private car as the primary mode of transport to access the day to day needs of the future occupiers.
13. The Council has stated that the site lies outside of the usual accessibility criteria that are applied when considering housing sites. The distances might not be a great deal further and the site cannot be said to be remote, but with its location in relation to the services, it would not accord with the criteria. The appellant has referred me to other housing sites that the Council has approved despite being less accessible than the appeal site under its own guidance. It is, though, incumbent for each proposal to be determined on its own merits and this involves a particular consideration of the accessibility to services. It also appears, based on the submitted evidence, that other planning considerations came into play in allowing these other sites, as well as accessibility to services.
14. Overall, I conclude that the proposal would not be in a suitable location for housing with regard to the accessibility of services. Accordingly, it would not comply with Policy CS2 in relation to its sustainable development principles which include minimising the need to travel and encourage any journeys that remain necessary to be possible by walking, cycling and public transport, making best use of existing transport infrastructure and ensuring that everyone has access to the facilities they need for their daily lives, as well as that it would not accord with its sequential approach to the location of development.
15. When the relevant factors are taken together, the harm as regards the conflict with the development plan policy would be on a moderate scale.

Character and Appearance

16. The site lies in the defined Isle of Axholme Area of Special Historic Landscape Interest (the Isle) under Saved Policy LC14 of the North Lincolnshire Local Plan (2003). It is a non-designated heritage asset and, as such, it does not benefit from statutory protection. Its special interest concerns the ancient open strip fields (AOSF) and enclosures surrounding the villages. Parts of the strip fields were subsequently enclosed into small irregular fields, known as early enclosed land (EEL). The site forms part of such an area, hence its inclusion within this historic landscape. The AOSF lies to the south of the site on shallow rising land.
17. The Isle is based on the survey work carried out by Miller¹. It remains the sole study which concerns itself with this area. I have been referred to a more recent study² that covered all of Lincolnshire and was informed by Miller's work. It utilises a different historic landscape categorisation and this limits somewhat its application as regards Saved Policy LC14. Nevertheless, I have considered both as part of the totality of the evidence before me on this matter.

¹ K. Miller, 1997, The Isle of Axholme Historic Characterisation Project.

² Lord and MacIntosh, 2011, Lincolnshire Historic Landscape Characterisation Project.

18. It was apparent from the hearing that there are differing views on what the Belton Open Field part of the Isle constitutes, whether this is solely the AOSF or more broadly includes the site as part of the EEL areas around it. Either way, both these character areas are protected by Saved Policy LC14 and what is more important is a consideration of the contribution of the site to the significance of the asset, and what the effect of the proposal would be in this respect.
19. From my site visit, I noted that the AOSF is appreciably intact as regards its character. It forms open unenclosed agricultural land with limited physical boundary features and with only occasional built structures. It is crossed by access tracks and there is some evidence of ancient farming practices. Due to the flat topography of the surrounding landscape, it is also a noticeable and distinctive feature in the area.
20. In the direction of Westgate from the AOSF, the relationship with the EEL is less obvious with the adjacent rectangular strip areas of land. These areas, including the site, are not generally put to agricultural purposes. The site itself contains the uncharacteristic paddock type fencing across it and has been the subject of modern influences. Parts of the site are also substantially screened from the AOSF by virtue of an area of woodland.
21. That being said, much of the site retains an open character. Its shape is also largely intact. With its origins, its historical significance also remains, even though it now may be less obviously appreciated when viewed with how the landscape has altered. Whilst its contribution to the significance has been tempered somewhat, it has not reached the point that it ceases to constitute EEL.
22. The effect of the proposal on the site would result from the building of up to 23 dwellings and the associated infrastructure that would come with the development. The openness of the site would be reduced, as would the historical connection to the AOSF. With individual plots likely to be formed, the overall rectangular shape would also be diminished. There would be probable inter-visibility between the site and the rising landform of the AOSF, as well as with the adjacent land which falls within the EEL. The proposal would be apparent and this would be likely irrespective of the particular design of the dwellings, the part screening effect of the woodland and the potential for a sympathetic landscaping scheme at the reserved matters stage. The contribution of the site to the significance would be lessened.
23. Interrogating the significance of the various constituent parts of the Isle, and the effects of development, needs to be considered in the context of that it is the historical inter-relationship that is an important attribute of its character. Historic England guidance³ that I have been referred to acknowledges that 'extensive' heritage assets can include the historical associations between them. As a consequence, the site forms part of the non-designated heritage asset and would be harmed for the reasons that I have set out.
24. That the Isle covers a large area does not, in itself, lessen its importance in the application of Saved Policy LC14. In terms of the overall area, the proposal would result in a modest erosion of its character. However, if this was accepted as a sufficient justification, it would have the potential to

³ Historic England (2017) Good Practice Note 3: The Setting of Heritage Assets.

incrementally cause the loss of significance that would harm the asset as a whole.

25. I am less concerned about the effect on the linear development pattern in Westgate. As the proposal would abut Westgate Road and the rear of properties on Carrhouse Road, the clustering of housing in between that would result would not be unduly detrimental to the character.
26. I conclude that the proposal would have an unacceptable effect on the character and appearance of the area, in particular the Belton Open Field and the Isle. It would not comply with Saved Policy LC14 where it states that development will not be permitted which would destroy, damage or adversely affect the character, appearance or setting of the historic landscape, or any of its features. Similarly, it also would not accord with Policy CS6 of the CS which concerns safeguarding the nationally significant medieval landscapes of the Isle of Axholme and with Saved Policy DS1 of the LP in so far as it concerns conservation.
27. In taking these considerations together, the harm as regards the conflict with the development plan policies would be on a moderate scale.
28. The Framework states that in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. The moderate harm that would arise needs to be balanced against the not inconsiderable benefits concerning housing provision, affordable housing, as well as the economic and social benefits that the proposed new housing would bring. This weighs in favour of the proposal.

Other Matters

29. The Section 106 Agreement relates to the provision of affordable housing and a financial contribution for open space. The Section 106 Agreement binds the owner to covenants with the Council.
30. The affordable housing provision would constitute 10% of the proposed dwellings. This would be required in order for the proposal to comply with Policy CS9 of the CS. It would also accord with the Framework as regards the need to provide housing for different groups in the community, including those that require affordable housing, and with the expectation that it will be provided on site.
31. The Community Infrastructure Levy Regulations (as amended, 2019) (CIL) require that any planning obligation providing for contributions must be necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development. These are the same tests as set out in the Framework.
32. An open space contribution of £9460.20 would be secured. It would address matters arising from the proposal with regard to the effect on public open space provision and the Council have indicated that monies would be spent on such facilities in Belton. It would be required in order for the proposal to comply with Saved Policy H10 of the LP and the Council's SPG 10 Provision of Open Space in New Housing Developments. It would be directly related to the development, and meets the tests of CIL and the Framework.

33. In relation to other matters that have been raised, as I have set out above, Westgate Road is fairly well trafficked. The road is however of a fair standard, permitting 2 way traffic movements, and the traffic generation from up to 23 dwellings would be able to be accommodated satisfactorily. Whilst Westgate Road's use by larger vehicles may cause some obstruction and delay, this would not render the traffic from the proposal itself unacceptable as this would be largely associated with more domestic sized vehicles related to the residential use of the site.
34. As regards the safety of the access point, the Council's Highways Officer was satisfied that visibility requirements would be met. I see no reason to disagree when the alignment of the road and the position of other accesses and junctions are considered. Matters in relation to the provision of the visibility splays, the internal access road and parking can be addressed through the imposition of planning conditions.
35. In respect of flood risk and drainage, despite that written submissions have set out that the site is not in an area known to be at risk of flooding under the Environment Agency's (EA) flood risk maps, I was informed at the hearing of recent instances of flooding. I was also told that the site lies in zone 2/3a under the Strategic Flood Risk Assessment (SFRA). The Council has not, though, disputed that the proposal would pass the sequential and exception tests under the Framework.
36. Furthermore, the EA confirmed during the planning application that the site is well above the critical flood level of 4.1m AOD established in the SFRA for this area. The appellant also submitted a drainage strategy during the planning application and matters in relation to a detailed scheme for surface water drainage can be addressed through the imposition of a planning condition. The proposal would not be unacceptable as regards flood risk and drainage.
37. With regard to the effects on local services and facilities, as I have set out above, a financial contribution is proposed towards open space that would accord with the LP. No other contributions have been sought and, based on the evidence before me, there is not the sufficient justification that would satisfy the tests set out in CIL and the Framework for further contributions.
38. I am also mindful that local residents currently benefit from an open aspect across the site into the surrounding countryside and this would be undoubtedly impacted. However, there is not a substantive reason why the layout at the reserved matters stage would not adequately protect their living conditions and result in a relationship between the dwellings that would not be untypical in an area where dwellings are found.

Planning Balance

39. For the purposes of the Framework, the Council cannot demonstrate a 5 year supply of deliverable housing sites. The main parties do not disagree over the housing requirement, but rather the dispute centres on the level of housing supply. The Council's position is that there is a 4 year HLS, whilst the appellant considers this is either 3.39 years or 2.95 years, dependant on whether or not small sites are included.
40. Making a judgment on the extent of the shortfall is largely dependent on the deliverability of sites, based on the definition in the Framework and the

approach set out in the Planning Practice Guidance (PPG). The appellant provided a schedule of sites which indicated those that were in dispute as regards whether or not they met the definition.

41. On a not unsubstantial number of sites, the Council agreed with the appellant's position at the hearing. The Council is due to publish a further position statement in due course that I was informed will include a greater degree of evidence on deliverability. However, I have to base my decision on the evidence that is in front of me, including what was said at the hearing. The effect is to narrow the difference in between at least the Council's 4 year position and the appellant's 3.39 year position. As regards the 2.95 year position, I am not persuaded that excluding small sites would accord with the PPG, because the Council does now provide details by site.
42. When the effect of the agreement on the number of sites at the hearing is considered, whether or not the Framework's definition of deliverability implies a closed list, including at the base date of the Council's current annual position statement, adds little further to my deliberations. I find that the HLS is likely to be towards the appellant's 3.39 year position. This represents a marked shortfall against the 5 year requirement under the Framework. The HDT results do not alter my views.
43. The proposal, as it would result in up to 23 additional dwellings, would make an important contribution against this shortfall. It would also accord with the Government's objective of significantly boosting the supply of homes. Affordable housing would also be provided, and whilst the level proposed would be required for the proposal to be policy compliant, it would also have a greater benefit in enabling provision for those who would not be able to obtain general market housing. These are not inconsiderable benefits.
44. Economic benefits would arise both during construction and through support for local services through the spend of the occupiers. There is also the intention to provide ecological enhancement. These are also benefits that are recognised by the Framework. Other matters which have been raised carry neutral weight. The various planning approvals, together with the appeal decisions that have been brought to my attention, have a limited bearing.
45. Due to a lack of a 5 year supply of deliverable housing sites, paragraph 11 d) of the Framework is engaged. Accordingly, the development plan policies which are most important for determining the planning application, namely Policies CS2, CS6, Saved Policy LC14 and Saved Policy DS1, are out of date. This does not mean they do not apply and, overall, the proposal conflicts with the development plan as a whole. Nevertheless, the conflict with these policies attracts limited weight.
46. In coming to this view, it is the lack of a 5 year supply of deliverable housing sites and the extent of the shortfall which are determinative, in particular as regards Policy CS2 as it sets the approach concerning where development should be located and what is permitted outside of limits. In addition, as Policy CS6, Saved Policy LC14 and Saved Policy DS1 do not contain a balancing exercise against harm to a heritage asset, they are not consistent with the Framework.
47. There are no policies in the Framework of relevance that protect areas or assets of particular importance that provide a clear reason for refusal. As a

consequence, the balance under paragraph 11 d) ii. applies. This means granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

48. In relation to the adverse impacts, these concern the accessibility to services, and the effect on the character and appearance of the area, in particular the Belton Open Field and the Isle. The proposal would not comply with Policies CS2 and CS6, and with Saved Policies LC14 and DS1. Whilst I have found harm in these respects, it is on a moderate scale. Set against this would be the addition of up to 23 dwellings to the supply of housing, including its contribution to the shortfall against the 5 year supply of deliverable housing sites and the provision of affordable housing. These benefits attract significant weight in my decision. The economic and other benefits carry moderate weight.
49. Taking these matters together, the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits. As a result, the application of paragraph 11 indicates that permission should be granted, when assessed against the policies in this Framework taken as a whole.

Conditions

50. I have imposed conditions which concern the statutory time limit and the reserved matters. In the interests of certainty, I have also imposed a condition concerning the approved plan as access is a matter before me. I have also imposed conditions concerning the construction period in the interests of protecting the living conditions of the nearest residents.
51. In relation to land contamination, I have imposed the condition that the Council has suggested as this would deal with unexpected contamination, in the event it was found on the site, and so I consider this necessary and reasonable. The condition is applied in the interests of public health and pollution control. I have also imposed a number of conditions concerning parking, the access road, footways, driveways, visibility splays and construction traffic. These have been applied in the interests of highway safety and the free flow of traffic.
52. I have also imposed a condition concerning the biodiversity measures, in the interests of ecology. I have included in this a requirement for such measures to be retained. Whilst I note the appellant's concerns that were expressed at the hearing, without such a clause the condition would not be necessary and reasonable as the measures on individual properties could simply be removed. As it would be clear under the condition what the measures are, there is not a substantive reason why the condition would not be enforceable. Biodiversity enhancement is also a matter that has been put to me as a benefit of the proposal.
53. I have also applied conditions concerning archaeological mitigation in the interests of protecting the historic environment, as well as a surface water drainage strategy, in the interests of minimising flood risk and drainage.
54. I have not imposed a condition concerning service strips as this concerns reserved matters that are not before me.

55. Where I have altered the wording of the remainder of the conditions put forward by the Council and the appellant, I have done so in the interests of precision and without changing their overall meaning.

Conclusion

56. Overall, the adverse impacts identified above would not significantly and demonstrably outweigh the benefits. Consequently, the proposal would accord with the presumption of sustainable development, as is set out in the Framework. In this case, it is a material consideration which outweighs the conflict with the development plan as a whole and indicates that planning permission should be granted for development that is not in accordance with it. As such, the appeal should be allowed subject to the conditions.

Darren Hendley

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
- 3) The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.
- 4) The development hereby permitted shall be carried out in accordance with the following approved plan: Drawing No 3003 Proposed Plan but only in respect of those matters not reserved for later approval.
- 5) Demolition or construction works shall take place only between 7am to 7pm on Mondays to Fridays and 7am to 1pm on Saturdays, and shall not take place at any time on Sundays or on Bank or Public Holidays.
- 6) No development shall take place, including any works of demolition, until a construction environmental management plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall provide for details of mitigation measures for the control of pollution for:
 - (i) noise;
 - (ii) vibration;
 - (iii) dust; and
 - (iv) light.The approved CEMP shall be adhered to throughout the construction period for the development.
- 7) Development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts 1 to 4 below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the local planning authority in writing until part 4 has been complied with in relation to that contamination.

Part 1: Site Characteristics

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the local planning authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the local planning authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health;
- property (existing or proposed), including buildings, crops, livestock, pets, woodland, and service lines and pipes;
- adjoining land;
- groundwaters and surface waters;
- ecological systems;
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and a proposal of the preferred option(s). This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Part 2: Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Part 3: Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the local planning authority. The local planning authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (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.
- 8) No development shall take place until details of the number, location, surface treatment and layout of the vehicle parking spaces within the site have been submitted to and approved in writing by the local planning authority. Vehicle parking shall be implemented in accordance with the approved details prior to the occupation of the dwelling hereby permitted to which it relates and retained thereafter.
 - 9) No development shall take place until details of the access road, footways and private driveways including construction, drainage, lighting and where appropriate signage/street naming arrangements have been submitted to and approved in writing by the local planning authority. No dwelling on the site shall be occupied until the access road, footways and private driveways have been completed to at least base course level and lit in accordance with the approved details.
 - 10) No other works shall be commenced on the site until the access road junction with the adjacent highway, including the required visibility splays, has been set out and established in accordance with the approved plan ref: Drawing No 3003.
 - 11) No development shall take place until a construction phase traffic management plan showing details of all associated traffic movements, including delivery vehicles and staff/construction movements, any abnormal load movements, contractor parking and welfare facilities, storage of materials and traffic management requirements on the adjacent highway, has been submitted to and approved in writing by the local planning authority. Once approved the plan shall be implemented in accordance with the approved details throughout the construction period.
 - 12) No development shall take place until a biodiversity management plan has been submitted to and approved in writing by the local planning authority. The plan shall include:
 - (a) details of measures to avoid harm to bats, hedgehogs and nesting birds during demolition, vegetation clearance and construction works;
 - (b) details of bat roosting features to be installed in at least seven new dwellings;
 - (c) details of at least eight bird nesting features to be installed to support a variety of species, including swift and house sparrow;
 - (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 planting and aftercare of native trees, shrubs and wildflowers of high biodiversity value;
 - (g) details of existing trees, shrubs and hedgerows to be retained;
 - (h) prescriptions for biodiversity enhancement in drainage features; and
 - (i) proposed timings for the above works in relation to the completion of the dwellings.

The development shall be carried out in accordance with the approved plan and shall thereafter be retained.

- 13) No development shall take place until an archaeological mitigation strategy, as defined in a brief prepared by the North Lincolnshire Historic Environment Record, has been submitted to and approved in writing, by the local planning authority. The strategy shall include details of the following:
- the proper identification and assessment of the extent, character and significance of archaeological remains within the application area;
 - measures to ensure the preservation by record of archaeological features of identified importance;
 - methodologies for the recording and recovery of archaeological remains, including artefacts and ecofacts;
 - post-fieldwork methodologies for assessment and analysis;
 - report content and arrangements for dissemination, and publication proposals;
 - archive preparation and deposition with recognised repositories;
 - a timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the strategy;
 - monitoring arrangements, including the notification in writing to the North Lincolnshire Historic Environment Record Office of the commencement of archaeological works and the opportunity to monitor such works; and
 - a list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications.
- 14) No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of the approved archaeological mitigation strategy, including notification to the local planning authority of the commencement of archaeological works. The approved archaeological mitigation strategy shall then be carried out in accordance with the approved details and timings.
- 15) A copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy and historic building recording shall be deposited at the North Lincolnshire Historic Environment Record within six months of the date of completion of the development hereby approved by this permission.
- 16) No development shall take place until a strategy for the management of surface water drainage that includes the implementation of sustainable drainage systems, and their adoption and maintenance agreements, has been submitted to and agreed in writing by the local planning authority.
- 17) The drainage scheme shall be implemented in accordance with the approved strategy for the management of surface water drainage, completed prior to the occupation of any dwelling, and retained and maintained thereafter for the lifetime of the development.

APPEARANCES

FOR THE APPELLANT:

Jim Lomas	DLP Planning
Joanne Althorpe	DLP Planning
Adam Partington	Locus Consulting
Roland G Bolton	DLP Planning

FOR THE LOCAL PLANNING AUTHORITY:

Scott Jackson	Senior Planning Officer
Alison Williams	Historic Environment Officer
Elizabeth Pearson	Spatial Policy Officer
Andrew Willerton	Spatial Policy Officer
Kate Mills	Housing Specialist

INTERESTED PARTIES:

David Kerford	Kerford IPC, on behalf of Belton residents
Noel Lightfoot	Local Resident
Rachel Bothwell	Local Resident
Steve Willis	Local Resident

DOCUMENTS SUBMITTED DURING THE HEARING

- 1 Council, Assessment of Five Year Housing Land Supply – 1 April 2019 to 31 March 2024
- 2 Bus service details
- 3 Draft agreement under section 106 of the Town and Country Planning Act 1990 relating to the Land 119 Westgate Road, Belton DN9 1PY
- 4 Appellant, Report on the Five Year Housing Land Supply Position of North Lincolnshire Council
- 5 Completed Agreement under Section 106 of the Town and Country Planning Act 1990 relating to the Land 119 Westgate Road Belton DN9 1PY
- 6 Council, email correspondence in relation to housing land supply matters

- 7 Council, Assessment of Five Year Housing Land Supply – 1 April 2019 to 31 March 2024 as updated
- 8 Appellant, Summary Note for Five Year Housing land Supply
- 9 Appellant, updated Application for Costs
- 10 Planning Conditions document and associated correspondence

Richborough Estates