



David Wordsworth  
14/09/2006 13:45

To: "Matthew Barker" <matthew@pelham-homes.co.uk>  
cc:

Subject: Re: FW: Scoter Road - Scunthorpe [1]

Matthew,

Further to our telephone conversation the other day and my meeting with Mike Welton earlier today, I am now in a position to advise you.

**Affordable housing:**

Confirmation is required from Pelhams that 10% of the dwellings on the site will be affordable units and the tenure of which will be in compliance with Policy H11 and SPG9. Following confirmation being received this issue can be dealt with by S106 as a S106 is needed in any case for commuted sums for education and POS.

**Education:**

Confirmation is required from Pelhams that a commuted sum of £68,219.95 as per Jo Rea's email of 14/07/06 (copy of which I understand you have ) is acceptable. Following confirmation I can instruct the council solicitor to prepare a S106 agreement. Upon drafting of the agreement the committee report can then be written and the application can proceed to planning committee. Please note that we will not be searching Council records for planning permissions within a 2 mile radius of the site.

**Public Open Space:**

Confirmation is required from Pelhams that you agree to a commuted sum of £28,611.00 and to the other details as per Patric Butler's memo of 19th June. This will be added to the S106

**Highways:**

Advise Conditions

**Environment Agency:**

Advise Condition

**Noise Disturbance::**

A further amendment to the layout regarding proximity of dwellings adjacent the <sup>westerly</sup> Northern boundary (adjacent to existing industry), namely the omission of plots 1,2,6,7 and 38 and the creation of a bund along the Northern boundary. A further round of consultations will not be required. A meeting may be best to discuss this issue.

**Summary**

Should you be agreeable to these requirements I am confident that we can proceed towards recommending the proposal for approval at the next available Planning Committee. Should you be unable to agree to these requirements the application is likely to be refused under delegation.

Regards

David Wordsworth  
Principle Planning Officer



Pelham Homes Lincoln Limited  
10a Newport, Lincoln LN1 3DF

Tel: 01522 580400

Fax: 01522 545678

Website: www.pelham-homes.co.uk

Our Ref: PHL/MB  
Thursday, 21st September 2006

David Wordsworth  
North Lincolnshire Council  
Church Square House  
PO Box 42  
Scunthorpe  
North Lincolnshire  
DN15 6QX

Dear David

Re: Scotter Road, Scunthorpe, PA/2006/0848

Thank you for your e-mail dated 14<sup>th</sup> September, which provided us with advice on the current issues outstanding with the above application. I would respond as follows:-

Affordable Housing

We propose to provide 4 shared ownership properties on the site, which offer an affordable housing solution to comply with SPG 9 and H11 of North Lincolnshire's adopted Local Plan. We propose to provide the Council with Nomination Rights, therefore, if you nominate people who are currently in occupation of council rented accommodation these properties will become available for people on even lower incomes to rent. This effectively doubles the effect of this proposal.

We herewith attach a draft Section 106 Agreement to cover this proposal, which has been reproduced from an agreement recently signed with West Lindsey District Council.

Enclosed are 2 pages from the Annual Survey of Homes and Earnings (ASHE) from the National Statistics Office showing earnings of male and females full time employees.

A couple in the bottom 10 percentile in North Lincolnshire earn:

$$£14,042 + £9,447 = £23,489$$

Our target price for the shared equity houses are as follows: -

Type:	365 (3 Bed)
Price:	109,500
25%	£27,375
75% equity price:	£82,125
Mortgage Ratio:	4
Earnings need to purchase:	£20,531
Conclusion:	Can be purchased by bottom 10 percentile



Type: 255 (2 Bed)  
 Price: £98,£95  
 25% £24,748  
 75% equity price: £74, £47  
 Mortgage Ratio: 4  
 Earnings need to purchase: £18, £61  
 Conclusion: Can be purchased by bottom 10 percentile.

**Our target price for the 2-bedroom house not sold on a shared equity basis is as follows: -**

Type: 255 (2 Bed)  
 Price: £98,995  
 Less 4% Discount  
 (Paid by Pelham Homes) £4,950  
 Net Sales Price: £94,045  
 Mortgage Ratio: 4  
 Earnings need to purchase: £23, 511  
 Conclusion: Can be purchased by bottom 10 percentile.

**Education**

We have attached a summary report from our consultant, which states there are adequate surplus school places within 2 miles of our proposed site. We would therefore like to receive confirmation that no Education Contribution will be payable and therefore no Section 106 Agreement will need to be entered into.

**Public Open Space**

We are happy to accept a Section 106 Agreement with a commuted sum of £28,811.00 and look forward to receiving a draft Section 106 Agreement from your Legal Department. Obviously we would like to receive this as soon as possible as it should be a standard document. In respect to Patric Butler's comments our Architect has responded to you on these points.

**Highways**

We assume these are standard conditions and would be in general agreement to these.

**Environment Agency**

We believe you have now received confirmation that our Flood Risk Assessment is acceptable. We assume the EA require standard conditions that we would be in general agreement to.

**Noise Disturbance**

We have submitted a detailed Acoustic Report, which concludes there are no noise issues with this site. We therefore do not consider that the Council has any justification to request the removal of 5 Plots. If there is justification we would be more than happy to consider any Technical Data used to substantiate the request to remove 5 plots, and trust you would be able to provide this.

**Summary**

We consider that with the amended scheme and the attached information the Council should be in a position to support our application and look forward to this application going before the next planning committee in October 2006.

We look forward to hearing from you.

Yours sincerely

Matthew Barker  
Land Manager  
[matthew@pelham-homes.co.uk](mailto:matthew@pelham-homes.co.uk)  
Direct Dial: 01522 580410

Enc

C.C. J.L.H  
DS  
ALS

## **The application of the approved Supplementary Planning Guidance to the proposed development at Scotter Road, Scunthorpe**

1. North Lincolnshire Council has suggested that a contribution to education infrastructure is necessary in the case of the proposed development of 38 dwellings at Scotter Road, Scunthorpe. To consider whether such a contribution is justified I have looked at the information required to be considered by the council's Supplementary Planning Guidance SPG8 Developer Contributions to schools, revised April 2006.
2. Paragraph 8.17 states that "The starting point for calculating educational contributions is an assessment by the LEA of existing school provision, of the number of vacant places, and of the effect of natural population growth in the community in the absence of the proposed housing development. In addition to this, changes in school catchment areas or the existence of other unimplemented planning approvals may be a factor in determining whether the proposed development will give rise to a capacity problem in local schools or in schools where children from the proposed development are likely to attend.

### **LEA criteria for Assessing Developer Contributions:**

- **Every North Lincs council school within a 2 mile radius (primary schools) & 3 mile radius for Secondary schools.**
- **The existing number of pupils on roll (NOR) and the predicted NOR over the next 3 years.**
- **The actual capacity as calculated by DFES "net capacity" formula.**
- **Any trends on parental preference or appeals for places at popular or oversubscribed schools.**
- **The recent history of admissions to schools.**
- **Any particular transport arrangements and assessment of the regular routes to schools (e.g. rivers that can't be crossed within the radius).**
- **Any other agreed building works that would affect net capacity within the next 2-3 year period."**

### **The SPG factors**

- **Every North Lincs council school within a 2 mile radius (primary schools) & 3 mile radius for Secondary schools.**
  - **The existing number of pupils on roll (NOR) and the predicted NOR over the next 3 years.**
  - **The actual capacity as calculated by DFES "net capacity" formula.**
3. The Ofsted web site will list schools within a radius of a given postcode; these distances are rounded to the nearest ½ mile or kilometre. I list below schools within 3 km to the nearest ½ km, that is just under 3.25 km. 2 miles is 3.22 km, so the schools listed are likely to be within 2 miles. The information about current and future school rolls and

capacities is from the North Lincolnshire Council School Organisation Plan 2005-2010 (2005 update) published December 2005. The actual number on roll in May 2006 was provided by Jo Rea of North Lincolnshire Council on 23 August 2006.

School	Distance	Capacity 2005	Actual roll May 2005	Forecast 5/2006	Forecast 5/2007	Forecast 5/2008	Forecast 5/2009	Actual May 2006	Variation after 1 year
Berkeley Junior	0.5 m (0.5 km)	360	352	336	334	334	341	328	-8
Berkeley Infant	0.5 m (0.5 km)	270	246	251	247	239	238	248	-3
St Augustine Webster	0.5 m (0.5 km)	420	420	418	414	412	413	427	+9
Henderson Avenue	1.0 m (1.5 km)	546	478	474	473	475	472	483	+9
Crosby	1.0 m (2.0 km)	483	464	464	465	450	448	464	0
Parkwood Inf	1.0 m (2.0 km)	180	129	114	118	126	134	114	0
Parkwood Junior	1.0 m (2.0 km)	243	203	201	183	174	159	200	-1
Serthorpe CE	1.5 m (2.5 km)	210	189	194	190	191	189	201	+7
Frodingham Infant	1.5 m (2.5 km)	171	154	135	134	145	155	135	0
Bushfield Road Inf	1.5 m (2.5 km)	150	148	149	149	150	150	147	-2
Westcliffe	2.0 m (3.0 km)	300	254	251	246	255	249	249	-2
Brimby Junior	2.0 m (3.0 km)	480	378	379	373	378	379	371	-8
Total		3813	3415	3366	3326	3329	3327	3367	+1

- The original figures suggested that there were nearly 400 surplus places in 2005, growing to nearly 500 by May 2009.
- The forecasts were published with the proviso that "These numbers do not take into account any increase in school population from future housing developments in the area." The 2005 Local Plan Annual Monitoring Report (AMR 2005) shows that there 5 major sites with outstanding planning permission as at 1 April 2005. The council estimated that there would be 481 completions on these sites by 31 March 2009. At the council's preferred average of 0.25 primary age children per dwelling, these units would generate around 120 extra children
- The other sites mentioned in the AMR, such as Doncaster Road, are marked as "LP" -- Local Plan. These can be ignored since they are not "unimplemented planning approvals" as set out in the SPG.
- The Parkwood schools amalgamated from 1 September 2006. The new school will use the premises of the two old schools but three classrooms will be removed from their

capacity (partly because of structural problems). This will remove 93 places from the 2005 net capacity of those schools and the area as a whole, so the capacity from September 2006 will be 330 for the new school and 3,720 for the area. Other things being equal, the council expected there would be around 400 spare places in the area or just over 10%.

8. Over the 2 mile radius as a whole the forecast for 2006 was almost exact, despite the fact there may have been housing completions in the area between 2005 and 2006 and that "These numbers do not take into account any increase in school population from future housing developments in the area."
- **Any trends on parental preference or appeals for places at popular or oversubscribed schools.**
- **The recent history of admissions to schools.**
9. The council has not published details of recent admissions. The Section 52 budget statement for 2006/07 shows numbers by age on roll in January 2006. There were 483 children in year 2, 465 in year 1 and 469 in reception; provided all schools had accepted all their reception children in January, it would appear that the downturn in admissions had paused. The published admission limits for 2007/08 for reception classes was 515.
- **Any particular transport arrangements and assessment of the regular routes to schools (e.g. rivers that can't be crossed within the radius).**
10. All the schools within 2 miles are within Scunthorpe; no village schools on the left bank of the River Trent are within 2 miles. In May 2006 there were 32 spare places in Berkeley Junior and 32 surplus places at Berkeley Infants. The next nearest non denominational school is Henderson Avenue that had 63 surplus places; it can be accessed by means of walking along Ferry Road then south along Henderson Avenue or along Doncaster Road then north up Henderson Avenue. Crosby school (19 surplus places) is a little further.
11. The new Parkwood Primary school would have had 314 pupils in 330 places, leaving 16 surplus places. Access to this school would involve crossing Doncaster Road. This can be done either by using the dedicated cycle lane or the pedestrian controlled crossings.
- **Any other agreed building works that would affect net capacity within the next 2-3 year period.**
12. We are not aware of any building works which would alter school capacities in the area.

### **The effects of new housing**

13. The proposed development will contribute 38 extra dwellings. At the standard 0.25 factor used by North Lincolnshire, the 38 units might be expected to produce an extra 9 or 10 primary aged children. If the 120 children from the sites in the AMR 2005 and the 10 from your proposal are added to the forecasts for 2009, demand would total 3,457 which would still leave around 260 of the 3,720 places surplus to requirements.
14. The Doncaster Road site may justify the provision of an extra primary school on its own merits for its own use when the developers apply for planning permission.

### **Calculation of Developer Contributions**

15. The SPG continues at paragraph 8.18 "Forecasts of future school capacity and national [misprint for natural] population growth are made by the LEA. If following these calculations, the local school is deemed to be at capacity or deficient in facilities,

contributions will be sought, etc.” The reference to the local school in the singular must be a drafting error, else why consider schools in a 2 mile radius? The nearest schools have ample surplus places.

16. Paragraph 8.19 states “Contributions are required where a local need is identified and, therefore, there is an obligation [on the council] to show how funds received will be spent within a prescribed period and how they will deal with the identified impact (in a manner that will be set out by the LEA). The funds will be spent on local schools, etc.” It follows that if the case for a contribution depends on a shortfall at the nearest school, the money should be spent on the nearest school. Alternatively if the money is to be spent on a range of schools within a wider area, the projected shortfall should relate to those schools.
17. In this instance, there is no shortfall forecast at the two Berkeley Schools, nor in a 2 mile radius. No contribution is necessary.

John R Walker

Consultant Statistician  
18 September 2006.



**NORTH  
LINCOLNSHIRE**  
COUNCIL  
www.northlincs.gov.uk

Learning, Development and Support Services  
for  
Children's Services, Public Sector Housing and Adult Social Care

To David Wardsworth  
From Claire Starlin  
Direct Dial 7701

David here is what  
is on our file for  
Scotter road minus the  
plans.

I have also sent an  
email with other electronic  
information.

Sally said your file  
had gone missing so  
I've copied the planning  
application form too.

PTU

**WITH COMPLIMENTS**

Please let me know  
if you need anything  
else, or if we are  
expected to separate;  
send anything to the  
inspector.

Thanks

Claire

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**From:** Sally Grindrod/LDS/NorthLincs  
**To:** David Wordsworth/PL/NorthLincs@NorthLincs  
**bcc:** Claire Startin/LDS/NorthLincs@NorthLincs

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**Date:** Tuesday, October 17, 2006 01:10PM  
**Subject:** Scotter Road 2006/0848

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Hi David I tried to call but you were engaged.

I have had a read through of the letter you faxed over and as far as I can see there is no difference to Pelhams original letter.

The main problem I have is that there is no evidence to show that there is a demand for shared ownership homes in North Lincolnshire. I think you might be aware that we still have two empty shared ownership properties on Timberlands that have now been empty for more than a year. Back in November 2005 we began to ask every person on the North Lincolnshire Housing Register if they would be interested in a shared ownership property if there were one available and to date not one single person has registered an interest.

As such, I do not agree that the proposed solution complys with SPG 9 and policy H11, paragraph 6.7 of the SPG explicitly states that 'if the developer can illustrate that an alternative method is more appropriate, the Council will consider the method proposed, but only where it can be demonstrated to meet a defined priority need for affordable housing'. We would consider that the shared equity scheme proposed does not meet a defined **priority** need for affordable housing.

We are currently in the process of completing final amendments to a North Lincolnshire wide Housing Needs and Markets Assessment which will clearly set out the housing need for North Lincolnshire and give clarity to grey areas such as the one above.

I hope this is of use,

Sally Grindrod  
Strategy and Information Officer (Housing)  
North Lincolnshire Council  
Tel: 01724 296473



Using 2004 Annual Survey of Homes and Earnings (ASHE)

PERCENTILE	10	20	25
Male	14,042	16,631	18,009
Female	9,447	10,632	11,893
<b>Total</b>	<b>£23,489</b>	<b>£27,263</b>	<b>£29,902</b>
<b>X 4</b>	<b>£93,956</b>	<b>£109,052</b>	<b>£119,608</b>

**2 Bedroom Semi-Detached**

Plot 328	Type 255 Meteor	98,995
	Less 5% Deposit	4,950
	<b>Total</b>	<b>£94,045</b>

**3 Bedroom Semi-Detached**

Plot 365	Type 365 Dove	109,500
	Less 5% Deposit	5,475
	<b>Total</b>	<b>£104,025</b>

	71 Plots	19%	Available to bottom 10%	2 Bed Semi
Additional	112 Plots	30%	Available to bottom 20%	3 Bed Semi
Additional	37 Plots	10%	Available to bottom 25%	3 Bed Semi (Integral Garage)
<b>Total</b>	<b><u>220 Plots</u></b>	<b><u>59%</u></b>		

# Price List

## NORMANBY GRANGE SCUNTHORPE

<u>PLOT</u>		<u>HOUSE TYPE</u>	<u>GARAGE</u>	<u>PRICE</u>	<u>APPROXIMATE COMPLETION</u>	
18	376	HAWKER	3 BED DETACHED	INTEGRAL	£132,500	SEPTEMBER 2006
20	377	SOPWITH	3 BED DETACHED	SINGLE GARAGE	£131,995	SEPTEMBER 2006
*	21	DOVE	3 BED SEMI DETACHED	PARKING SPACE		RESERVED
*	22	DOVE	3 BED SEMI DETACHED	PARKING SPACE		RESERVED
*	23	DOVE	3 BED SEMI DETACHED	PARKING SPACE		RESERVED
*	24	HURRICANE	2 BED SEMI DETACHED	PARKING SPACE	£98,995	DEC 06 / JAN 07
*	25	DOVE	3 BED SEMI DETACHED	PARKING SPACE	£109,500	DECEMBER 2006
*	26	LANCASTER	3 BED SEMI DETACHED	INTEGRAL	£122,500	DECEMBER 2006
*	2	METEOR	2 BED SEMI DETACHED	PARKING SPACE		RESERVED
	33	SOPWITH	3 BED DETACHED	SINGLE GARAGE		RESERVED
*	34	HURRICANE	2 BED SEMI DETACHED	SINGLE GARAGE		RESERVED
*	35	LANCASTER	3 BED SEMI DETACHED	INTEGRAL	£122,500	NOV/DEC 2006
*	37	DOVE	3 BED SEMI DETACHED	PARKING SPACE		RESERVED
★	42	HAWKER	3 BED DETACHED	INTEGRAL	£133,995	JULY 2006
	44	HAWKER	3 BED DETACHED	INTEGRAL	£133,995	JUL/AUG 2006
	47	HAWKER	3 BED DETACHED	INTEGRAL	£133,995	OCT/NOV 2006
	48	HANDLEY	3 BED DETACHED	INTEGRAL	£137,500	OCT/NOV 2006
	50	LOCKHEED	4 BED DETACHED	SINGLE	£149,995	NOV /DEC 2006
	51	HAWKER	3 BED DETACHED	INTEGRAL	£132,995	NOV /DEC 2006
*	52	DOVE	3 BED SEMI DETACHED	PARKING SPACE		RESERVED
*	53	DOVE	3 BED SEMI DETACHED	PARKING SPACE	£109,500	DECEMBER 2006
*	54	LANCASTER	3 BED SEMI DETACHED	INTEGRAL	£122,500	DECEMBER 2006
*	55	DOVE	3 BED SEMI DETACHED	PARKING SPACE	£109,500	DECEMBER 2006
	309	HAWKER	3 BED DETACHED	INTEGRAL		RESERVED
	326	LOCKHEED	4 BED DETACHED	SINGLE	£149,995	DEC 06 / JAN 07
*	327	LANCASTER	3 BED SEMI DETACHED	INTEGRAL	£122,500	DECEMBER 2006
*	328	METEOR	2 BED SEMI DETACHED	PARKING SPACE	£98,995	DECEMBER 2006
*	329	WHITWORTH	3 BED SEMI DETACHED	PARKING SPACE	£109,995	DECEMBER 2006
*	330	WHITWORTH	3 BED SEMI DETACHED	SINGLE	£114,995	DECEMBER 2006

For further information

Tel: 01522 580400

[www.pelham-homes.co.uk](http://www.pelham-homes.co.uk)



Pelham Homes Lincoln Limited,

10a Newport,

Lincoln LN1 3DF

# Price List

*	332	368	LANCASTER	3 BED SEMI DETACHED	INTEGRAL	RESERVED
*	334	366	WHITWORTH	3 BED SEMI DETACHED	PARKING SPACE	RESERVED
*	335	255	METEOR	2 BED SEMI DETACHED	PARKING SPACE	RESERVED
*	337	366	WHITWORTH	3 BED SEMI DETACHED	PARKING SPACE	RESERVED
*	338	366	WHITWORTH	3 BED SEMI DETACHED	SINGLE	RESERVED
	354	371	HANDLEY	3 BED DETACHED	INTEGRAL	RESERVED

**SALES OFFICE OPEN DAILY 11:00A.M. - 5:00P.M.**

OUR SALES NEGOTIATOR ON SITE ARE RITA RUSSELL, RACHEL BROTHWELL AND KAREN BONNER.  
TELEPHONE NUMBER 01724 281790

ALL PRICES INCLUDE DOUBLE-GLAZING & GAS CENTRAL HEATING

\* INDICATES PLOTS ON WHICH THE 1<sup>ST</sup> START SCHEME IS OFFERED FOR FIRST TIME BUYERS

★ INDICATES PLOTS THAT HAVE BEEN NOMINATED FOR THE SHARED EQUITY SCHEME. PLEASE ASK THE SALES NEGOTIATOR FOR MORE INFORMATION

Sales@pelham-homes.co.uk

Thursday, 08 June 2006

For further information

Tel: 01522 580400

Page 2 of 2 [www.pelham-homes.co.uk](http://www.pelham-homes.co.uk)



Pelham Homes Lincoln Limited,  
10a Newport,  
Lincoln LN1 3DF

Table 8.7a Annual pay - Gross (£) - For male full-time employee jobs\*: United Kingdom, 2004

Description	Code	Number of jobs (thousand)	Annual percentage change		Percentiles										
			Median	Mean	10	20	25	30	40	60	70	75	80	90	
Hyndburn	419	9	16,320	20,197	10,713	12,408	13,923	14,635	15,679	19,562	x	23,808	26,212	33,780	
Lancaster	420	19	24,024	26,269	14,280	16,095	17,386	19,097	20,882	27,121	30,068	x	33,324	43,259	
Pendle	421	9	19,600	23,260	19,717	14,805	15,504	15,647	17,441	22,485	x	27,264	29,203	33,989	
Preston	422	20	22,144	26,524	12,636	13,764	15,434	16,672	19,027	24,844	x	x	33,901	43,572	
Ribble Valley	423	10	27,215	32,838	14,379	17,049	17,979	19,340	24,183	28,945	x	34,916	38,438	47,488	
Roseendale	424	9	21,556	26,231	14,281	15,363	16,523	17,868	20,481	24,663	x	28,860	30,130	46,289	
South Ribbles	425	16	22,151	25,719	18,314	15,445	17,231	16,444	20,402	25,615	29,308	31,047	33,044	39,713	
West Lancashire	426	15	24,351	30,309	18,005	16,368	16,794	18,121	20,925	26,627	31,819	x	37,178	47,718	
Wyre	427	12	25,708	26,941	12,958	16,368	18,489	20,656	23,451	27,747	31,219	x	33,673	37,566	
Greater Manchester MC	428	348	22,889	26,994	13,269	15,538	16,584	17,753	20,215	25,308	28,669	30,892	33,992	42,145	
Bolton	207	40	21,594	27,002	12,522	14,499	15,567	16,543	19,205	25,276	28,078	33,262	35,425	44,556	
Bury	208	27	23,255	26,600	14,550	16,853	17,421	19,007	21,641	26,786	29,077	31,808	34,775	39,812	
Manchester	209	40	20,685	24,859	13,088	14,714	15,482	16,666	18,791	23,481	26,478	28,087	x	40,307	
Oldham	210	27	21,651	25,088	11,819	14,920	15,929	16,662	19,817	24,977	28,508	30,091	x	37,535	
Rochdale	211	x	22,105	27,708	12,660	15,817	16,866	17,552	19,471	25,008	29,986	32,703	35,285	49,041	
Salford	212	28	21,673	25,369	12,053	14,858	15,513	16,918	19,811	23,987	26,811	29,465	33,686	36,798	
Stockport	213	45	24,481	28,684	14,339	16,192	17,530	16,764	21,404	27,609	31,174	33,165	x	46,884	
Tameside	214	36	20,998	22,559	13,071	15,166	16,173	17,347	19,173	22,752	25,047	26,827	28,203	32,852	
Trafford	215	32	27,628	37,657	14,169	18,020	20,224	21,555	24,164	30,004	34,342	x	52,287	x	
Wigan	216	48	23,264	24,546	13,372	15,857	16,831	17,668	19,870	25,748	28,311	30,135	31,842	37,339	
Merseyside	75	162	22,620	25,405	12,933	15,504	16,629	17,868	19,998	25,286	28,580	30,408	32,818	39,983	
Knowley	217	16	19,112	22,739	12,347	14,224	15,893	16,388	18,273	21,081	x	27,005	29,882	37,953	
Liverpool	218	47	20,801	23,680	12,990	14,636	15,743	16,384	18,572	23,270	26,217	28,522	30,412	35,142	
St. Helens	219	24	23,032	24,961	13,579	15,761	17,431	18,005	19,865	25,553	27,766	29,293	30,900	36,471	
Sefton	220	x	25,072	27,345	12,582	16,126	16,286	19,865	22,329	29,174	31,894	33,993	35,463	41,695	
Wirral	221	45	24,025	27,103	14,097	16,506	17,937	19,154	21,606	26,401	29,536	31,055	34,206	43,801	
Yorkshire and The Humber		729	22,540	26,259	12,979	15,650	16,651	17,635	20,001	25,212	28,287	30,231	32,694	41,086	
East Riding of Yorkshire UA	82	53	24,258	27,918	14,564	17,599	18,356	19,268	22,132	28,782	29,448	31,588	34,631	41,698	
Kingston upon Hull UA	83	33	20,478	21,826	11,103	13,629	15,440	16,355	18,334	22,972	25,335	26,582	28,246	33,576	
North East Lincolnshire UA	84	21	23,258	24,556	13,495	16,448	17,327	17,881	20,060	24,912	26,507	29,305	x	37,223	
North Lincolnshire UA	85	26	23,811	25,824	14,042	16,631	18,009	19,163	22,327	26,048	28,024	30,703	x	38,320	
North Yorkshire	86	32	24,368	27,694	13,122	15,813	16,917	18,321	21,029	26,981	30,191	32,132	x	42,925	
Craven	464	78	22,725	31,401	13,675	16,344	17,222	18,593	20,222	27,021	31,381	34,504	37,290	54,970	
Hambleton	465	13	21,620	28,473	13,988	16,289	17,256	18,464	20,013	x	28,252	31,624	33,314	36,151	
Harrogate	466	21	26,841	36,579	14,632	17,024	18,772	19,460	22,225	31,767	x	x	53,048	66,924	
Richmondshire	467	x	21,457	26,159	12,666	14,626	15,092	16,723	20,170	x	29,772	x	41,630	57,033	
Ryedale	468	7	21,922	29,104	x	14,508	16,294	17,053	18,823	x	x	31,214	31,884	36,876	
Scarborough	469	12	19,875	24,798	x	15,660	16,394	17,166	18,918	x	x	31,376	35,678	52,387	
Salby	470	13	23,348	31,414	12,101	16,771	18,395	19,422	21,589	26,200	27,424	29,422	31,362	36,746	
South Yorkshire MC	95	178	22,225	24,688	12,652	15,225	16,193	17,461	19,664	24,769	27,424	29,422	31,362	x	
Barnley	222	41	22,239	24,501	12,599	14,872	15,816	17,083	19,619	23,688	26,877	28,568	x	36,910	
Doncaster	223	41	22,239	24,501	12,533	15,552	16,551	17,528	19,531	24,392	27,770	29,628	31,004	39,630	
Rotherham	224	35	22,233	24,988	12,384	14,839	15,850	17,091	19,584	25,202	27,569	29,836	32,104	39,298	
Sheffield	225	71	22,107	24,947	12,900	15,572	16,481	17,548	19,814	24,956	27,984	29,874	32,578	41,723	
West Yorkshire MC	100	307	22,151	26,076	12,276	14,549	15,673	16,540	18,579	23,351	25,872	27,409	30,432	36,582	
Bradford	235	64	20,391	23,728	12,435	15,261	16,109	16,754	16,408	24,115	26,747	28,184	x	36,473	
Calderdale	239	29	21,707	26,268	12,431	15,081	16,100	17,507	19,708	26,840	28,659	30,844	x	48,200	
Kirklees	240	61	22,050	27,617	13,389	16,334	17,195	18,618	20,785	25,819	28,624	31,072	33,756	48,200	
Leeds	241	107	22,975	26,829	12,983	15,422	16,492	17,195	18,618	20,785	25,819	28,624	31,072	33,756	
Wakefield	242	46	22,644	26,047	12,983	15,422	16,492	17,195	18,618	20,785	25,819	28,624	31,072	33,756	
East Midlands	107	673	23,283	27,089	13,052	16,003	17,103	18,308	20,721	26,028	29,619	31,560	33,906	42,052	
Derby UA	107	37	24,261	25,956	13,385	17,208	18,707	20,197	22,220	26,674	28,919	30,589	32,345	40,027	
Leicestershire UA	108	37	18,873	21,819	11,204	13,429	14,634	15,433	18,723	20,508	23,942	25,663	27,530	32,810	

Table 9.7a Annual pay - Gross (£) - For female full-time employee jobs\*: United Kingdom, 2004

Description	Code	Number of jobs (thousand)	Median	Annual percentage change	Percentiles										Annual percentage change
					10	20	25	30	40	60	70	75	80	90	
Hyndburn	419	6	13,981		x	x	x	11,686	13,318	x	20,113	21,807	24,757	27,130	
Lancaster	420	x	x		x	x	x	15,334	x	x	22,207	23,804	24,613	30,432	
Pendle	421	x	14,308		6,449	9,437	9,613	10,388	12,552	x	17,300	19,973	22,760	30,810	
Preston	422	10	16,034		x	x	x	13,356	x	19,435	x	24,102	26,044	32,113	
Ribble Valley	423	x	x		x	x	x	13,306	13,736	14,253	x	24,061	26,942	29,589	
Rossendale	424	x	x		9,304	10,415	11,092	11,942	13,048	x	25,168	26,622	29,063	36,226	
South Ribble	425	10	18,426		11,095	11,804	12,758	13,458	17,097	21,422	24,721	26,901	30,515	33,184	
West Lancashire	426	10	19,702		9,048	13,946	15,492	16,908	18,474	21,536	27,043	28,633	32,452	31,798	
Wyers	427	11	17,165		10,388	12,333	13,199	14,030	15,860	19,999	22,633	24,452	26,314	31,798	
Greater Manchester MC	64	231	17,555		9,867	11,637	12,397	13,130	14,995	18,982	21,806	23,532	25,288	29,616	
Bolton	207	26	18,745		10,661	13,234	14,182	16,312	18,277	22,223	24,824	26,467	28,068	32,078	
Bury	208	19	20,242		10,227	12,558	13,227	14,142	15,517	19,561	22,524	23,498	x	29,769	
Manchester	209	91	17,466		x	x	x	13,347	13,668	14,820	19,966	x	25,871	32,814	
Oldham	210	21	17,639		11,049	13,151	13,755	14,529	16,053	19,625	22,777	25,305	27,089	31,008	
Rochdale	211	19	16,114		x	13,376	14,165	15,032	16,188	21,434	24,514	x	28,891	32,754	
Salford	212	18	17,679		9,752	11,271	12,003	12,695	14,537	17,007	18,957	20,182	20,860	25,280	
Stockport	213	27	18,788		10,690	13,031	14,475	15,311	17,139	22,690	25,444	27,032	x	34,867	
Tameside	214	17	15,870		9,644	11,445	12,121	12,910	14,367	18,005	20,946	22,128	23,479	28,878	
Trafford	215	25	19,485		9,921	12,310	12,973	13,561	15,343	19,360	21,947	23,634	26,109	x	
Wigan	216	28	16,748		9,881	12,640	13,161	13,492	15,798	19,711	22,341	24,420	26,850	33,930	
Merseyside	75	112	17,288		10,008	12,408	13,351	13,854	15,127	17,740	19,905	x	26,831	31,763	
Knowsley	217	x	14,984		10,366	11,984	12,854	13,475	15,232	18,793	21,730	23,665	x	32,052	
Liverpool	218	35	18,036		9,313	12,611	13,621	13,947	16,468	20,016	22,920	24,873	x	34,508	
St. Helens	219	14	16,395		9,624	11,490	12,447	14,138	16,012	21,118	23,549	24,916	x	33,728	
Sefton	220	29	17,252		8,475	9,546	9,988	10,501	11,958	14,330	18,069	17,863	18,043	25,067	
Wirral	221	25	18,381		9,318	10,093	10,683	10,828	12,047	15,783	x	x	18,919	22,207	
Yorkshire and The Humber		417	17,026		9,447	10,632	11,893	12,281	13,744	17,256	21,235	x	25,658	29,465	
East Riding of Yorkshire UA	82	22	19,052		10,619	13,289	14,127	14,485	17,128	21,478	23,403	x	25,548	33,488	
Kingston upon Hull UA	83	x	12,808		10,290	11,572	12,153	12,971	14,971	19,818	23,285	25,413	27,996	32,179	
North East Lincolnshire UA	64	10	13,212		x	x	x	x	x	x	x	26,355	28,521	29,378	32,995
North Lincolnshire UA	86	12	14,777		6,266	11,224	11,606	12,126	14,667	x	x	x	22,490	23,848	28,728
York UA	88	14	19,293		10,835	12,636	12,826	14,675	16,724	22,646	27,123	29,238	29,918	33,788	
North Yorkshire	87	49	17,231		x	x	x	x	x	x	x	20,888	22,544	24,987	32,222
Craven	464	x	23,365		x	x	x	x	x	x	x	13,864	14,248	14,705	15,917
Hambledon	465	8	16,494		8,349	10,201	10,622	11,457	12,612	x	x	x	23,490	25,000	30,828
Harrogate	466	8	17,749		11,078	13,483	13,943	16,091	17,005	19,814	x	x	26,289	30,510	35,323
Richmondshire	467	x	x		10,360	11,940	12,559	13,240	14,733	19,200	21,932	23,766	25,801	31,408	
Ryedale	468	x	12,119		10,354	11,458	12,248	12,508	14,063	17,710	20,138	21,861	x	27,423	
Scarborough	469	7	17,093		9,639	11,677	12,051	12,508	14,182	18,561	19,201	x	x	28,835	
Selby	470	8	18,628		10,251	11,609	12,252	12,895	14,701	18,520	20,988	x	25,868	33,062	
South Yorkshire MC	95	103	17,048		10,775	12,548	13,332	13,864	16,143	21,092	23,775	25,668	27,125	32,374	
Barnsley	222	18	15,536		10,048	12,079	13,015	13,776	15,448	20,167	22,669	24,783	26,574	32,498	
Doncaster	223	19	15,156		9,885	11,868	12,768	13,478	14,908	17,820	20,727	21,826	23,450	30,324	
Rotherham	224	20	17,239		10,142	11,907	12,335	13,043	16,428	20,757	24,429	27,470	29,837	33,884	
Sheffield	225	48	18,728		9,707	11,361	12,268	13,018	14,931	19,509	22,286	23,629	x	30,674	
West Yorkshire MC	100	191	17,486		10,475	12,767	13,698	14,775	16,342	20,970	23,989	25,890	26,201	33,630	
Bradford	238	42	16,125		10,290	12,156	12,491	13,511	15,208	20,008	22,970	24,889	x	31,783	
Calderdale	239	15	19,175		9,705	11,599	12,328	13,026	14,750	19,264	22,016	23,871	26,194	31,529	
Calderdale	240	33	16,638		10,484	12,380	12,920	13,697	14,578	19,258	x	x	24,881	32,108	
Kirklees	241	72	16,279		9,675	10,802	11,601	12,403	13,710	17,635	19,602	20,662	22,239	28,088	
Leeds	241	72	16,279												
Wakefield	242	30	17,469												
East Midlands		358	16,766												
Derby UA	107	18	16,228												
Leicester UA	108	19	15,464												



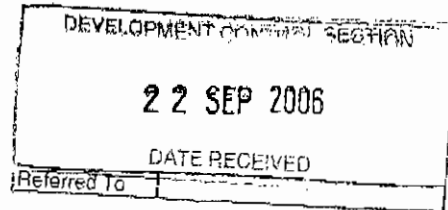
**Pelham Homes Lincoln Limited**  
 10a Newport, Lincoln LN1 3DF

**Tel: 01522 580400**

**Fax: 01522 545678**  
**Website: www.pelham-homes.co.uk**

Our Ref: PHL/MB  
 Thursday, 21st September 2006

David Wordsworth  
 North Lincolnshire Council  
 Church Square House  
 PO Box 42  
 Scunthorpe  
 North Lincolnshire  
 DN15 6QX



Dear David

**Re: Scotter Road, Scunthorpe, PA/2006/0848**

Thank you for your e-mail dated 14<sup>th</sup> September, which provided us with advice on the current issues outstanding with the above application. I would respond as follows:-

Affordable Housing

*No waiting list for shared ownership alternative proposals will be accepted only where it can be demonstrated to meet a defined priority need for affordable housing.*

We propose to provide 4 shared ownership properties on the site, which offer an affordable housing solution to comply with SPG 9 and H11 of North Lincolnshire's adopted Local Plan.

We propose to provide the Council with Nomination Rights, therefore, if you nominate people who are currently in occupation of council rented accommodation these properties will become available for people on even lower incomes to rent. This effectively doubles the effect of this proposal.

We herewith attach a draft Section 106 Agreement to cover this proposal, which has been reproduced from an agreement recently signed with West Lindsey District Council.

Enclosed are 2 pages from the Annual Survey of Homes and Earnings (ASHE) from the National Statistics Office showing earnings of male and females full time employees.

A couple in the bottom 10 percentile in North Lincolnshire earn:

$$£14,042 + £9,447 = £23, 489$$

**Our target price for the shared equity houses are as follows: -**

Type:	365 (3 Bed)
Price:	109,500
25%	£27,375
75% equity price:	£82,125
Mortgage Ratio:	4
Earnings need to purchase:	£20,531
Conclusion:	Can be purchased by bottom 10 percentile



Type:	255 (2 Bed)
Price:	£98,995
25%	£24,748
75% equity price:	£74, 247
Mortgage Ratio:	4
Earnings need to purchase:	£18, 561
Conclusion:	Can be purchased by bottom 10 percentile.

**Our target price for the 2-bedroom house not sold on a shared equity basis is as follows: -**

Type:	255 (2 Bed)
Price:	£98,995
Less 5% Discount (Paid by Pelham Homes)	£4,950
Nett Sales Price:	£94,045
Mortgage Ratio:	4
Earnings need to purchase:	£23, 511
Conclusion:	Can be purchased by bottom 10 percentile.

### **Education**

We have attached a summary report from our consultant, which states there are adequate surplus school places within 2 miles of our proposed site. We would therefore like to receive confirmation that no Education Contribution will be payable and therefore no Section 106 Agreement will need to be entered into.

### **Public Open Space**

We are happy to accept a Section 106 Agreement with a commuted sum of £28,811.00 and look forward to receiving a draft Section 106 Agreement from your Legal Department. Obviously we would like to receive this as soon as possible as it should be a standard document. In respect to Patric Butler's comments our Architect has responded to you on these points.

### **Highways**

We assume these are standard conditions and would be in general agreement to these.



Pelham Homes Lincoln Limited  
10a Newport, Lincoln LN1 3DF

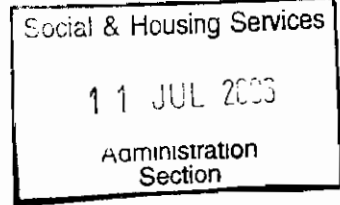
Fax: 01522 545678  
Website: www.pelham-homes.co.uk

Tel: 01522 580400

Our Ref PH/JLH/JEA  
Your Ref CRS/

10 July 2006

Ms Claire Startin  
Strategic Co-ordinator and Advisor (Housing)  
North Lincolnshire Council  
The Angel  
Market Place  
Brigg  
North Lincolnshire  
DN20 8LD



Dear Ms Startin

**Scotter Road, Scunthorpe**

Thank you for your letter of 21 June 2006, I will answer your various points in the order that they appear in your letter.

We fully understand that the research undertaken by Messers Fordham may say that there is a shortage of affordable housing to rent. However, the problem here is that there is a great number of people who do not believe that they can purchase a new home because their aspirations have been lowered and they have been intimidated by stories of high house prices. Seventy percent of our customers previously lived in council or Housing Association rented property, which means that for every hundred houses we sell 70 local rented houses become vacant. This means that even if you don't consider that the houses we are providing are affordable, we are generating 70 percent affordable housing by virtue of the vacant rented property left behind by our customers.

The above is of course effectively heresay, so we are happy to give you nomination rights on the shared ownership houses that we would sell as the formal affordable housing allocation. You would obviously nominate people who currently live in council rented accommodation thereby rendering it vacant.

You would effectively double the affordable housing provision on the site which would go some way to answering your point about the long waiting list.

By not allowing staircasing we would be encouraging occupiers to move on to other owner occupier housing, which would make it available again for a purchase nominated by your council and this would again help with your waiting list.

The ten year limit would give these people who were determined to own that particular house the opportunity to purchase the remainder if they so wished. Council tenants currently have a "right to buy" after only 5 years so we think that our 10 year period is fair. You will be aware that Government is pushing very hard for an increase in the level of shared ownership housing because home ownership not only



reduces the financial burden on Central Government relating to housing benefit payments but it also generates a positive change in attitude by the occupiers to the environment.

You say that those able to afford a shared ownership home would be able to afford a second hand home in the current market. This is not correct.

The cheapest second hand terraced house we could find in Scunthorpe is at Matlock Court, which is on sale at £88,950. On the assumption that it could be purchased for £85,000 the purchaser would have to find a deposit of at least 5% of £4,250 and pay legal fees of £500 which means that they would have to find a total of £4,750 deposit.

We intend to sell our two bedroom semi detached houses at about £96,995 (similar to the price of the same house on our Normanby Grange site. We have recently changed our shared ownership scheme to a 75% - 25% ratio and the customer would therefore need a mortgage of £72,746 but would not need a deposit and we would pay the solicitors fees as part of our standard package.

If the customer did not wish to purchase the property on a shared equity basis we would nevertheless pay their 5% deposit and solicitors fees and they would therefore not need any savings in order to purchase the house. We should remember that affordability is not necessarily to do with price and we contend that even without the shared ownership scheme our new houses are, in most cases, more affordable than second hand houses.

If we could find a cheaper older terraced property there would almost certainly be costs associated with renovation and the Building Society would demand a minimum deposit of 10% depending on the amount of work to be carried out.

We would be quite happy to give nomination rights so that you could ensure that the properties would go to those in housing need and we have a standard agreement for this. We can also incorporate a requirement for anyone selling their property within the 10 years to sell it to someone nominated by yourselves to help you to further reduce your waiting lists. With rented housing you can reduce your waiting list by one person whereas in many cases with our shared ownership scheme you will be able to reduce it by 2 or 3 people.

We always have a restrictive covenant on our houses preventing them from being let by private landlords.

We ensure that the mortgage consultants have a follow up contact after the first and second year to ensure that our customers are coping with their new financial environment. To the best of our knowledge we have never had a repossessed property in our 12 year existence because of this and this is one of the services that we provide that separates us from other house builders.

The size of our homes is tried and tested and we regularly monitor running costs. The cost of heating and lighting our two bedroom homes built to standards current two years ago is £1 per day.

Our Chairman is also the Chairman of a Housing Association and we are aware of Housing Corporation Standards. However, if we built to those standards the cost of properties would increase and some people on low incomes who can currently afford to purchase our homes would not be able to do so. The running cost would also of course increase.

We understand what you say about mixed communities. We are currently building at Normanby Grange where we are selling some of the houses on a shared ownership basis and all of these customers are from local rented accommodation as are many others who are purchasing our homes on a 100% basis.

We believe that this is a proper and sustainable way of integrating people on low incomes into the community.

I hope that you are able to consider the above and that you are able to agree to the provision of shared ownership affordable homes on the above site.

We would be very happy to meet you to discuss this matter further to reach a conclusion to satisfy all of us.

Yours sincerely

A handwritten signature in black ink, appearing to be 'MB', with a long horizontal line extending to the right.

Matthew Barker  
Land Manager



**Chris Barwell**

20/06/2006 16:50

To: Claire Startin/LDS/NorthLincs@NorthLincs

cc:

Subject: Re: Pelham Homes Scunthorpe 2006/0848

Hi Claire,

I know that Matthew Barker has been in contact with Marcus, myself and Iain Cunningham regarding developing around this area (i.e. Hebden Road) for some time now. I have to admit that we have been quite favourable to his proposals because taking away the industrial uses from this predominantly residential area will be beneficial for the development of the Doncaster Road housing site. However, we were unaware of these proposals for the affordable housing. This is something we have never really discussed.

With regard to what you have stated in your letter, I think what you are saying is fine from my point of view. I think it is important that we do not accept any affordable housing that we do not think is appropriate. The shared ownership that is being proposed seems quite a complicated process. I agree with you as I think we need to try and get some rented units on the site, as the SPG says we should try and negotiate rented units and only accept other mechanisms for affordable housing if the applicant can demonstrate their proposal as the only workable way to provide the affordable housing. If we cannot agree on what the affordable housing should be at the early stage this can be revisited later if they feel they cannot develop this site taking into account our request.

I agree that it is unacceptable for us to think about allowing them to provide the rented units on the Corus Cogifer site as there is no guarantee they will be developing this site imminently or in the future. Also I think we would be unsupportive of having the affordable housing put in a specific area as this conflicts with PPG3, PPS3 and 'mixed and inclusive communities'.

Just as points to assist you in your letter the affordable housing policy in our Local Plan is H11. Shame we did not include this land in the wider Doncaster Road site as we could have asked for 10-15%!!!

Finally, I have been across to DC to check on Normanby Grange, which was granted with conditions. Unfortunately, there are no officers available to discuss this with at the moment, so I will have to get back to you tomorrow with this information.

Hope this helps.

Chris Barwell  
Planning & Regeneration  
Tel: 7573

## PLANNING & REGENERATION : DEVELOPMENT CONTROL

INTER \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
OFFICE

# MEMO



**TO:** Claire Startin

**FROM:** Business Unit Manager, Development Control

**MY REF:** 2006/0848  
Contact: David Wordsworth

**DATE:** 01 June 2006

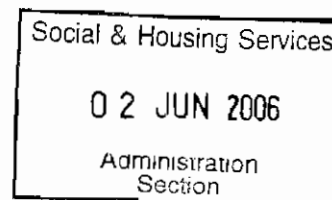
**SUBJECT:** Planning permission to erect 38 dwellings together with roads and sewers and ancillary works  
Land off Scotter Road Scunthorpe

Your views are requested upon the enclosed application.

Any comments you may wish to make should be made in writing to reach me no later than 21 days from the date of this letter. If you have no objections or comments to make then early notification of this will assist me to deal with the application promptly.

I look forward to hearing from you.

Handwritten signature of Mike Welton.



**Mike Welton**  
**Business Unit Manager, Development Control**



# Planning application form

Lincolnshire planning authorities, together with North and North East Lincolnshire Councils, have designed this form for you to fill in and send to any one of them

### 1a Your name and address:

Name: PELHAM HOMES LINCOLN LTD

Address (with postcode):

10A NEWPORT

LINCOLN

LN1 3DF

Phone number: 01522 580400

E-mail address:

### 1b Agent's name and address:

Name: OASIS URBAN DESIGN

Contact name: PAUL DEAKIN

Address (with postcode): STAVELEY HALL

STAVELEY

CHESTERFIELD

DERBYSHIRE, S433TN

Phone number: 01246 281700

E-mail address: mail@urban-oasis.co.uk

### 2 Full address of the application site

LAND OFF SCOTTER ROAD, SCUNTHORPE

### 3 Brief description of the proposed development

RESIDENTIAL DEVELOPMENT OF 38 HOUSES ALONG WITH ROADS, SEWERS AND ANCILLARY WORKS.

### 4 Type of application

Please tick one box

- a This is a **full** planning application  ➔ Go to Question 8
- b This is an **outline** planning application  ➔ Go to Question 5
- c This is a **reserved matters** application  ➔ Go to Question 6
- d This is an application to **remove or vary a condition**  ➔ Go to Question 7

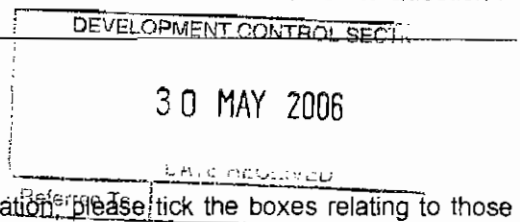
### 5 Outline applications

What is the site area? ..... hectares

If you are sending details for us to consider with this application, please tick the boxes relating to those details

- Siting
- Design
- External Appearance
- Access
- Landscaping

➔ Now go to Question 8



**6 Reserved matters application**

Please give the reference number and date of the outline permission Reference number:.....

Date:...../...../.....

Please tick the reserved matters you want us to consider in this application

Siting  Design  External Appearance  Access  Landscaping

◆ Now go to Question 8

**7 Removing or varying conditions**

Please give the reference number and date of the previous permission Reference number:.....

Date:...../...../.....

Please give the numbers of the conditions you want to remove or vary.....

**8 Existing and previous uses**

Please tell us what the site is used for now, or if it is unused, how it was used in the past... UNUSED

VACANT SITE

Please tell us about any other previous uses of the site... PREVIOUSLY USED AS

A TEXTILE FACTORY

**9 Access to roads (for vehicles and pedestrians)**

Please tick 'Yes' or 'No' Yes No

Will you be making a new access to a road or altering an existing access to a road?

If 'Yes', please give the name of the road here... HERRIOT WAY  
and show details on the plans

**10 Drainage and flood risk**

Please tick 'Yes' or 'No' for each question Yes No

Will foul water be connected to the main sewer?

If 'No', please send us a statement explaining how you will get rid of foul water

Will surface water be connected to the main sewer?

Will surface water drain into a watercourse?    
If 'Yes', please show the watercourse on the plans CREEBY CATCHWATER  
DRAIN TO THE WEST

If you answer 'No' to both surface water questions, please send us a supporting statement explaining how you will get rid of surface water

Does the proposal involve laying pipes across or along a section of watercourse or land drain?    
If 'Yes', please show details on the plans

Is the site in the Environment Agency's indicative flood plain?    
If 'Yes', please send a flood risk assessment with your application

**11 Industrial and business floorspace**

Please tick 'Yes' or 'No' for each question

Yes No

Does the proposal involve altering existing floorspace?  
If 'Yes', please give the following details (state gross floor areas)

Floorspace: ..... square metres Current use: .....

Proposed use: .....

Does the proposal create any new floorspace by building extensions or new buildings?

If 'Yes', how much floorspace will be created?.....square metres

**12 Trees and hedges**

Please tick 'Yes' or 'No' for each question

Yes No

Are there any trees or hedges within, overhanging or next to the site?  
If 'Yes', please show details on the plans

Does the proposal involve removing or pruning any trees, hedges, branches or roots?  
If 'Yes', please describe the work on the plans or in a supporting statement

**13 Public rights of way**

Please tick 'Yes' or 'No'

Yes No

Does the proposal affect a public right of way?  
If 'Yes', please show details on the plans

**14 Parking**

Please tick 'Yes' or 'No'

Yes No

Does the proposal include any parking, turning or delivery areas?  
If 'Yes', please show details on the plans

**15 Status of the proposal**

Please tick 'Yes' or 'No' for each question

Yes No

Is this application for development that has already been carried out?

Have you applied for planning permission for the same development in the past?

If 'Yes', please give the previous reference number .....

**16 Pre-application advice**

Please tick 'Yes' or 'No'

Yes No

Have you already received any advice from us about this proposal?

If 'Yes', please give the name of the officer who gave you the advice GIS OFFICER / POS CO-ORDINATOR  
And enclose any correspondence you have had about the proposal

PATRIC BUTLER

**Checklist**

Fill in this checklist to make sure that you send all the information we need with your application. Please complete it then sign in the appropriate places below.

	Yes	No
Filled in application form	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Correct planning application fee	<input checked="" type="checkbox"/>	<input type="checkbox"/>
OS-based site location plan with the site edged clearly in red and other land owned in blue	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Site layout plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Existing floor plans	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Proposed floor plans	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Existing elevation drawings	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Proposed elevation drawings	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Supporting statements we ask you for on this form	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Statement on how this proposal meets Development Plan policies	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Environmental, Transport, Design, Flood Risk or other impact assessments	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Feedback statement from any consultations undertaken before you applied	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Two signatures and dates (see below)	<input type="checkbox"/>	<input type="checkbox"/>
Where relevant, a different ownership certificate from the one below	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Ownership Certificate**

I certify that 21 days before the date I signed this application form nobody except the applicant owned the application site **and** none of the site forms part of an agricultural holding. (If either of these statements is not the case, please see the guidance notes.)

Signature: ..... On behalf of: .....

Date: ..... / ..... / .....

**Accuracy of information on this form**

I have filled in this application and, as far as I know, the information I have given is accurate. With it I apply for planning permission. I also agree to the information being used to publicise the application on the council's website.

Signature: *J. Deal* ..... On behalf of: *OASIS URBAN DESIGN (AGENT)* .....  
 Date: *25 / 05 / 06* .....

If the applicant is an employee or a Member of North Lincolnshire Council or the spouse or partner of any such person residing at the same address, or if the development is in respect of land in which any such person has an interest, please give details here. We need this information to make sure that the Code of Conduct for Members and Officers of the Council is followed.

Employee/Councillor's or spouse/partner's name: .....

Service Area: ..... Position: .....

Applications should be submitted or delivered to **Church Square House, PO Box 42, Scunthorpe, DN15 6XQ** or via your nearest **Local Link office**. For further information or help ring the Development Control team on 01724 297484, fax us on 01724 297871, or visit us at the Council's website: [www.northlincs.gov.uk/planning](http://www.northlincs.gov.uk/planning).

TOWN AND COUNTRY PLANNING  
(GENERAL DEVELOPMENT PROCEDURE) ORDER 1995

Certificate under Article 7

**CERTIFICATE B**  
and AGRICULTURAL HOLDINGS CERTIFICATE

Please ensure that you complete both Section 1 and Section 2.

**Section 1**

I certify that I have/~~the applicant has~~/the appellant has given the required notice to everyone else who, on the day 21 days before the date of the accompanying application/appeal, was the owner\* of any part of the land to which the application/appeal relates, as listed below:

Owner's name: <u>LAKELAND INTERCITY LTD</u>	<u>MR K DALE</u>
Address at which notice was served: <u>41 SOUTHERN PARK</u> <u>ANLABY PARK, HULL, HULL BT5</u>	<u>K B DALE LTD, HERRIOT WAY</u> <u>SCUNTHORPE, DN15 8XU</u>
Date on which notice was served: <u>24/05/06</u>	<u>24/05/06</u>

**Section 2** (*delete the statement which does not apply*)

None of the land to which the application/appeal relates is, or is part of, an agricultural holding.

OR

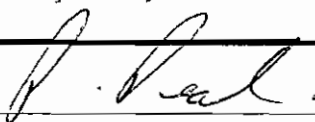
I have/~~the applicant has~~/the appellant has given the required notice to every person other than my/him/herself who, on the day 21 days before the date of the application/appeal, was a tenant of an agricultural holding on all or part of the land to which the application/appeal relates, as follows:

Tenant's name: \_\_\_\_\_

Address at which notice was served: \_\_\_\_\_

Date on which notice was served: \_\_\_\_\_

*NB If the applicant is the sole agricultural tenant, delete the first alternative and insert "not applicable" as the information required by the second alternative.*

Signed:  On behalf of: OASIS URBAN DESIGN & ARCHITECTURE  
(AGENT)  
Date: 24/05/06

\* "owner" means a person having a freehold interest or leasehold interest the unexpired term of which is not less than 7 years, or in the case of development consisting of the winning and working of minerals, a person entitled to an interest in a mineral in the land (other than oil, gas, coal, gold or silver).



---

Pelham Homes Lincoln Limited  
10a Newport, Lincoln LN1 3DF

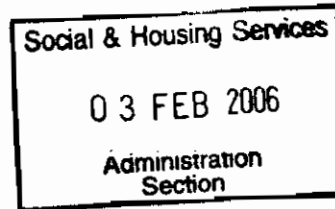
Tel: 01522 580400

Fax: 01522 545678

Website: [www.pelham-homes.co.uk](http://www.pelham-homes.co.uk)

Our Ref: PHL/MB/kb  
Tuesday, 31 January 2006

Clare Startin  
Planning and Regeneration  
North Lincolnshire Council  
Church square House  
PO Box 42  
Scunthorpe  
DN15 6XQ



**SUBJECT TO CONTRACT**

Dear Clare,

**Re: Two proposed Sites off Scotter Road Scunthorpe DN15 8AT and DN15 8XX**

Please find enclosed plans identifying two potential sites that we are currently considering for residential development.

The first site edged in red is likely to provide 38 dwellings, of which we assume there will be request for approximately 4 affordable houses.

The second site edged in blue is likely to provide between 120 – 140 dwellings, of which we assume there will be a request for between 12 – 14 affordable houses.

We operate a shared ownership scheme whereby we sell houses at 80% of their market value and the remaining 20% equity is retained by us. The 20% retained share is rent and interest free, and therefore the property owner will not have to pay out additional money other than the mortgage payments to cover their borrowings for their 80% of market value.

Our 20% cannot be realised until 10 years has passed and it only becomes repayable when the property is sold after this time. Therefore, if a property owner were to buy a house at 80% of its present market value and lives in it for 25 years, we would not realise our 20% share until the owner sells the property in 25 years time.

We believe this scheme provides a more affordable option than many of the Shared Ownership schemes being offered by RSLs and other developers, as we do not request any interest payments on the retained equity, no matter how long the term becomes.

Another incentive that we also currently offer a 'First Start Scheme', for first time buyers we pay a 5% deposit, the mortgage valuation fee is paid by us and £400 is provided towards their legal fees. We have found this scheme to very well received at our Normanby Grange Site in Scunthorpe.

We passionately believe as a company, that people should be encouraged into home ownership, as it enables a higher level of property maintenance and general neighbourhood spirit. We only sell to purchasers who will live in the property, and not to investors. We find this policy reduces the social problems associated with the mass of investor purchasers on many new residential estates.


*C. ... LPS*



We would propose to provide the 80% - 20% equity share dwellings on both of the attached sites and would welcome your comments as to whether this proposal would be supported by your department.

We look forward to hearing from you, at your earliest convenience.

Yours sincerely

pp  .

Matthew Barker

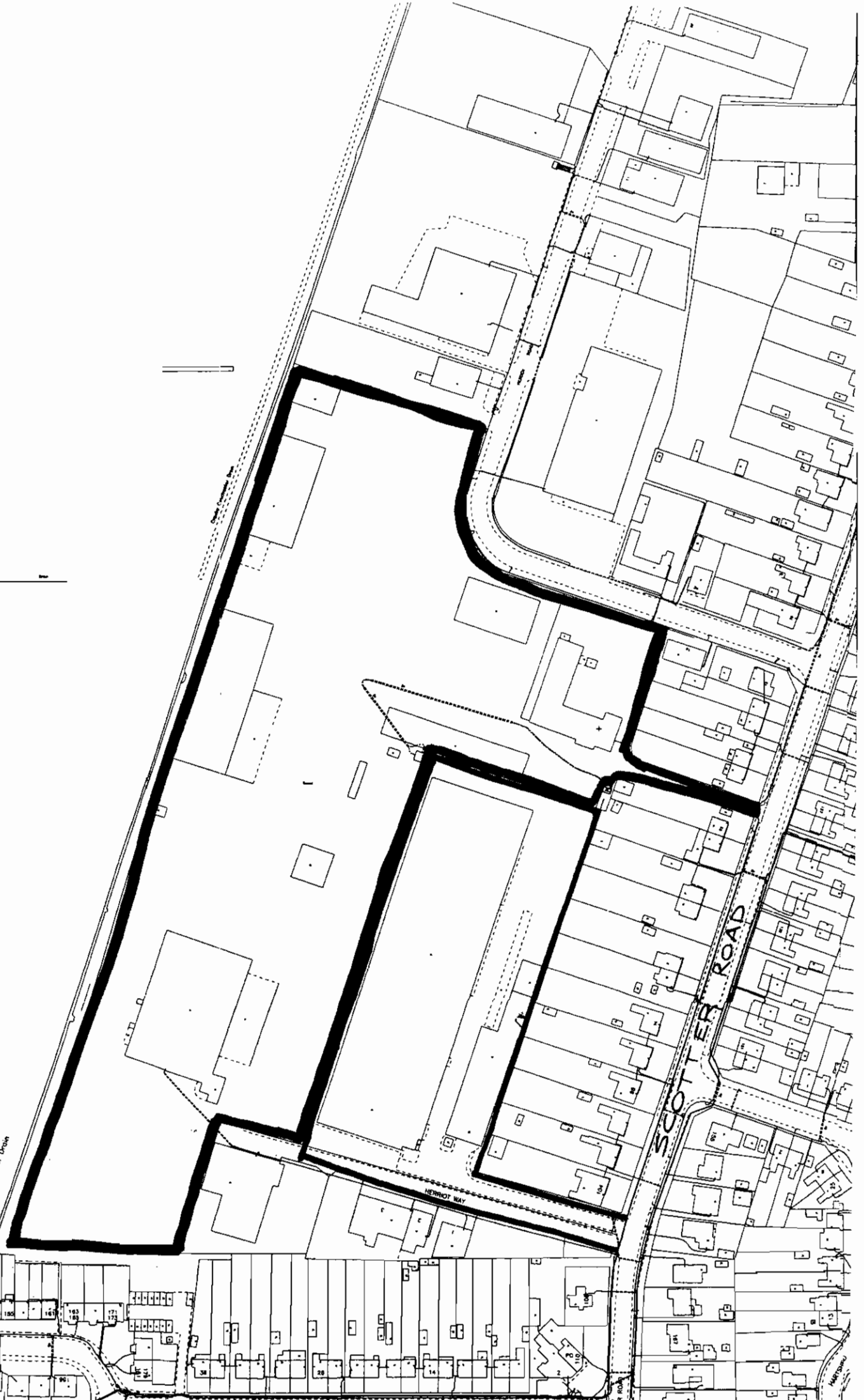
**Land Manager**

[matthew@pelham-homes.co.uk](mailto:matthew@pelham-homes.co.uk)

Direct Dial: 01522 580410

Enc

Crosby Catchwater Drain



HERRIOT WAY

SCOTTER ROAD

HERRIOT WAY

EMAIL MESSAGE

To	Matthew Barker
Company	Pelham Homes
From	Peter Jackson
Date	17 October 2006
Our Ref	PJ1990/PJ/25403
Your Ref	
Page	1/2

SCOTTER ROAD, SCUNTHORPE



Matthew

I refer to your request for comment regarding the Authority's expressed concerns over outside noise levels at the plots closest to the boundary fence shared with the Corus Cogifer site.

As my colleague Nick Treby is on holiday at the moment I have reviewed, in his absence, the previous reports and detail relative to the external noise situation and can provide the following comment.

The original noise assessment report stated that noise levels across most aspects of the development site are well below the recommended LAeq 55 dB for outdoor amenity spaces, but that this level will be exceeded at positions closest to the boundary of the Cogifer site.

I have looked at the noise measurements taken from positions 2 and 3, which are representative of this site boundary position. Noise levels at position 2 were measured at between LAeq 56 – 59dB(A) and at position 3 between LAeq 51 – 56.5dB(A). Consequently noise levels only exceed the LAeq 55dB(A) criterion by a relatively small margin.

Due to enforced changes to the site layout caused by re-positioning the access road further into the centre of the site, plots 1,2,6 and 7 have now been moved nearer to the boundary with the Cogifer site, however, plot 38 is retained in the same position, as per the original scheme.

Your current mitigation proposals for reducing external site noise levels at house plots 1, 6 and 38, closest to the site boundary with Cogifer, are covered by Nick's following comments, covering the position and the required materials specification for the barrier:

*I understand you are now proposing an acoustic barrier along sections of the rear boundary of the site, between plots 1, 2 and 38 with the Cogifer site. The barrier should comprise a close-boarded timber fence, minimum mass 15kg/m<sup>2</sup>. You are proposing it to be 1.8m high, to provide acoustic attenuation to external areas. Clearly this will have a beneficial effect, screening low sources on the Cogifer site from the gardens in the proposed development. Such a barrier will provide a reduction in the A weighted sound pressure levels of approximately 15 dB, and so will further reduce the noise exposure of the site from Cogifer's works.*

Distribution

Name Company  
(see email cover sheet)

**EMAIL MESSAGE (Cont'd)**

**Our Ref** PJ1990/25403

**Page** 2/2

Clearly, the benefit of an acoustic barrier varies depending on the noise source height, and the receiver position in the shadow of the barrier, however, the performance is highest, as in this case, where the barrier is close to the receiver position i.e. the garden amenity of the house plots nearest the site boundary.

Based on the reported noise data, reducing noise levels in the garden amenity areas of the plots closest to the site boundary to below LAeq 55dB(A) would only require noise reduction of up to 5dB(A). As stated above, provision of an acoustic barrier along the boundary will easily achieve this objective.

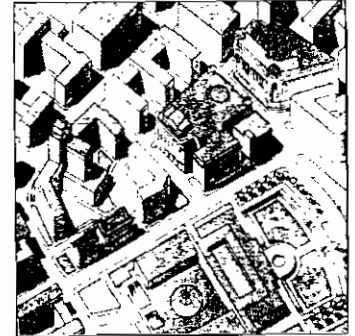
If you need to discuss anything further please contact my colleague Nick when he is back from holiday next week.

Kind regards

Peter Jackson  
**Principal Consultant**

# Peacock & Smith

North Lincolnshire Council  
Pittwood House  
Ashby Road  
Scunthorpe  
North Lincolnshire  
DN16 1AB



Chartered Town Planners  
Development Consultants

10 November 2006

Dear Sir

**APPEAL BY PELHAM HOMES LINCOLN LTD  
LAND AT SCOTTER ROAD, SCUNTHORPE  
YOUR REF: 2006/0848 - PLANNING INSPECTORATE REF: APP/Y2003/A/06/2029878**

We attach for your information copy documents related to an appeal in respect of the above, which we submitted to the Planning Inspectorate yesterday.

If you have any queries please do not hesitate to contact Sarah Worthington.

Yours faithfully

*Peacock & Smith*  
PEACOCK & SMITH

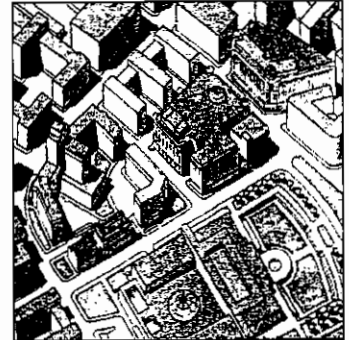
Enc

cc. M Barker Esq. Pelham Homes Lincoln Ltd

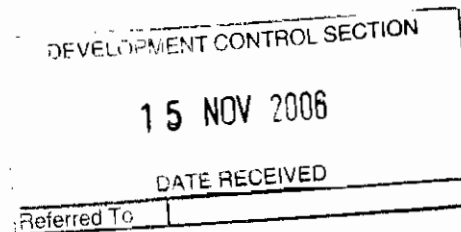
DEVELOPMENT CONTROL SECTION	
15 NOV 2006	
DATE RECEIVED	
Referred To	

NORTH LINCOLNSHIRE COUNCIL LEGAL SERVICES
14 NOV 2006
RECEIVED

The Planning Inspectorate  
Customer Support Unit  
Temple Quay House  
2 The Square  
Temple Quay  
BRISTOL  
BS1 6PN



Chartered Town Planners  
Development Consultants



10 November 2006

Dear Sir

**APPEAL BY PELHAM HOMES LINCOLN LTD  
LAND AT SCOTTER ROAD, SCUNTHORPE  
PLANNING INSPECTORATE REF: APP/Y2003/A/06/2029878**

With reference to the above planning appeal, which was submitted online yesterday, please find enclosed relevant forms and paperwork.

We note that the online form does not allow you input 'Organisation Name' for either the Appellant or Agent and lists the organisation only within the address column. For clarification, please note that Pelham Homes Lincoln Limited is the Appellant and Mr M Barker is part of that organisation. Likewise Peacock and Smith are the Agents for the appeal and Mrs S Worthington is part of that organisation. Please note that this matter has already been flagged up via an email sent to The Planning Inspectorate on 9 November 2006.

I can confirm that we have, today, forwarded a copy of the appeal papers to the Council.

Yours faithfully

  
PEACOCK & SMITH

Enc

cc. M Barker Esq. Pelham Homes Lincoln Ltd  
North Lincolnshire Council

# The Planning Inspectorate



Further information about us and the planning appeal system is available on our website [www.planning-inspectorate.gov.uk](http://www.planning-inspectorate.gov.uk)

DEVELOPMENT CONTROL SECTION  
15 NOV 2006  
DATE RECEIVED  
Referred To

For official use only

Date Received

9-Nov-2006 15:44

## PLANNING APPEAL (Online)

If you need this document in large print, on audio tape, in Braille or in another language, please contact our helpline on 0117 372 6372.

### Please use a separate form for each appeal

Your appeal and essential supporting documents must reach the Inspectorate within 6 months of the date shown on the Local Planning Authority's decision notice or, for 'failure' appeals, within 6 months of the date by which they should have decided the application.

**WARNING:** If any of the 'Essential supporting documents' listed in Section J are not received by us within the 6 month period, the appeal will not be accepted.

**APPEAL REFERENCE: APP/Y2003/A/06/2029878**

### A. APPELLANT DETAILS

The name of the person(s) making the appeal must appear as an applicant on the planning application form.

Name Mr M Barker

Organisation Name (if applicable)

Address Pelham Homes Lincoln Ltd  
10a Newport  
LINCOLN

Phone 01522 580400

Postcode LN1 3DF

Fax 01522 545678

Email

I prefer to be contacted by Email  Post

### B. AGENT DETAILS (if any) FOR THE APPEAL

Name Mrs Sarah Worthington

Organisation Name (if applicable)

Address Peacock & Smith  
2a Joseph's Well, Hanover Walk  
LEEDS

Phone 0113 2431919

Fax 0113 2422198

Your Ref SW/2759

Postcode LS3 1AB

Email

I prefer to be contacted by Email  Post

### C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the LPA North Lincolnshire Council

LPA's application reference no. 2006/0848

Date of the planning application 24 May 2006

Date of LPA's decision notice (if issued) 30 Oct 2006

# The Planning Inspectorate - Planning Appeal

## D. APPEAL SITE ADDRESS

Address Land at Scotter Road  
Scunthorpe

Postcode DN15 8XU

**Note: Failure to provide the full postcode  
may delay the processing of your appeal.**

Is the appeal site within a Green Belt? YES NO  Grid Ref :East 4871614 North 4115453

## E. DESCRIPTION OF THE DEVELOPMENT

Please enter details of the proposed development. This should normally be taken from the planning application form, but if the application was revised while it was with the local planning authority for consideration, you may enter a description of the revised scheme.

Residential development of 38 houses along with roads, sewers and ancillary works

Size of the whole appeal site (in hectares) 1.32

Area of floor space of proposed development (in square metres)

Has the description of the development changed from that entered on the application form? YES NO

## F. REASON FOR THE APPEAL

**This appeal is against the decision of the LPA to:**

*Please tick **ONE** box only*

- |          |  |  |
|----------|--|--|
| <b>1</b> | Refuse planning permission for the development described in Section E.   | <b>1</b> <input checked="" type="checkbox"/> |
| <b>2</b> | Grant planning permission for the development subject to conditions to which you object.                                   | <b>2</b>                                     |
| <b>3</b> | Refuse approval of the matters reserved under an outline planning permission.  | <b>3</b>                                     |
| <b>4</b> | Grant approval of the matters reserved under an outline planning permission subject to conditions to which you object.     | <b>4</b>                                     |
| <b>5</b> | Refuse to approve any matter required by a condition on a previous planning permission (other than those in 3 or 4 above). | <b>5</b>                                     |

**OR**

- |          |   |          |
|----------|---|----------|
| <b>6</b> | The failure of the LPA to give notice of its decision within the appropriate period (usually 8 weeks) on an application for permission or approval. | <b>6</b> |
|----------|---|----------|

## G. CHOICE OF PROCEDURE

### CHOOSE ONE PROCEDURE ONLY

You should start by reading our booklet 'Making your planning appeal' which explains the different procedures used to determine planning appeals. In short there are 3 possible methods: - written representations, hearings and inquiries. You should consider carefully which method suits your circumstances.

Please note that when we decide how the appeal will proceed we will take into account the LPA's views. ✓

#### 1 WRITTEN REPRESENTATIONS

This is normally the simplest, quickest and most straightforward way of making an appeal. Three out of every four people making an appeal choose this method. The written procedure is particularly suited to small-scale developments (e.g. extensions of buildings, individual houses or small groups of houses, appeals against conditions and changes of use). It is also very popular with people making their own appeal without professional help. The process involves the submission of written 'grounds of appeal' followed by a written statement and any supporting documents. It also provides an opportunity to comment in writing on the Local Planning Authority's reasons for refusing permission (or failing to determine the application). An Inspector will study all of the documents before visiting the appeal site/area and issuing a written decision.

**NOTE: The Inspector will visit the site unaccompanied by either party unless the relevant part of the site cannot be seen from a road or other public land, or it is essential for the Inspector to enter the site to check measurements or other relevant facts.**

a) If the written procedure is agreed, can the relevant part of the appeal site be seen from a road or other public land? YES  
NO

b) Is it essential for the Inspector to enter the site to check measurements or other relevant facts? YES  
NO

If the answer to **1b** is 'YES' please explain:

#### 2 HEARINGS

This process is likely to be suited to slightly more complicated cases which require detailed discussion about the merits of a proposal. Like the written procedure, the process starts with the submission of 'written grounds of appeal' followed by a full written statement of case and an opportunity to comment in writing on the Local Planning Authority's reasons for refusing permission (or failing to determine the application). The Planning Inspectorate will then arrange a hearing at which the Local Planning Authority and the appellant(s) will be represented. Members of the public, interested bodies (e.g. Parish/Town Councils) and the press may also attend. At the hearing the Inspector will lead a discussion on the matters already presented in the written statements and supporting documents. The Inspector will visit the site/area and issue a written decision in the same way as the written procedure.

Although you may prefer a hearing the Inspectorate must consider your appeal suitable for this procedure.

#### 3 INQUIRIES

This is the most formal of procedures. Although it is not a court of law the proceedings will often seem to be quite similar as the parties to the appeal will usually be legally represented and expert witnesses will be called to give evidence. Members of the public and press may also attend. In general, inquiries are suggested for appeals that:

- are complex and unduly controversial;
- have caused a lot of local interest;
- involve the need to question evidence through formal cross-examination.

## H. GROUNDS OF APPEAL

If you have requested the written procedure, please provide your **FULL** grounds of appeal.

If you have requested a hearing or an inquiry, you do not have to provide your full grounds of appeal. You can provide only a brief outline of your grounds, but it must be sufficiently detailed and comprehensive enough to enable the LPA to prepare their case.

Refer to our booklet 'Making your planning appeal' for help.

Please continue on a separate sheet if necessary.

---

\*\* See separate document : 'Grounds of appeal Scotter Lane, Scunthorpe.doc' \*\*

## I. APPEAL SITE OWNERSHIP DETAILS

We need to know who owns the appeal site. If you do not own the appeal site or if you own only a part of it, we need to know the name(s) of the owner(s) or part owner(s). We also need to be sure that any other owner knows that you have made an appeal.  
**YOU MUST TICK WHICH OF THE CERTIFICATES APPLIES.**

Please read the enclosed *Guidance Notes* if in doubt.

Please tick **ONE** box only ✓

If you are the sole owner of the whole appeal site, certificate A will apply:

### CERTIFICATE A

A

I certify that, on the day 21 days before the date of this appeal, nobody except the appellant, was the owner (see Note (i) of the *Guidance Notes* for a definition) of any part of the land to which the appeal relates:

OR

### CERTIFICATE B

B ✓

I certify that the appellant (or the agent) has given the requisite notice (see *Guidance Notes*) to everyone else who, on the day 21 days before the date of this appeal, was the owner (see Note (i) of the *Guidance Notes* for a definition) of any part of the land to which the appeal relates, as listed below:

Owner's Name	Address at which the notice was served	Date the notice was served
Lakeland Intercity Ltd	41 Southern Park, Anlaby Park, Hull, HU4 67S	10 Nov 2006
Mr K Dale	KB Dale Ltd, Harriot Way, Scunthorpe, DN15 8X	10 Nov 2006

### CERTIFICATES C and D

C & D

If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D enclosed with the accompanying *Guidance Notes* and attach it to the appeal form.

### AGRICULTURAL HOLDINGS CERTIFICATE (This has to be completed for all appeals)

We also need to know whether the appeal site forms part of an agricultural holding.  
Please tick either (a) or (b).

If the appellant is the sole agricultural tenant, (b) should be ticked and 'not applicable' should be written under 'Tenant's name'. ✓

a) None of the land to which the appeal relates is, or is part of, an agricultural holding: ✓

OR

b) The appeal site is, or is part of, an agricultural holding and the appellant (or the agent) has given the requisite notice to every person (other than the appellant) who, on the day 21 days before the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates as listed below: b

Tenant's Name	Address at which the notice was served	Date the notice was served
---------------	--	----------------------------

## J. ESSENTIAL SUPPORTING DOCUMENTS

The documents listed in 1-6 below, **must** be sent with your appeal form; 7-11 must also be sent if appropriate. If we do not receive **all** your appeal documents by the end of the 6 month appeal period, we will not deal with it. Please tick the boxes to show which documents you are enclosing.

- |   |  |     |
|---|--|-----|
| 1 | A copy of the original <b>planning application</b> sent to the LPA.  | 1 ✓ |
| 2 | A copy of the <b>site ownership certificate and ownership details</b> submitted to the LPA at <u>application stage</u> (this is usually part of the LPA's planning application form).  | 2 ✓ |
| 3 | A copy of the <b>LPA's decision notice</b> (if issued).  | 3 ✓ |
| 4 | A <b>site plan</b> (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue. | 4 ✓ |
| 5 | A list (stating drawing numbers) and copies of all <b>plans, drawings and documents</b> sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA.  | 5 ✓ |
| 6 | A list (stating drawing numbers) and copies of any <b>additional plans, drawings and documents</b> sent to the LPA but which did not form part of the original application (e.g. drawings for illustrative purposes).  | 6   |

**Copies of the following must also be sent, if appropriate:**

- |    |   |                |
|----|---|----------------|
| 7  | <b>Additional plans, drawings or documents</b> relating to the application but not previously seen by the LPA. Please number them clearly and list the numbers here:  | 7              |
| 8  | Any relevant <b>correspondence</b> with the LPA.  | 8 ✓            |
| 9  | If the appeal is against the LPA's refusal or failure to approve the matters reserved under an outline permission, please enclose:<br><b>(a)</b> the relevant outline application;<br><b>(b)</b> all plans sent at outline application stage;<br><b>(c)</b> the original outline planning permission. | 9a<br>9b<br>9c |
| 10 | If the appeal is against the LPA's refusal or failure to decide an application which relates to a <b>condition</b> , we must have a copy of the original permission with the condition attached.  | 10             |
| 11 | A copy of any Environmental Statement plus certificates and notices relating to publicity (if one was sent with the application, or required by the LPA).   | 11             |
| 12 | If you have sent other appeals for this or nearby sites to us and these have not been decided, please give details and our reference numbers.   | 12             |

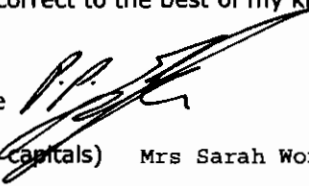
**PLEASE TURN OVER AND SIGN THE FORM - UNSIGNED FORMS WILL BE RETURNED**

## K. PLEASE SIGN BELOW

(Signed forms together with all supporting documents must be received by us within the 6 month time limit)

- 1 I confirm that I have sent a copy of this appeal form and relevant documents to the LPA (if you do not your appeal will not normally be accepted).
- 2 I confirm that all sections have been fully completed and that the details of the ownership (section I) are correct to the best of my knowledge.

Signature



Date 9 November 2006

Name (in capitals) Mrs Sarah Worthington

On behalf of (if applicable) Mr M Barker



The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration under the Data Protection Act 1998. Further information about our Data Protection policy can be found on our website under "Privacy Statement" and in the booklet accompanying this appeal form.

### NOW SEND

#### 1 COPY to us at:

The Planning Inspectorate  
Customer Support Unit  
Temple Quay House  
2 The Square  
Temple Quay  
BRISTOL  
BS1 6PN

#### 1 COPY to the LPA

Send a copy of the appeal form to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA). There is no need to send them all the documents again, send them any supporting documents not previously sent as part of the application. If you do not send them a copy of this form and documents, we may not accept your appeal.

#### 1 COPY for you to keep

When we receive your appeal form, we will:

- 1 Tell you if it is valid and who is dealing with it.
- 2 Tell you and the LPA the procedure for your appeal.
- 3 Tell you the timetable for sending further information or representations.

#### YOU MUST KEEP TO THE TIMETABLE

If information or representations are sent late we may disregard them. They will not be seen by the Inspector but will be sent back to you.

- 4 Tell you about the arrangements for the site visit, hearing or inquiry.

At the end of the appeal process, the Inspector will give the decision, and the reasons for it, in writing.

Published by The Planning Inspectorate June 2004.

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The Copyright Unit  
Her Majesty's Stationery Office  
St Clements House  
2-6 Colegate  
Norwich  
NR3 1BQ

## L. APPEAL DOCUMENTS

Please remember that any supporting documentation needs to be received by us within the appropriate deadline for the case type.

We will not be able to validate the appeal until all necessary supporting documents are received.

Please ensure that anything you do send by post is clearly marked with the reference number :

**APP/Y2003/A/06/2029878**

```
*****
* The Documents Listed Below Were Uploaded With The Appeal Form *
*****
===== GROUNDS OF APPEAL =====
TITLE:      Grounds of Appeal 1
FILENAME:   Grounds of appeal Scotter Lane, Scunthorpe.doc

*****
* The Documents Listed Below Will Follow By Post *
*****
===== ESSENTIAL SUPPORTING DOCUMENTS =====
** 01. A copy of the original planning application sent to the LPA.
** 02. A copy of the site ownership certificate and ownership details submitted to the
LPA at application stage (this is usually part of the LPA's planning application
form).
** 03. A copy of the LPA's decision notice (if issued).
** 04. A site plan (preferably on a copy of an Ordnance Survey map at not less than
10,000 scale) showing the general location of the proposed development and its
boundary. This plan should show two named roads so as to assist the location of the
appeal sit
** 05. A list (stating drawing numbers) and copies of all plans, drawings and
documents
sent to the LPA as part of the application. The plans and drawings should show all
boundaries and coloured markings given on those sent to the LPA.
** 08. Any relevant correspondence with the LPA.
```



# The Planning Inspectorate

Room: 3/18A  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

Direct Line: 0117-372-6252  
Switchboard: 0117-372-8000  
Fax No: 0117-372-8181  
GTN: 1374-6252

[team7.pinsaapep@pins.gsi.gov.uk](mailto:team7.pinsaapep@pins.gsi.gov.uk)  
<http://www.planning-inspectorate.gov.uk>

---

Mrs L Morton  
North Lincolnshire Council  
Development Control  
Planning Dept  
Church Square House  
P O Box 42  
Scunthorpe  
DN15 6XQ  
N Lincs

Your Ref: 2006/0848  
Our Ref: APP/Y2003/A/06/2029878/NWF  
Date: 23 November 2006

---

Dear Mrs Morton

**Town and Country Planning Act 1990  
Appeal by Pelham Homes Lincoln Ltd  
Site at Land At Scotter Road, Scunthorpe, DN15 8XU**

I have received appeal forms and documents for this site. I am the case officer. If you have any questions, please contact me.

### Using e-mail and the internet

You can now use the internet to send us documents and check the information and the progress of this case at ([www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs)). You can look at this case by typing in the above reference number where it says 'Case Ref' on the 'Search' page and clicking on the search button.

### The starting date

I have checked the papers and confirm that the appeal is valid. If I later find out that this is not the case, I will write to you again.

The appellant has asked for an inquiry, which we are arranging. The date of this letter is the **starting date** for the appeal.

### Keeping to the timetable

You must keep to the timetable set out below and make sure that you send us the relevant documents within these deadlines. This will mean that we can deal with the appeal promptly and fairly. If you do not send us the relevant documents in time, the Inspector will not normally look at them and we will return them to you. You must note the details of the following timetable because we will not send any reminders.

The following documents must be sent within this timetable.



### **By 7 December 2006**

You must notify any statutory parties and any other interested persons who made representations to you about the application, that the appeal has been made. You should tell them that:-

- i) any comments they made at application stage will be sent to me and if they want to make any additional comments, wherever possible, they must submit 3 copies within 6 weeks of the starting date, **by 4 January 2007**. If comments are submitted after the deadline, the Inspector will not normally look at them and they will be returned.
- ii) they may view the documents at your offices.
- iii) they can get a copy of our booklet 'Guide to taking part in planning appeals' either free of charge from you or through 'publications' on our website: ([www.planning-inspectorate.gov.uk](http://www.planning-inspectorate.gov.uk)) and
- iv) if they want to receive a copy of the appeal decision they must write to me asking for one.

You must send a copy of a completed appeal questionnaire and supporting documents, including relevant development plan policies to the appellant and me.

### **By 4 January 2007**

You and the appellant must send me 2 copies of any statement. I will send a copy of your statement to the appellant and send you a copy of their statement. You and the appellant must send a copy of your statements to any statutory parties. I will send you and the appellant a copy of any comments submitted by interested persons or organisations.

### **By 25 January 2007**

You and the appellant must submit 2 copies of any final comments you and they have on each other's statement and on any comments from interested persons or organisations. You must not send your final comments instead of, or to add to your statement. No new evidence is allowed at this stage. I will send you a copy of the appellant's final comments at the appropriate time.

### **Using e-mail or post**

If you send us your documents by e-mail, you only need to send us one copy of each. However, if you post your documents, please send us **2 copies** of everything and put the full appeal reference number on each copy.

### **No later than 4 weeks before the inquiry -**

You and the appellant must send me 2 copies of your proofs of evidence, with a summary where appropriate. The appellant must also send me a copy of the statement of common ground.

### **Withdrawing the appeal**

If you hear that the appeal is to be withdrawn, please telephone me immediately. If I receive written confirmation of this from the appellant, I will write to you.

Further information about the terms we use in this letter and appeal procedures is on the attached sheet.

Yours sincerely

pp Nick Hall

301(BPR)

## **Questionnaire**

The appeal questionnaire must be sent complete with copies of all necessary documents referred to in it. It is particularly essential to us that details of all relevant development plan policies are included with the questionnaire at this early stage.

### **Statement of case**

In your statement of case you must give full details of the case you will put forward at the inquiry. You must include a list of any documents, maps and plans, you intend to refer to or use in evidence. Please also include a list of any conditions or limitations you would agree to, if the appeal were to be allowed.

### **Statement of common ground**

In the statement of common ground you should list all agreed matters. You and the appellant are expected to meet in advance of the inquiry, to agree the statement of common ground. This should include basic facts such as the site description, area, planning history, relevant planning policies, and all other matters of agreement relating to the appeal. The Inspector may question the information in the statement. A guide to the Statement of Common Ground is in Annex 3(ii) of Annex 1(i) of DETR Circular 05/2000. A model form is enclosed and is also available on our website: ([www.planning-inspectorate.gov.uk](http://www.planning-inspectorate.gov.uk)).

### **Proofs of evidence**

A 'proof of evidence' is a written statement that you, the appellant or a witness wants the Inspector to take into account at the inquiry. If the proof is more than 1500 words long, you must also send me 2 copies of a written summary which should not be more than 10% of the length of the proof. The summary should reflect the contents of the proof and should not include new evidence. When a summary is provided, only that will be read at the inquiry. If proofs and summaries are not received together and on time, the inquiry may be postponed.

### **Statutory parties**

'Statutory parties' are owners or tenants of the appeal site who made comments within the time limit on the applications or appeals. You must give details of and statutory parties at application stage in reply to question 17e of the questionnaire. I will tell you about any statutory parties who write to us at appeal stage, before your statement of case is due.

### **Late Representations**

Comments or representations received after any of the time limits will normally be disregarded and we will send them back. Late representations will only be considered in extraordinary circumstances.

### **Inquiry opening statements**

Both main parties may give opening statements before presenting formal evidence. They should be no longer than 5-15 minutes maximum. The Inspector will decide the order of presentation of opening statements and evidence, but usually the appellant will be asked to make a brief opening statement first, to set the scene and describe the nature of the scheme. The LPA will then make their opening statement before moving on to present their formal evidence.

## Costs

Costs can be awarded in inquiry cases. Details are in the enclosed booklet 'Costs awards in planning appeals' or you can look at the booklet on <http://www.planning-inspectorate.gov.uk/pins/publications/index.htm>. You should read this very carefully. DOE Circular 8/93 gives more advice. You should be aware that if an inquiry is adjourned because of the submission of late evidence, there is the possibility of a successful application for costs.

## Planning obligations - Section 106 agreements

A planning obligation - often referred to as a 'section 106 agreement' - is either:

- a legal agreement made between the LPA and a person 'interested in the land';  
or
- a legally binding undertaking signed unilaterally by a person 'interested in the land'.

If you want to rely on a planning obligation, you must send me a completed, signed and dated copy 10 working days **before** the inquiry opens.

Obligations should be completed by the close of an inquiry. An Inspector will not normally delay the issue of a decision to wait for the completion of an obligation.

Please note that appeal files are normally only kept for one year from the date the decision is issued, following which they are destroyed. It is therefore important you ensure that if any Section 106 planning obligation is received from the appellants, **the original is always retained by yourselves**. If you should receive a copy instead, please contact the appellant so that it may be exchanged for the original.

# STATEMENT OF COMMON GROUND

APPEAL REFERENCE:

DATE OF INQUIRY:

SITE ADDRESS AND DESCRIPTION OF THE DEVELOPMENT:

APPELLANT

LPA

**This statement addresses the following areas of common ground:**

1. Description of the site (including agreed dimensions)
2. Description of the area
3. Planning history of site
4. Development plan (including relevant policies) & any draft development plan (including stage reached and weight to be attached).
5. Relevance of any supplementary planning guidance published by LPA.
6. Others: *[eg where applicable, agreed traffic (and/or other) data and circumstances]*

***It will be helpful also to identify matters which are the subject of specific disagreement.***

**Enter text of common grounds**

(Please sign the boxes at the end)

Please turn over

Large empty rectangular box for content.

Signed on behalf of Appellant	Signed on behalf of LPA
.....Date.....	.....Date.....
Position.....	Position.....
Please continue on separate sheet(s) if necessary (sign at end)	

## Guidelines for appeal statements and proofs of evidence

**If you are able to do so, please submit your appeal documents electronically using the Planning Casework Service ([www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs)).**

We will scan all the paper documents that we receive into our computer system. To help us do this and ensure that the information in your documents is accurately recorded and understood, wherever possible please prepare your appeal documents in the following way.

1. Type the information using 'sans serif' font sizes of at least 11 point. ('Sans serif' fonts are easier to read on screen, common examples are Arial and Verdana.)
2. Use A4 size paper wherever possible.
3. Print documents on both sides of a page if you want to, but please ensure that the quality of paper is such that images from one side of the page do not show through to the other side.
4. Use black ink and capitals if you need to write on a document.
5. Ensure photocopied documents are clear and legible.
6. Place photographs, maps, plans, etc., in a separate appendix and cross-reference them within the main body of the document. Do not stick photographs to sheets of paper. Put them in an envelope and write the site address or appeal reference number if known on the back.
7. Bind documents in such a way that bindings can be undone quickly without damaging the document. Avoid using wire or plastic spiral binders.
8. Avoid using cover sheets, sleeves or other bindings that do not add value or information.
9. Ensure that the pages of documents are clearly numbered.
10. Please do not send valuable original documents unless these are specifically requested.
11. Please do not include post-it notes or other small attachments which might be easily dislodged or lost.

## Application Reference: PA/2006/0848

(please quote in all correspondence)

Case Officer: David Wordsworth Tel: 01724 297497  
david.wordsworth@norththlincs.gov.uk

30 November 2006

Dear Sir/Madam

### TOWN & COUNTRY PLANNING ACT 1990

**Proposal:** Planning permission to erect 38 dwellings together with roads and sewers and ancillary works

**Site Location:** Land off Scotter Road Scunthorpe

**Appellant:** Pelham Homes Lincoln Ltd

**Inspectorate's Reference:** APP/Y2003/A/06/2029878/NWF

**Appeal Start Date:** 23/11/2006

Following a decision of refusal for the above development on 01/11/2006 by this Council, the applicant has lodged an appeal with the Planning Inspectorate. A public inquiry will be held into the appeal and this letter is to explain the arrangements for the inquiry.

The inquiry will be conducted by an Inspector appointed by the Secretary of State, who is also likely to have responsibility for determining the appeal. I will write to you again to inform you of the time, date and place of the inquiry.

A statement on the grounds upon which the appeal is based is available for inspection in this office, and a statement of the submissions the Council will put forward will also be made available once it has been prepared. At the latest the Council's statement will be available 4 weeks before the date of the inquiry.

As an owner or occupier of premises within the vicinity of the site, or as otherwise interested party, you are being informed of the appeal. You may attend the inquiry and, at the Inspector's discretion, give your views. If you cannot or do not wish to attend, or have someone attend on your behalf, you may give your views in writing. Views given in writing will be disclosed to the parties to the appeal and are liable to be read out at the inquiry. If you wish to submit views in writing you should send them to the Planning Inspectorate, Room 3/18A, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN - for the attention of Nick Hall (sending 3 copies) to arrive not later than six weeks from the appeal starting date stated above. If representations are not made by this date there is a risk that they may not be considered.

The Inspectorate will not acknowledge your letter unless you specifically ask them to do so. They will, however, ensure that your letter is passed on to the Inspector dealing with the appeal. The Inspectorate will send a copy of the decision letter to you, providing you specifically asked for one. If you are not the owner of the property you occupy, please try to bring the contents of this letter to the owner's attention.

The Planning Inspectorate have introduced an online appeals service which you can use to comment on this appeal. You can find the service through the Appeals area of the Planning Portal - see [www.planningportal.gov.uk/pes](http://www.planningportal.gov.uk/pes). The Inspectorate may publish details of your comments, on the internet (on the Appeals area of the Planning Portal). Your comments may include your name, address, email address or phone number. 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 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.

The Planning Inspectorate has also published an explanatory booklet 'A Guide to Taking Part in Planning Appeals' which describes the possible involvement third parties may have in planning appeals. If you would like a free copy please telephone or write to this office to request one.

Yours faithfully



**Mike Welton**  
**Business Unit Manager, Development Control**

Copy to: Cllr M Kirk, Labour Group Office, Church Square  
Cllr J Ishaq, Labour Group Office, Church Square  
Cllr C O'Sullivan, Labour Group Office, Church Square  
Cllr J Wardle, Conservative Group Office, Pittwood  
Cllr L R Long, Conservative Group Office, Pittwood  
Scunthorpe Telegraph  
Land Charges, Pittwood  
Pollution  
Patrick Butler, Cottage Beck Road  
Claire Startin, The Angel  
Transportation  
Local Plans

copies for information sent to:

Cllr M Kirk  
Labour Group Office  
Church Square House  
SCUNTHORPE

Cllr J Ishaq  
Labour Group Office  
Church Square House  
SCUNTHORPE

Cllr C O'Sullivan  
Labour Group Office  
Church Square House  
SCUNTHORPE

Councillor J Wardle  
Chair of the Planning Committee  
Conservative Group Office  
Pittwood House  
SCUNTHORPE

Councillor L R Long  
Vice Chair of the Planning  
Committee  
Conservative Group Office  
Pittwood House  
SCUNTHORPE

Scunthorpe Telegraph  
4/5 Park Square  
Laneham Street  
SCUNTHORPE  
DN15 7JH

Land Charges Section

Letter sent to:

R & N Cline  
102 Scotter Road  
SCUNTHORPE  
DN15 8AT

Mr & Mrs Cline  
102 Scotter Road  
SCUNTHORPE  
DN15 8AT

Mr G Kaur  
104 Scotter Road  
SCUNTHORPE  
DN15 8AT

Axholme Car Exchange  
106A Scotter Road  
SCUNTHORPE  
DN15 7AT

Mrs R Pickup  
98 Scotter Road  
SCUNTHORPE

Mr & Mrs Smith  
96 Scotter Road  
SCUNTHORPE  
DN15 8AT

Mrs W Holder  
Kwikglaze Limited  
3 Herriot Way  
Scotter Road  
SCUNTHORPE  
DN15 8XU

Mr I Lindsay  
Corus Cogifer Switches &  
Crossings Ltd  
Hebden Road  
SCUNTHORPE  
DN15 8XX

Dale UK  
Herriot Way  
Off Scotter Road  
SCUNTHORPE  
DN15 8AT

The Owner/Occupier  
Grantail Ltd  
Scotter Road  
SCUNTHORPE  
DN15 8EF

The Owner/Occupier  
Grant Lyon Eagle Ltd  
Hebden Road  
SCUNTHORPE  
DN15 8DT

The Owner/Occupier  
80 & 80A Scotter Road  
SCUNTHORPE  
DN15 8DR

The Owner/Occupier  
Corus Cogifer  
Hebden Road  
SCUNTHORPE  
DN15 8DT

The Owner/Occupier  
Dale Uk Ltd  
Herriot Way  
SCUNTHORPE  
DN15 8AT

The Owner/Occupier  
1 & 2 Herriot Way  
SCUNTHORPE  
DN15 8XU

The Owner/ Occupier  
82, 86, & 88 Scotter Road  
SCUNTHORPE  
DN15 8AT

The Owner/ Occupier  
90, 92 & 94 Scotter Road  
SCUNTHORPE  
DN15 8AT

The Owner/ Occupier  
8100, 106a & 108 Scotter Road  
SCUNTHORPE  
DN15 8AT

The Owner/ Occupier  
108a Scotter Road  
SCUNTHORPE  
DN15 8AT

The Owner/ Occupier  
159, 161 & 163 Scotter Road  
SCUNTHORPE  
DN15 8AU

# The Planning Inspectorate

For official use only  
(Date received)

5-Dec-2006 14:19

## QUESTIONNAIRE (Online Version)

### PLANNING, LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT

Appeal Ref:	APP/Y2003/A/06/2029878		
Appeal By:	Mr M Barker		
Address	Land at Scotter Road Scunthorpe		
Postcode	DN15 8XU	Grid Reference: Easting	4871614
		Nothing	4115453

You must ensure that a copy of the completed questionnaire, together with any enclosures, is sent to us and the appellant, within 2 weeks of the 'starting date' given in our letter. You must include details of the statutory development plan, even if you intend to rely more heavily on some other emerging plan. Please send our copy to the case officer. Their address is shown on our letter.

If notification or consultation under an Act, Order or Departmental Circular would have been necessary before granting permission and has not yet taken place, please inform the appropriate bodies of the appeal now and ask for any comments to be sent direct to us within 6 weeks of the 'starting date'.

1	Do you agree to the written representations procedure? <i>(An exchange of written statements, which will be studied by the Inspector, prior to visiting the site).</i>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
	if NO, Do you wish to be heard by an Inspector at	
	a) a local inquiry? or	<input type="checkbox"/> YES <input type="checkbox"/> NO
	b) a hearing?	<input type="checkbox"/> YES <input type="checkbox"/> NO
	<b>Note: If the written procedure is agreed the Inspector will visit the site <u>unaccompanied</u> by either party unless the relevant part of the site cannot be seen from a road or other public land, or it is essential for the Inspector to enter the site to check measurements or other relevant facts.</b>	
2	a. If the written procedure is agreed, can the relevant part of the appeal site be seen from a road or other public land?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
	b. Is it essential for the Inspector to enter the site to check measurements or other relevant facts?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
	If the answer to 2b is YES, please explain: <div style="border: 1px solid black; height: 30px; width: 100%;"></div>	
3	Please provide the name and telephone number of the officer we can contact to make arrangements for the site visit, hearing or inquiry.	
	Name <input type="text" value="Lynda MOrton"/>	Phone <input type="text" value="01724 297496"/>
4	Does the appeal relate to an application for approval of reserved matters?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
5	Was an Article 7 (Regulation 6 for listed building or conservation area consent) certificate submitted with the application?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/>

6 Did you give publicity to the application?  YES  NO  
 – Article 8 of the GDPO 1995  
 – Section 67/73 of the Planning (Listed Buildings & Conservation Areas) Act 1990  
 – Regulation 5 of the Planning (Listed Buildings & Conservation Areas) Regulations 1990

7 Is the appeal site within an approved Green Belt or AONB?  YES  NO  
 Please specify which

8 Is there a known surface or underground mineral interest at or within 400 metres of the appeal site which is likely to be a material consideration in determining the appeal? If YES, please send details.  YES  NO  
 Document provided

9 a. Are there any other appeals or matters relating to the same site or area still being considered by us or the Secretary of State?  YES  NO  
 If YES, please send details and, where necessary, give our reference numbers.

b. Would the development require the stopping up or diverting of a public right of way? If YES, please provide an extract from the Definitive Map and Statement for the area, and any other details.  YES  NO  
 Document provided

10 Is the site within a Conservation Area? If YES, please send a plan of the Conservation Area. (If NO, go to Q12.)  YES  NO  
 Document provided

11 Does the appeal relate to an application for conservation area consent?  YES  NO

12 a. Does the proposed development involve the demolition, alteration or extension of a Grade I / II\* / II listed building?  YES  NO  
 I  II\*  II

b. Would the proposed development affect the setting of a listed building?  YES  NO  
 Document provided

If the answer to question 12a or b is YES, please send a copy of the relevant listing description from the List of Buildings of Special Architectural or Historic Interest. (If NO, go to Q14.) **Date of Listing**

13 Has a grant been made under Sections 3A or 4 of the Historic Buildings and Ancient Monuments Act 1953?  YES  NO

14 a. Would the proposals affect an Ancient Monument (whether scheduled or not)?  YES  NO

b. If YES, was English Heritage consulted? Please send a copy of any comments.  YES  NO  
 Document provided

15 Is any part of the site subject to a Tree Preservation Order?  YES  NO  
 If YES, please send a plan showing the extent of the Order and any relevant details.  Document provided

16 a. Is the appeal site in or adjacent to or likely to affect an SSSI?  YES  NO  
 If YES, please send the comments of English Nature.  Document provided

b. Are any protected species likely to be affected by the proposals?  YES  NO  
 If YES, please send details.  Document provided

17 Copies of the following documents must, if appropriate, be sent with this questionnaire:

- a. Is the development in Schedule 1 or column one of Schedule 2 of the Town & Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 1999? If YES, please indicate which Schedule.  YES  NO  
Sch1 Sch2 col1
- b. Is the development within a 'sensitive area' as defined by regulation 2 of the Town & Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 1999?  YES  NO
- c. Has a screening opinion been placed on Part 1 of the planning register? If YES, please send a copy to us.  YES  NO  
 Document provided
- d. Has the local planning authority made a Local Development Order under sections 61A to 61C of the Town and Country Planning Act 1990 (as inserted by section 40 of the Planning and Compulsory Purchase Act 2004) relating to the application site?  YES  NO  
 Document provided
- e. Any comments or directions received from the Secretary of State, other Government Departments or statutory agencies / undertakers whether or not as a result of consultations under the GDPO;  Applies  
 Document provided
- f. Any representations received as a result of an Article 7 (or Regulation 6) notice;  Applies  
 Document provided
- g. A copy of any notice published under Article 8 of the GDPO 1995; and/or Section 67/73 of the Planning (Listed Buildings and Conservation Areas) Act 1990; and/or Regulation 5 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990;  Applies  
 Document provided
- h. Any representations received as a result of a notice published under Article 8 and/or Section 67/73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (or Regulation 5);  Applies  
 Document provided
- i. Details of any other applications or matters you are currently considering relating to the same site;  Applies  
 Document provided
- j. For all appeals, including those against non determination, you must provide details of all relevant development plan policies. **Each extract must include the front page, the title and date of approval or adoption. Where plans & policies have not been approved or adopted, please give the stage or status of the plan;**  Applies  
 Document provided
- k. Any supplementary planning guidance, together with its status, that you consider necessary;  Applies  
 Document provided
- l. Any other relevant information or correspondence you consider we should be aware of;  Applies  
 Document provided
- m. Please provide us with a list of conditions which you consider should be imposed if planning permission is granted. **You need not submit this with the other questionnaire papers, but it should reach us within 6 weeks from the starting date. Being a questionnaire paper, the list should be submitted separately from your appeal statement.**  Applies  
 Document provided

18 a. Please include:

i) a copy of the letter in which you notified people of the appeal;

Document provided

ii) a list of the people you notified; and

Document provided

iii) the deadline you gave for their comments to be sent to us.

Deadline

04 Jan 2007

b. Copies of the following documents must, if appropriate, be sent with the questionnaire.

i) representations received from interested parties about the original application;

Applies

Document provided

ii) the planning officer's report to committee;

Applies

Document provided

iii) any relevant committee minute.

Applies

Document provided

19 For appeals dealt with by written representations only

Do you intend to send another statement about this appeal?

YES  NO

If NO, please send the following information:-

a. In non-determination cases:

i) what the decision notice would have said;

Applies

Document provided

ii) how the relevant development plan policies relate to the issues of this appeal.

Applies

Document provided

b. In all cases:

i) the relevant planning history;

Applies

Document provided

ii) any supplementary reasons for the decision on the application;

Applies

Document provided

iii) matters which you want the Inspector to note at the site visit.

Applies

Document provided

20 The Mayor of London cases only

Was it necessary to notify the Mayor of London about the application?

If YES, please send a copy of that notification.

YES  NO

Document provided

Did the Mayor of London issue a direction to refuse planning permission?

If YES, please send a copy of that direction.

YES  NO

Document provided

21 Council's Reference: PA/2006/0848



I confirm that I have sent a copy of this questionnaire form and relevant documents to the appellant or agent.

Signature David Wordsworth

on behalf of

North Lincolnshire Council

Council

Date sent to us and the appellant 5 December 2006

Please tell us of any changes to the information you have given on this form.

# The Planning Inspectorate

For official use only  
(Date received)

5-Dec-2006 14:19

## QUESTIONNAIRE (Online Version)

### PLANNING, LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT

Appeal Ref:	APP/Y2003/A/06/2029878		
Appeal By:	Mr M Barker		
Address	Land at Scotter Road Scunthorpe		
Postcode	DN15 8XU	Grid Reference: Easting	4871614
		Northing	4115453

You must ensure that a copy of the completed questionnaire, together with any enclosures, is sent to us and the appellant, **within 2 weeks of the 'starting date'** given in our letter. **You must include details of the statutory development plan, even if you intend to rely more heavily on some other emerging plan.** Please send our copy to the case officer. Their address is shown on our letter.

If notification or consultation under an Act, Order or Departmental Circular would have been necessary before granting permission and has not yet taken place, please inform the appropriate bodies of the appeal now and ask for any comments to be sent direct to us within 6 weeks of the 'starting date'.

1	Do you agree to the written representations procedure? <i>(An exchange of written statements, which will be studied by the Inspector, prior to visiting the site).</i>	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
	if NO, Do you wish to be heard by an Inspector at			
	a) a local inquiry? or	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
	b) a hearing?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
	<b>Note: If the written procedure is agreed the Inspector will visit the site <u>unaccompanied</u> by either party unless the relevant part of the site cannot be seen from a road or other public land, or it is essential for the Inspector to enter the site to check measurements or other relevant facts.</b>			
2	a. If the written procedure is agreed, can the relevant part of the appeal site be seen from a road or other public land?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
	b. Is it essential for the Inspector to enter the site to check measurements or other relevant facts?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	
	If the answer to 2b is YES, please explain:			
	<div style="border: 1px solid black; height: 30px;"></div>			
3	Please provide the name and telephone number of the officer we can contact to make arrangements for the site visit, hearing or inquiry.			
	Name	Lynda MOrton	Phone	01724 297496
4	Does the appeal relate to an application for approval of reserved matters?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	
5	Was an Article 7 (Regulation 6 for listed building or conservation area consent) certificate submitted with the application?	YES	NO	NA
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<p>6 Did you give publicity to the application?          – Article 8 of the GDPO 1995          – Section 67/73 of the Planning (Listed Buildings &amp; Conservation Areas) Act 1990          – Regulation 5 of the Planning (Listed Buildings &amp; Conservation Areas) Regulations 1990</p>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
<p>7 Is the appeal site within an approved Green Belt or AONB?          Please specify which <input style="width: 400px; height: 20px;" type="text"/></p>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<p>8 Is there a known surface or underground mineral interest at or within 400 metres of the appeal site which is likely to be a material consideration in determining the appeal? If YES, please send details.</p>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> Document provided
<p>9 a. Are there any other appeals or matters relating to the same site or area still being considered by us or the Secretary of State?          If YES, please send details and, where necessary, give our reference numbers.  <input style="width: 500px; height: 30px;" type="text"/></p>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<p>b. Would the development require the stopping up or diverting of a public right of way? If YES, please provide an extract from the Definitive Map and Statement for the area, and any other details.</p>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> Document provided
<p>10 Is the site within a Conservation Area? If YES, please send a plan of the Conservation Area. (If NO, go to Q12.)</p>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> Document provided
<p>11 Does the appeal relate to an application for conservation area consent?</p>	<input type="checkbox"/> YES <input type="checkbox"/> NO
<p>12 a. Does the proposed development involve the demolition, alteration or extension of a Grade I / II* / II listed building?</p>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> I <input type="checkbox"/> II* <input type="checkbox"/> II
<p>b. Would the proposed development affect the setting of a listed building?</p>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> Document provided
<p>If the answer to question 12a or b is YES, please send a copy of the relevant listing description from the List of Buildings of Special Architectural or Historic Interest. (If NO, go to Q14.)</p>	<p>Date of Listing</p> <input style="width: 100%; height: 20px;" type="text"/>
<p>13 Has a grant been made under Sections 3A or 4 of the Historic Buildings and Ancient Monuments Act 1953?</p>	<input type="checkbox"/> YES <input type="checkbox"/> NO
<p>14 a. Would the proposals affect an Ancient Monument (whether scheduled or not)?</p>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<p>b. If YES, was English Heritage consulted? Please send a copy of any comments.</p>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> Document provided
<p>15 Is any part of the site subject to a Tree Preservation Order?          If YES, please send a plan showing the extent of the Order and any relevant details.</p>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> Document provided
<p>16 a. Is the appeal site in or adjacent to or likely to affect an SSSI?          If YES, please send the comments of English Nature.</p>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> Document provided
<p>b. Are any protected species likely to be affected by the proposals?          If YES, please send details.</p>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> Document provided

17 Copies of the following documents must, if appropriate, be sent with this questionnaire:

- a. Is the development in Schedule 1 or column one of Schedule 2 of the Town & Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 1999?  
If YES, please indicate which Schedule.  YES  NO  
Sch1 Sch2 col1
- b. Is the development within a 'sensitive area' as defined by regulation 2 of the Town & Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 1999?  YES  NO
- c. Has a screening opinion been placed on Part 1 of the planning register?  
If YES, please send a copy to us.  YES  NO  
 Document provided
- d. Has the local planning authority made a Local Development Order under sections 61A to 61C of the Town and Country Planning Act 1990 (as inserted by section 40 of the Planning and Compulsory Purchase Act 2004) relating to the application site?  YES  NO  
 Document provided
- e. Any comments or directions received from the Secretary of State, other Government Departments or statutory agencies / undertakers whether or not as a result of consultations under the GDPO;  Applies  
 Document provided
- f. Any representations received as a result of an Article 7 (or Regulation 6) notice;  Applies  
 Document provided
- g. A copy of any notice published under Article 8 of the GDPO 1995; and/or Section 67/73 of the Planning (Listed Buildings and Conservation Areas) Act 1990; and/or Regulation 5 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990;  Applies  
 Document provided
- h. Any representations received as a result of a notice published under Article 8 and/or Section 67/73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (or Regulation 5);  Applies  
 Document provided
- i. Details of any other applications or matters you are currently considering relating to the same site;  Applies  
 Document provided
- j. **For all appeals, including those against non determination, you must provide details of all relevant development plan policies. Each extract must include the front page, the title and date of approval or adoption. Where plans & policies have not been approved or adopted, please give the stage or status of the plan;**  Applies  
 Document provided
- k. Any supplementary planning guidance, together with its status, that you consider necessary;  Applies  
 Document provided
- l. Any other relevant information or correspondence you consider we should be aware of;  Applies  
 Document provided
- m. Please provide us with a list of conditions which you consider should be imposed if planning permission is granted. **You need not submit this with the other questionnaire papers, but it should reach us within 6 weeks from the starting date. Being a questionnaire paper, the list should be submitted separately from your appeal statement.**  Applies  
 Document provided

18 a. Please include:

i) a copy of the letter in which you notified people of the appeal;

Document provided

ii) a list of the people you notified; and

Document provided

iii) the deadline you gave for their comments to be sent to us.

**Deadline**

04 Jan 2007

b. Copies of the following documents must, if appropriate, be sent with the questionnaire.

i) representations received from interested parties about the original application;

Applies

Document provided

ii) the planning officer's report to committee;

Applies

Document provided

iii) any relevant committee minute.

Applies

Document provided

19 For appeals dealt with by written representations only

Do you intend to send another statement about this appeal?

YES  NO

If NO, please send the following information:-

a. In non-determination cases:

i) what the decision notice would have said;

Applies

Document provided

ii) how the relevant development plan policies relate to the issues of this appeal.

Applies

Document provided

b. In all cases:

i) the relevant planning history;

Applies

Document provided

ii) any supplementary reasons for the decision on the application;

Applies

Document provided

iii) matters which you want the Inspector to note at the site visit.

Applies

Document provided

20 The Mayor of London cases only

Was it necessary to notify the Mayor of London about the application?

If YES, please send a copy of that notification.

YES  NO

Document provided

Did the Mayor of London issue a direction to refuse planning permission?

If YES, please send a copy of that direction.

YES  NO

Document provided

21 Council's Reference: PA/2006/0848

I confirm that I have sent a copy of this questionnaire form and relevant documents to the appellant or agent.

Signature  on behalf of  Council

Date sent to us and the appellant

Please tell us of any changes to the information you have given on this form.

Appeal Ref:	APP/Y2003/A/06/2029878
Appeal by:	Mr M Barker
Site Address:	Land at Scotter Road Scunthorpe DN15 8XU

The following documents should be sent to us within 2 weeks of the 'starting date' (unless otherwise specified)

Description	No. Sent
<p>*****  * The Documents Listed Below Were Uploaded With The Questionnaire Form *  *****</p> <p>TITLE: 17k. Any supplementary planning guidance, together with its status, that you consider necessary.  DESCRIPTION: SPG 9  FILENAME: SPG9 - AffordableHousing.pdf</p> <p>TITLE: 18a(i). A copy of the letter in which you notified people of the appeal  DESCRIPTION: Letter to interested parties  FILENAME: 2006.0848 letters sent to neighbours (DW).doc</p> <p>TITLE: 18a(ii). A list of the people you notified  DESCRIPTION: Persons notified  FILENAME: 2006.0848 persons notified (DW).doc</p> <p>TITLE: 18b(i). Representations received from interested parties about the original application  DESCRIPTION: Comments 1  FILENAME: 2006.0848 - Letter of comment 1.pdf</p> <p>TITLE: 18b(i). Representations received from interested parties about the original application  DESCRIPTION: Comments 2  FILENAME: 2006.0848 - Letter of comment 2.pdf</p> <p>TITLE: 18b(i). Representations received from interested parties about the original application  DESCRIPTION: Comments 3  FILENAME: 2006.0848 - Letter of comment 3.pdf</p> <p>TITLE: 18b(i). Representations received from interested parties about the original application  DESCRIPTION: Comments 4  FILENAME: 2006.0848 - Letter of comment 4.pdf</p> <p>TITLE: 18b(i). Representations received from interested parties about the original application  DESCRIPTION: Comments 5  FILENAME: 2006.0848 - Letter of comment 5.pdf</p> <p>TITLE: 18b(i). Representations received from interested parties about the original application  DESCRIPTION: Comments 6  FILENAME: 2006.0848 - Letter of comment 6.pdf</p> <p>TITLE: 18b(i). Representations received from interested parties about the original application  DESCRIPTION: Comments 7  FILENAME: 2006.0848 - Letter of comment 7.pdf</p> <p>TITLE: 18b(i). Representations received from interested parties about the original application  DESCRIPTION: Comments 8  FILENAME: 2006.0848 - Letter of comment 8.pdf</p>	

Completed By	David Wordsworth	Date	Continued... 5 December 2006
LPA	North Lincolnshire Council		

PLEASE ENSURE THAT A COPY OF THIS SHEET IS ENCLOSED WHEN POSTING THE ABOVE DOCUMENTS TO US.

**SUPPLEMENTARY SHEET**

**Questionnaire Documents (continued)**

TITLE: 18b(i). Representations received from interested parties about the original application  
DESCRIPTION: Comments 9  
FILENAME: 2006.0848 - Letter of comment 9.pdf

TITLE: 18b(i). Representations received from interested parties about the original application  
DESCRIPTION: Comments 10  
FILENAME: 2006.0848 - Letter of comment 10.pdf

\*\*\*\*\*

\* The Documents Listed Below Will Follow By Post \*

\*\*\*\*\*

- \*\* 17e. Any comments or directions received from the Secretary of State, other Government Departments or statutory agencies / undertakers whether or not as a result of consultations under the GDPO
- \*\* 17g. A copy of any notice published under Article 8 of the GDPO 1995; and/or Section 67/73 of the Planning (Listed Buildings & Conservation Areas) Act 1990; and/or Regulation 5 of the Planning (Listed Buildings & Conservation Areas) Regulations 1990;
- \*\* 17j. Details of all relevant development plan policies.
- \*\* 17l. Any other relevant information or correspondence you consider we should be aware of
- \*\* 17m. A list of conditions which you consider should be imposed if planning permission is granted

**Application Number: PA/2006/0848**

(please quote in all correspondence)

Case Officer: David Wordsworth, Tel: 01724 297497

Email: david.wordsworth@northlincs.gov.uk

07 December 2006

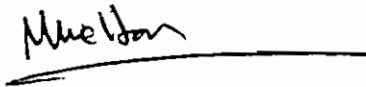
Mrs Sarah Worthington  
Peacock & Smith  
2a Joseph's Well  
Hanover Walk  
LEEDS  
LS3 1AB

Dear Sir/Madam

**Planning Appeal:** Land off Scotter Road Scunthorpe

In connection with the above appeal, please find enclosed a copy of the council's questionnaire together with the supporting plan and documents. Also enclosed is a copy of a letter which has been circulated to interested parties and owners/occupiers of neighbouring properties, with a list of the persons so notified.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Mike Welton', is written above a solid horizontal line.


**Mike Welton**  
**Business Unit Manager, Development Control**

Encs



Kath Jickells  
08/12/2006 09:14

To: Lynda Morton/PL/NorthLincs@NorthLincs, Mike Welton/PL/NorthLincs@NorthLincs, David Wordsworth/PL/NorthLincs@NorthLincs, Sarah Nicholson/NE/NorthLincs@NorthLincs  
cc: Trevor Laming/NE/NorthLincs@NorthLincs

Subject: Re: Public Inquiry - Pelham Homes 

I refer to the attached memo from this dept dated 16th August 2006 which strongly recommended that the noise report submitted by the applicant was assessed by an independent noise consultant. Can you confirm that this was actioned and forward their written response for our information.

Many Thanks

Kath

-----Lynda Morton/PL/NorthLincs wrote: -----

To: Sally Grindrod/LDS/NorthLincs@NorthLincs, Kath Jickells/NE/NorthLincs@NorthLincs  
From: Lynda Morton/PL/NorthLincs  
Date: 4/12/2006 11:59AM  
Subject: Public Inquiry - Pelham Homes

Application Ref: 2006/0848 - Land off Scotter Road, Scunthorpe

The applicant Pelham Homes has now lodged a public inquiry following their recent refusal. Certain of the reasons for refusal were based on your comments and recommendation and as such you may be asked to provide evidence at the public enquiry. You will also need to provide the case officer - David Wordsworth - with "proof of evidence" which will need to go the planning inspectorate no later than 4 weeks before the inquiry. I will inform you of the date of the inquiry as soon as one is arranged.

Lynda

This e-mail expresses the opinion of the author and is not necessarily the view of the Council. Please be aware that anything included in an e-mail may have to be disclosed under the Freedom of Information Act and cannot be regarded as confidential




- 0848-2006 scotter road development 16.08.06.doc

2:00



David Wordsworth  
18/12/2006 13:25

To: Kath Jickells/NE/NorthLincs@NorthLincs  
cc: Mike Welton/PL/NorthLincs@NorthLincs

Subject: Re: Public Inquiry - Pelham Homes 

I refer to your e-mail of 08/12/06 concerning the above. Just to confirm that the noise impact assessment was not assessed externally. The advice received from the Environmental Protection department is very clear outlining concerns of noise disturbance to occupants of dwellings of the proposed development. The advice stated that the **noise survey was limited** and did not address guideline levels and mitigation associated with **outdoor living spaces** and that the amended layout **did not address any noise related issues**. Development Control does not have to and cannot resource employing external consultants for every planning application. Before issuing advice you were aware that this application could result in an appeal situation.

Regards

David



# The Planning Inspectorate

Room: 3/18  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

Direct Line: 0117-372-8429  
Switchboard: 0117-372-8000  
Fax No: 0117-372-8181  
GTN: 1374-8429

[team7.pinsaapep@pins.gsi.gov.uk](mailto:team7.pinsaapep@pins.gsi.gov.uk)  
<http://www.planning-inspectorate.gov.uk>

Mrs L Morton  
North Lincolnshire Council  
Development Control  
Planning Dept  
Church Square House  
P O Box 42  
Scunthorpe  
DN15 6XQ  
N Lincs

Your Ref: 2006/0848  
Our Ref: APP/Y2003/A/06/2029878/NWF  
Date: 2 January 2007

Dear Mrs Morton

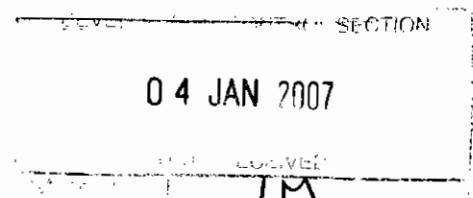
**TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT)(ENGLAND AND WALES) REGULATIONS 1999 (SI 1999/293)**  
**Appeal by Pelham Homes Lincoln Ltd**  
**Site at Land At Scotter Road, Scunthorpe, DN15 8XU**

I refer to the appeal against your Council's decision on the application for planning permission dated 24 May 2006, made to you by Pelham Homes Lincoln Ltd. The First Secretary of State has considered the application in accordance with regulation 9(1) of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (SI/1999/293) ("the 1999 Regulations").

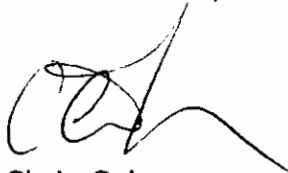
The development proposed, namely Residential development of 38 houses along with roads, sewers and ancillary works, falls within the description at paragraph 10(b) of Schedule 2 to the 1999 Regulations, and exceeds the threshold in column 2 of the table in that Schedule, but in the opinion of the First Secretary of State, having taken into account the criteria in Schedule 3 to the 1999 Regulations, would not be likely to have significant effect on the environment by virtue of factors such as its nature, size or location.

Accordingly, in exercise of the powers conferred on him by regulations 9(1) and 6(4) of the 1999 Regulations, the First Secretary of State hereby directs that the development for which planning permission is sought by application reference number 2006/0848 is not EIA development.

Under regulation 20(1) of the 1999 Regulations, you should take steps to secure that this screening direction is placed on the part of the Planning Register which relates to the application in question. I should be grateful if you would do so to ensure that the First Secretary of State's view is publicly available.



Yours sincerely



Chris Cole  
Planning Inspectorate Appeals Administration

MODELN

*You can now use the Internet to submit documents, to see information and to check the progress of this case through the Planning Portal. The address of our search page is -*

*<http://www.pcs.planningportal.gov.uk/pcsportal/casesearch.asp>*

*You can access this case by putting the above reference number into the 'Case Ref' field of the 'Search' page and clicking on the search button*

## PLANNING & REGENERATION : DEVELOPMENT CONTROL

INTER \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
OFFICE \_\_\_\_\_

# MEMO



**TO:** Val Wilcockson, Legal and Democratic Services

**MY REF:** PA/2006/0848  
Contact: David Wordsworth, Tel 01724 297497

**DATE:** 16 January 2007

**SUBJECT:** Planning Appeal – Pelhams, Scotter Road  
Re: Public Inquiry (2006/0848)

Val,

Please find attached the following documents for your information and ask that you act as advocate for North Lincolnshire Council in this appeal.

- Planning Application
- Plans Submitted with Planning Application
- North Lincolnshire Council Questionnaire
- Appellants Questionnaire
- Comments of Appeal
- Decision Notice
- North Lincolnshire Council Rule 6 Statement

Regards

**David Wordsworth**  
**Principal Planning Officer**

**APPEAL BY PELHAM HOMES LIMITED**  
**LAND AT SCOTTER ROAD, SCUNTHORPE**  
**APPLICATION REF 2006/0848**

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**STATEMENT OF GROUNDS OF APPEAL**

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1. The 'appeal application' (ref: 2006/0848) was submitted under cover of correspondence dated 24 May 2006 and seeks full planning consent for 38 residential units on a site at Scotter Road, Scunthorpe. The site comprises Previously Developed Land (PDL), being the site of a textile factory. The site lies towards the western edge of Scunthorpe, with residential properties that front Scotter Road to the east, industrial development to the north and west and mixed development to the south. The site itself is not allocated on the Proposals Map of the North Lincolnshire Local Plan (Adopted May 2003), which applies also to the surrounding industrial and residential developments. Land to the west of the western industrial units is, however, allocated for housing development within the Local Plan.

2. Planning permission was refused by Notice dated 30 October 2006. There are two reasons for refusal which allege:

**"1 The proposal fails to comply with paragraph 1 of policy H5 and paragraph ix) of policy DS1 of the adopted North Lincolnshire Local Plan. The acoustic report submitted with the application fails to consider the issue of potential noise disturbance to outdoor living spaces (garden areas) to the proposed layout but particularly of plots 1,6 and 38, which are located nearest to the existing industrial activity to the west of the site. Furthermore, the site layout fails to give due regard to the potential for noise disturbance from the west by siting dwellings at close proximity to this noise sensitive western boundary.**

**2 The proposal fails to comply with policy H11 of the adopted North Lincolnshire Local Plan and SPG 9 for Affordable Housing because it has not been demonstrated to the satisfaction of the local planning authority that the proposed shared equity scheme meets a defined priority need as an alternative to the provision of affordable units."**

3. Policy H5 (i) of the North Lincolnshire Local Plan states:

**"Proposals for new housing development and renewals of planning permission will be permitted provided that:**

**(i) the development site is located within Scunthorpe and Bottesford Urban Area...**

**All new housing developments should meet the following criteria:...**

- i) adjacent land uses will not result in annoyance or detract from the residential amenity which residents of the proposed dwellings could expect to enjoy..."**

4. Paragraph ix of Policy DS1 of the North Lincolnshire Local Plan states:

**"There should be no conflict with an allocated or approved land-use proposal in the locality nor should the reasonable potential for development of a neighbouring site be prejudiced"**

5. Policy H11 of the North Lincolnshire Local Plan states:

**"The Council will secure the provision of affordable housing on allocated and windfall residential sites of 1 hectare or more or for sites with 25 or more dwellings. On all such sites in Scunthorpe, excluding the allocated NW Scunthorpe site (H2-10, 5 – 10% of the units should be affordable. On sites in Bottesford and the site at NW Scunthorpe (H2-10), 10-15% of the units should be affordable. The Council's preference for affordable housing is subsidised housing for rent provided by a Registered Social Landlord (RSL) or other social body. In certain circumstances tenants of registered social landlords have a right to acquire ownership of their dwellings. In all cases where it can be legally secured, affordable housing must remain available in perpetuity for occupation by those in local housing need. This can be achieved by the involvement of a registered social landlord and/or by using s106 legal agreements. This policy would not preclude developers providing subsidised or low cost affordable housing on sites below this threshold.."**

6. Paragraphs 4.3 – 4.4 of SPG 9 state:

**"New house prices are generally higher than those of equivalent second-hand homes in reasonable condition. This presents an extra barrier to their affordability. In addition because there is no control over the occupancy of market housing, there can be no assurance that the initial or subsequent occupiers would be in need of affordable housing. In addition, while low cost market housing may meet a particular need it cannot meet the needs of those who are, for various reasons, unable to obtain a mortgage.**

**Furthermore, the total cost of shared ownership of RSL properties (or equivalent) is not competitive against the cost of outright purchase of basic market housing. The total cost of the local repayments, rent and other charges is such that it is well above the minimum cost for the outright purchase of minimum market properties. The experience of such shared ownership schemes in North Lincolnshire and the nature of the housing need suggests that the potential for shared ownership schemes to tackle these needs is limited."**

7. In relation to affordable housing, Paragraph 11 of PPG3 states:

**"Local authorities should take account of assessments of local housing need in determining the type and size of**

**additional housing for which they should plan. They should assess the composition of current and future households in their area, and of the existing housing stock, and formulate plans which:**

- secure an appropriate mix of dwelling size, type and affordability in both new developments and conversions to meet the changing composition of households in their area in the light of the likely assessed need”**

8. Paragraph 16 also relates to the provision of appropriate affordable housing:

**“Decisions about the amount and types of affordable housing to be provided in individual proposals should reflect local housing need and individual site suitability and be a matter for agreement between the parties. Local planning authorities and developers should be reasonably flexible in deciding the types of affordable housing most appropriate to a particular site. The objective should be to ensure that the affordable housing secured will contribute to satisfying local housing needs as demonstrated by a rigorous assessment.”**

9. Similarly, Circular 06/98 indicates at Paragraph 15 that Local Planning Authorities and developers should be reasonably flexible in deciding the detailed mix of affordable housing types most appropriate to a particular site (which can include subsidised and low-cost market housing).

10. The appellant considers that the submitted acoustic report addresses the issue of amenity in private gardens. The boundary treatments were amended as a result of changes to the layout of the site by letter dated 17 October 2006 which enclosed a copy of an email from Spectrum Associates which confirmed that this would result in the required level of attenuation. It is therefore considered that the development accords with Policy H5 (i) and Policy DS (ix).

11. The appellant considers that the delivery of an 'intermediate' housing tenure will meet the affordable housing policy requirements of the adopted Local Plan set out within H11 and accord with the guidance of Circular 6/98 and PPG3. Such a provision will therefore contribute to resolving a proportion of the identified affordable housing needs of North Lincolnshire.

12. Accordingly, the Appellant concludes that the proposed development accords with National and Local Policies and guidance. It comprises an appropriate layout for residential development within an urban area on PDL, and therefore provides an opportunity to provide a sustainable form of development in this location. The Appellant therefore considers that the proposed development should be allowed.

**APPEAL BY PELHAM HOMES LIMITED**  
**LAND AT SCOTTER ROAD, SCUNTHORPE**  
**APPLICATION REF 2006/0848**

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**DOCUMENTS ENCLOSED WITH THE APPEAL**

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1. Copy of original planning application under letter dated 24 May 2006.
2. Certificate accompanying planning application.
3. Copy of the LPA's decision dated 30/10/2006
4. Site Plan
5. Documents submitted as part of the application:
  - i) Submission report including site analysis, design appraisal and plans
  - ii) Flood Risk Assessment
  - iii) Acoustic Report (April 06)
  - iv) Plans:
    - i. Planning Layout (PH\_SCUN\_001)
    - ii. Topographic Survey (APS Surveying)
    - iii. House plans:
      1. 04-412-PD
      2. 04-410-PD
      3. 04-408-PD
      4. 04-376-PD
      5. 04-371-PD
      6. 04-368-PD
      7. 04-366-PD
      8. 04-365-PD
      9. 04-259-PD
      10. 04-255-PD
      11. 04-GARAGE-1
    - iv. Revised site layout (PH\_SCUN\_001 rev b)
6. No other plans, drawings or documents were sent to the LPA which did not form part of the original application
8. Relevant Correspondence with the LPA:
  - i) Note (17/01/06) of telephone conversation between SN, NL and NT, Spectrum agreeing scope of noise survey
  - ii) Letter (31/01/06) from MB, Pelham to CS, North Lincolnshire (NL) re 2 sites and setting out shared equity basis.
  - iii) Letter (20/3/06) from MB, Pelham to CS, NL requesting response
  - iv) Letter (3/05/06) from MB, Pelham to CS, NL requesting response
  - v) Letter (26/05/06) from MB, Pelham to CS, NL requesting response

- vi) Fax (5/06/06) from PD, Oasis to DW, NL, re amended access
- vii) Letter (21/06/06) from CS, NL to MB, Pelham re affordable housing
- viii) Memo (22/06/06) from SN, NL to DW, NL indicating that residential not suitable use due to potential industrial noise.
- ix) Letter (10/7/06) from MB, Pelham to CS, NL responding to letter of 21/6/06 re affordable housing
- x) Letter (9/08/06) from DW, NL to PD, Oasis, note of validation of application
- xi) Letter (9/08/06) from MB, Pelham to DW, NL enc. Revised plans.
- xii) Letter (11/08/06) from MB, Pelham to DW, NL enc email response to noise issue comments by Spectrum
- xiii) Fax (11/08/06) from PD, Oasis to DW, NL re timescales
- xiv) Email (13/09/06) from MB, Pelham to DW, NL re noise and affordable housing issues
- xv) Email (14/09/06) from DW, NL to MB, Pelham setting out contribution requirements and req further amendments to northern boundary (exclusion of 4 dwellings).
- xvi) Letter (18/09/06) from PD, Oasis to PB, NL re knee rail
- xvii) Letter (21/09/06) from MB, Pelham to DW, NL responding to email 14/9/06 enc draft S106 & report on educational requirements
- xviii) Fax (26/09/06) from PB, NL to PD, Oasis re knee rail
- xix) Letter (12/10/06) from PD, Oasis to PB, NL re knee rail
- xx) Letter (17/10/06) from MB, Pelham to MW, NL enc email from Spectrum (17/10/06) re boundary fence
- xxi) Letter (31/10/06) from SG, NL to MB, Pelham re affordable housing
- xxii) Email from MB, Pelham to TL, NL re application



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Mrs L Morton  
North Lincolnshire Council

Development Control

Planning Dept

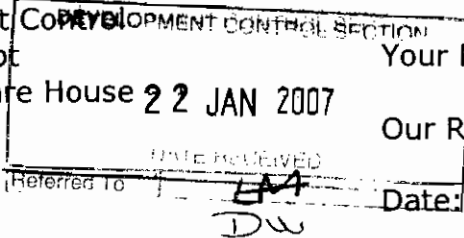
Church Square House

P O Box 42

Scunthorpe

DN15 6XQ

N Lincs



Your Ref:

2006/0848

Our Ref:

APP/Y2003/A/06/2029878/NWF

Date:

19 January 2007

Dear Mrs Morton

## **Town and Country Planning Act 1990 Appeal by Pelham Homes Lincoln Ltd Site at Land At Scotter Road, Scunthorpe, DN15 8XU**

I enclose a copy of the appellant statement relating to the above appeal.

If you have any comments on the points raised, please send 2 copies to me no later than **2 February 2007**. You should comment solely on the representations enclosed with this letter.

You cannot introduce new material or put forward arguments that should have been included in your earlier statement. If you do, your comments will not be accepted and will be returned to you.

### **Using e-mail and the internet**

You can now use the internet to send us documents and check the information and the progress of this case at ([www.planningportal.gov.uk/PCS](http://www.planningportal.gov.uk/PCS)). If you send us your comments by e-mail, you only need to send us one copy of each. However, if you post your comments, please send us 2 copies of everything and put the full appeal reference number on each copy.

Comments submitted after the deadline will not be seen by the Inspector unless there are extraordinary circumstances for the late submission.

Yours sincerely



**TOWN AND COUNTRY PLANNING ACT 1990**

**APPEAL BY PELHAM HOMES LINCOLN LIMITED**

**AGAINST THE DECISION OF NORTH LINCOLNSHIRE  
DISTRICT COUNCIL TO REFUSE FULL PLANNING PERMISSION  
FOR RESIDENTIAL DEVELOPMENT OF 38 HOUSES AND  
ASSOCIATED WORKS**

**SITE AT SCOTTER ROAD, SCUNTHORPE**

**APPEAL REF: APP/Y2003/A/06/2029878  
LPA REF: PA/2006/0848**

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**PRE-INQUIRY STATEMENT OF CASE ON BEHALF OF  
THE APPELLANT**

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1. Introduction
  2. Site Description and Relevant Planning History
  3. Planning Policy Context
  4. Planning Issues
  5. Conclusions
  6. Conditions
  7. Documents
- 

**JANUARY 2007**

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**1. INTRODUCTION**

1.01 This appeal concerns the refusal by North Lincolnshire Council of proposals by Pelham Homes Lincoln Limited for the development of 38 dwellings at Scotter Road, Scunthorpe.

1.02 The 'appeal application' (ref: 2006/0848) was submitted under cover of correspondence dated 24 May 2006. It seeks full planning consent for 38 residential units on a site at Scotter Road, Scunthorpe. The site comprises Previously Developed Land (PDL), being a site previously occupied by a textile factory.

1.03 In addition to plans, the planning application was accompanied by a number of supporting documents:

- (a) a Submission Report incorporating site analysis, design appraisal and plans;
- (b) a Flood Risk Assessment; and
- (c) an Acoustic Report (April 2006).

1.04 Planning permission was refused by Notice dated 30 October 2006. There are two reasons for refusal which allege:

**"1 The proposal fails to comply with paragraph 1 of policy H5 and paragraph ix) of policy DS1 of the adopted North Lincolnshire Local Plan. The acoustic report submitted with the application fails to consider the issue of potential noise disturbance to outdoor living spaces (garden areas) to the proposed layout but particularly of plots 1, 6 and 38, which are located nearest to the existing industrial activity to the west of the site. Furthermore, the site layout fails to give due regard to the potential for noise disturbance from the west by siting dwellings at close proximity to this noise sensitive western boundary.**

**2 The proposal fails to comply with policy H11 of the adopted North Lincolnshire Local Plan and SPG 9 for Affordable Housing because it has not been demonstrated to the satisfaction of the local planning authority that the proposed shared equity scheme meets a defined priority need as an alternative to the provision of affordable units."**

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1.06 The appeal was submitted on 9 November 2006 and confirmed by the Planning Inspectorate as being valid on 23 November 2006. The 'Essential Supporting Documents' submitted with the appeal comprise a comprehensive bundle including all the supporting material submitted with the appeal planning application and relevant correspondence between the Applicant and the Local Planning Authority.

**2. SITE DESCRIPTION AND RELEVANT PLANNING HISTORY**

- 2.01 The appeal site comprises Previously Developed Land (PDL) and lies towards the western edge of Scunthorpe, with residential properties fronting Scotter Road to the east, industrial development to the north and west and mixed development to the south. The site is unallocated on the North Lincolnshire Local Plan Proposals Map (Adopted May 2003), as are the surrounding industrial and residential developments. Land to the west of the western industrial units is, however, allocated for housing development within the plan.
- 2.02 Most of the residential properties to the east are detached units, although these are built quite close together. There are some semi-detached properties, and much of the surrounding area comprises substantial areas of semi-detached housing.
- 2.03 The site is largely flat, with evidence of its previous uses (textile factory) visible in places. The site is, for the most part, obscured from the access to the employment uses to the south by a hedge which runs long the boundary between a narrow site access and the adjoining access road. The boundary between the site and the adjoining industrial development to the west is largely open, although there are some conifers towards the northern section of this boundary. The boundary to the residential properties to the east is varied in construction.
- 2.04 The 'appeal application' (ref: 2006/0848) was submitted under cover of correspondence dated 24 May 2006. It was refused under Delegated Powers, and the Decision Notice is dated 30 October 2006.
- 2.05 A previous application on the site ref PA/2004/0192 for an extension to the adjoining industrial use was refused due to its potential impact upon the amenity of nearby residents by way of noise, disturbance and light pollution, and that no flood risk assessment had been provided.

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3 **PLANNING POLICY CONTEXT**

- 3.01 PPS1 notes at paragraph 31 that the Regional Spatial Strategies (RSSs) and Local Development Documents (LDDs) that are development plan documents form the framework for taking decisions on applications for planning permission.
- 3.02 Decisions have to be taken in accordance with the development plan unless other material considerations indicate otherwise. It is indicated that only policies in plans which can be implemented through the granting of planning permission can form the framework for decisions under Section 39 of the Planning and Compulsory Purchase Act 2004.
- 3.03 In this context, PPS12 confirms at paragraph 1.6 that the statutory development plan will continue to be the starting point in the consideration of planning applications for the development or use of land.
- 3.04 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permission or an appeal shall be determined in accordance with the plan, unless material considerations indicate otherwise. Conversely, applications which are not in accordance with relevant policies in the plan should not be allowed unless material considerations justify a grant of planning permission.
- 3.05 Where the development plan is not relevant (for example because the plan does not contain a policy relating to a particular development proposal) planning applications should be determined on their merits in the light of all material considerations.
- 3.06 The ODPM document "The Planning System: General Principles" (2005) confirms that the planning system does not exist to protect the private interests of one person against the activities of another, although private interests may coincide with the public interest in some cases. It can be difficult to distinguish between public and private interests, but this may be necessary on occasion. *The basic question is not whether owners and occupiers of neighbouring properties would experience financial or other loss from a particular development, but whether the proposal would unacceptably*

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*affect amenities and the existing use of land and buildings which ought to be protected in the public interest.*

- 3.07 North Lincolnshire Council is in the course of preparing its Local Development Framework (LDF). A Statement of Community Involvement (SCI) was adopted in April 2006, and the Core Strategy completed the Preferred Options consultation period in December 2006, but to date the LDF does not contain any policies which form the framework for decisions under Section 39 of the Planning and Compulsory Purchase Act 2004.

#### **Statutory Development Plan**

- 3.08 In this case the Statutory Development Plan comprises Regional Spatial Strategy for Yorkshire and the Humber Region, the Humberside Structure Plan Alteration No 1 (1993) and the North Lincolnshire Local Plan which was adopted in 2003.

#### **Regional Spatial Strategy**

- 3.09 The current Statutory Regional Spatial Strategy was published by GOYH in December 2004, based on the Selective Review of Regional Planning Guidance 12 (2001). Draft RSS was prepared during 2003 to 2005 and "The Yorkshire and Humber Plan" was published for consultation in January 2006. An Examination in Public was held during September and October 2006 and the Panel Report is in the course of preparation. It is anticipated that this will be published in Autumn 2007.
- 3.10 The guidance and policies set out in the adopted RSS (and in the draft revision) confirm the basic principles of sustainable development which now run through all elements of national planning policy, but are necessarily strategic, so that they add little by way of direct policy relevance to the mostly site-specific issues raised by the Reasons for Refusal.

#### **Humberside Structure Plan**

- 3.11 Settlement policies in the Humberside Structure Plan Alteration No 1 (1993) indicate that, in Immingham, provision will be made for housing under **Policy S3** at a scale compatible with the size and character of the urban area.

**Policy S2** encourages the development of housing within the main built-up areas where it accords with local planning policies. The policy also requires a high standard of design and layout.

**North Lincolnshire Local Plan (2003)**

3.12 Three policies are cited in the Reasons for Refusal: **Policies H5** (paragraph i)), **DS1** (paragraph ix)) and **H11**.

3.13 **Policy H5** (Reason for Refusal No 1) of the North Lincolnshire Local Plan states:

**"PROPOSALS FOR NEW HOUSING DEVELOPMENT AND RENEWALS OF PLANNING PERMISSION WILL BE PERMITTED PROVIDED THAT:**

**(i) THE DEVELOPMENT SITE IS LOCATED WITHIN SCUNTHORPE AND BOTTESFORD URBAN AREA...**

**ALL NEW HOUSING DEVELOPMENTS SHOULD MEET THE FOLLOWING CRITERIA:...**

**i) ADJACENT LAND USES WILL NOT RESULT IN ANNOYANCE OR DETRACT FROM THE RESIDENTIAL AMENITY WHICH RESIDENTS OF THE PROPOSED DWELLINGS COULD EXPECT TO ENJOY..."**

3.14 **Policy DS1 (ix)** (Reason for Refusal No. 1) states:

**"THERE SHOULD BE NO CONFLICT WITH AN ALLOCATED OR APPROVED LAND-USE PROPOSAL IN THE LOCALITY NOR SHOULD THE REASONABLE POTENTIAL FOR DEVELOPMENT OF A NEIGHBOURING SITE BE PREJUDICED"**

3.15 **Policy H11** (Reason for Refusal No. 2) of the North Lincolnshire Local Plan states:

**"THE COUNCIL WILL SECURE THE PROVISION OF AFFORDABLE HOUSING ON ALLOCATED AND WINDFALL RESIDENTIAL SITES OF 1 HECTARE OR MORE OR FOR SITES WITH 25 OR MORE DWELLINGS. ON ALL SUCH SITES IN SCUNTHORPE, EXCLUDING THE ALLOCATED NW SCUNTHORPE SITE (H2-10), 5 - 10% OF THE UNITS SHOULD BE AFFORDABLE. ON SITES IN BOTTESFORD AND THE SITE AT NW SCUNTHORPE (H2-10), 10-15% OF THE UNITS SHOULD BE AFFORDABLE. THE COUNCIL'S PREFERENCE FOR AFFORDABLE HOUSING IS SUBSIDISED HOUSING FOR RENT PROVIDED BY A**

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**REGISTERED SOCIAL LANDLORD (RSL) OR OTHER SOCIAL BODY. IN CERTAIN CIRCUMSTANCES TENANTS OF REGISTERED SOCIAL LANDLORDS HAVE A RIGHT TO ACQUIRE OWNERSHIP OF THEIR DWELLINGS. IN ALL CASES WHERE IT CAN BE LEGALLY SECURED, AFFORDABLE HOUSING MUST REMAIN AVAILABLE IN PERPETUITY FOR OCCUPATION BY THOSE IN LOCAL HOUSING NEED. THIS CAN BE ACHIEVED BY THE INVOLVEMENT OF A REGISTERED SOCIAL LANDLORD AND/OR BY USING S106 LEGAL AGREEMENTS. THIS POLICY WOULD NOT PRECLUDE DEVELOPERS PROVIDING SUBSIDISED OR LOW COST AFFORDABLE HOUSING ON SITES BELOW THIS THRESHOLD..”**

#### **Other Material Policy Considerations**

3.16 The other material policy considerations of principal relevance in this case comprise the advice set out at PPS1, PPS3 and the associated 'Delivering Affordable Housing' and PPG24. In addition, the Council's Supplementary Planning Guidance Note 9 "Affordable Housing" is specifically raised by Reason for Refusal No. 2.

3.17 Paragraphs 4.3 – 4.4 of SPG 9 state:

**“New house prices are generally higher than those of equivalent second-hand homes in reasonable condition. This presents an extra barrier to their affordability. In addition because there is no control over the occupancy of market housing, there can be no assurance that the initial or subsequent occupiers would be in need of affordable housing. In addition, while low cost market housing may meet a particular need it cannot meet the needs of those who are, for various reasons, unable to obtain a mortgage.**

**Furthermore, the total cost of shared ownership of RSL properties (or equivalent) is not competitive against the cost of outright purchase of basic market housing. The total cost of the local repayments, rent and other charges is such that it is well above the minimum cost for the outright purchase of minimum market properties. The experience of such shared ownership schemes in North Lincolnshire and the nature of the housing need suggests that the potential for shared ownership schemes to tackle these needs is limited.”**

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4 **PLANNING ISSUES**

4.01 The planning issues raised by the Reasons for Refusal are:

- (a) the effect of noise from the adjoining industrial activity upon the garden areas of the proposed development (Particularly plots 1,6 and 38);
- (b) the effect of noise from the adjacent industrial activity upon dwellings sited close to the western boundary; and
- (c) whether the proposed provision of shared equity units meets the affordable housing needs?

4.02 In addition it is necessary to consider whether there are any material considerations which should also be taken into account (issue (d)), and finally whether the appeal proposals would be contrary to the development plan and the other material policy considerations (issue (e)).

**Issue (a): Effect of Noise from the Adjacent Industrial Activity Upon Garden Areas**

4.03 The noise report accompanying the application stated at Section 3.3 that:

**"With respect to noise levels affecting external amenity BS8233 recognises that the main design criteria for houses is for presenting reasonable resting/sleeping conditions inside the dwelling, however, it does put forward a 'desirable' upper limit of a steady noise level of  $L_{Aeq} 55dB(A)$  for gardens."**

4.04 At Section 4.2 of the report it stated:

**"In general, across the site noise levels will be below the recommended  $L_{Aeq} 55dB(A)$  for outdoor amenity spaces. This will however be exceeded close to the Cogifer site."**

4.05 The above extracts clearly indicate that the acoustic report considers the issue of potential disturbance to outdoor living spaces (gardens), and concluded that noise levels were generally within acceptable limits.

- 
- 4.06 However, to provide further acoustic mitigation, an acoustic barrier is proposed along the western site boundary. An assessment of this indicated that noise levels in external areas of the development site would be wholly within the criteria recommended by BS8233 for outdoor living spaces.
- 4.07 It is therefore concluded that the provision of the suggested barrier as part of the proposals would ensure that, for external areas, the scheme would ensure that an acceptable level of amenity would be achieved in the garden areas of properties within the development.

**Issue (b): Effect of Noise from the Adjacent Industrial Activity Upon Dwellings Sited Close to the Western Boundary**

- 4.08 Section 5 of the acoustic report refers specifically to residential properties (bedrooms) directly overlooking the industrial site to the west. The report presents a technical assessment intended to show how acceptable noise levels can be achieved inside the properties, based on the highest measured external noise level. In addition, the final paragraph of Section 5 states:

**"To provide additional acoustic benefit to properties on the site, properties on the boundary of the site with Corus Cogifer have been arranged so that habitable rooms do not face directly towards the industrial site. (In general, windows directly overlooking the site are serving bathrooms only.) The exception to this is plot 38 in the northern corner of the site, where there is a bedroom and lounge window facing towards the workshop. This layout minimised the number of habitable rooms directly overlooking the site."**

- 4.09 The report clearly sets out the anticipated methods of construction for the properties and the impact that this will have upon the residential amenity within the properties. As a result of this it is concluded that an acceptable level of residential amenity will be achieved.
- 4.10 It is therefore clear that the site layout does give due regard to the potential for noise disturbance from the west, and addresses this potential by virtue of the specific layout of the affected properties, as well as providing a technical solution to ensure acceptable internal noise levels.

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**Issue (c): affordable housing**

- 4.11 The appellant will deliver 10% of the development as affordable housing. This will accord with the relevant policy tests at National and Local Level.
- 4.12 An affordable housing proposal delivered as intermediate tenure accommodation will be affordable to those in housing need and will consequently make a contribution to resolving the assessed affordable housing needs within North Lincolnshire.

**Issue (d): Other Material Considerations**

- 4.13 The proposed development offers the opportunity to secure the residential development of this PDL site. The development also has the benefit of providing a range of different types of market housing that will be affordable.
- 4.14 All other matters such as access and parking can be achieved in a satisfactory means.
- 4.15 There are no other material considerations that indicate that the proposed development would not be acceptable.

**Issue (e): Consistency With Policy**

- 4.16 The appeal proposals comprise a sustainable form of development, reusing PDL within an urban area for residential development that will be well-related in terms of scale and location to the rest of the urban area. Future residents will have the benefit of convenient access to shops and services.
- 4.17 The proposed development including an acoustic fence along the western boundary will ensure that an adequate level of amenity is achieved for garden areas for the proposed development.
- 4.18 The acoustic report identifies that, with the proposed method of construction, together with the proposed layout, an acceptable level of residential amenity will be achieved for future residents.

- 
- 4.19 The proposals will result in the provision of a low-cost residential development incorporating provision for affordable units and will therefore comply with policies seeking provision of an element of affordable housing.
- 4.20 The proposed layout is in keeping with the character and appearance of the area.
- 4.21 Accordingly, the proposals are in accordance with the relevant provisions of the Statutory Development Plan and the other relevant material Policy considerations, and would not unacceptably affect amenities and the existing use of land and buildings which ought to be protected in the public interest:

**5 CONCLUSIONS**

- 5.1 The appeal proposals are consistent with all the relevant development plan and other material policy considerations, and will result in the redevelopment of a derelict site for low cost market housing that will be available to a wide range of potential purchasers.
- 5.2 Accordingly, the proposed development would not unacceptably affect amenities and the existing use of land and buildings which ought to be protected in the public interest. The appeal should, therefore, be allowed.

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**6 CONDITIONS**

- 6.01 Possible conditions will be discussed with the LPA at the Statement of Common Ground Meeting.

**7. DOCUMENTS**

7.01 Reference will be made to the following documents:

- (a) planning application and submitted plans;
- (b) documents relating to relevant planning history of the site;
- (c) Regional Spatial Strategy for Yorkshire and the Humber to 2016 (based on Selective Review & RPG12) (December 2004);
- (d) Draft Yorkshire and Humber Plan (January 2006) (and Panel Report if Published);
- (e) Adopted Humberside Structure Plan (Alteration No 1)(1993);
- (f) Adopted North Lincolnshire Local Plan (2003);
- (g) PPS1, PPS3, PPG24;
- (h) 'Delivering Affordable Housing' (November 2006);
- (i) North Lincolnshire Council SPG9 "Affordable Housing" (2003);
- (j) Appeal decisions as appropriate.

7.02 The Appellant reserves the right to refer to any additional Relevant policy documents which may be published following the submission of this Pre-Inquiry Statement.



# The Planning Inspectorate

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Mrs L Morton  
North Lincolnshire Council  
Development Control  
Planning Dept  
Church Square House  
P O Box 42  
Scunthorpe  
DN15 6XQ  
N Lincs

Your Ref:

2006/0848

Our Ref:

APP/Y2003/A/06/2029878/NWF

Date:

26 January 2007

Dear Mrs Morton

**Town and Country Planning Act 1990  
Appeal by Pelham Homes Lincoln Ltd  
Site at Land At Scotter Road, Scunthorpe, DN15 8XU**

I am writing to inform you of the arrangements made for the inquiry into the above appeal, in accordance with the relevant Inquiries Procedure Rules.

The inquiry will be held at 10.00 on Tuesday 3 April 2007 at The Council Offices, Church Square House, Scunthorpe. Please note that this date has been imposed upon yourselves. The venue should be reserved for 1 day.

The name of the Inspector will be confirmed to you at a later date.

Formal notices will be sent in due course.

Please note that disabled people who may be concerned about facilities at the venue have been advised to write to or contact your Council to confirm that proper provisions are in place.

Yours sincerely

Carolyn Welding

**NB: All further correspondence should be addressed to the case officer mentioned in the initial letter.**

FORCEL





# The Planning Inspectorate

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Mrs L Morton  
North Lincolnshire Council  
Development Control  
Planning Dept  
Church Square House  
P O Box 42  
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DN15 6XQ  
N Lincs

Your Ref: 2006/0848  
Our Ref: APP/Y2003/A/06/2029878/NWF  
Date: 12 February 2007

Dear Mrs Morton

**Town and Country Planning Act 1990**  
**Appeal by Pelham Homes Lincoln Ltd**  
**Site at Land At Scotter Road, Scunthorpe, DN15 8XU**

DEVELOPMENT CONTROL SECTION	
13 FEB 2007	
RECEIVED	WAVE RECEIVED
Referred To	

I enclose for your information a copy of the appellant's final comments on the above appeal. Normally, no further comments, from any party, will now be taken into consideration.

Yours sincerely

Rose Holland

217L(BPR)

You can now use the Internet to submit documents, to see information and to check the progress of this case through the Planning Portal. The address of our search page is -

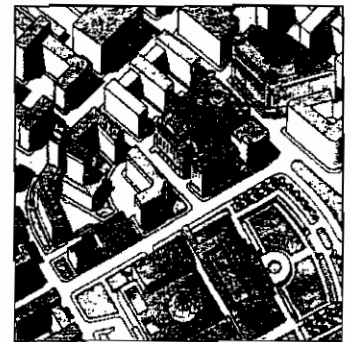
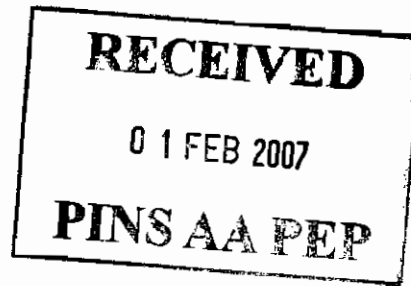
<http://www.pcs.planningportal.gov.uk/pcsportal/casesearch.asp>

You can access this case by putting the above reference number into the 'Case Ref' field of the 'Search' page and clicking on the search button



PW/RGB/2759/04(31Jan07)Holland

Ms R Holland  
The Planning Inspectorate  
Room 3/18a  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol  
BS1 6PN



Chartered Town Planners  
Development Consultants

31 January 2007

Dear Ms Holland

**TOWN AND COUNTRY PLANNING ACT 1990  
APPEAL BY PELHAM HOMES LINCOLN LIMITED  
SITE AT LAND AT SCOTTER ROAD, SCUNTHORPE, DN15 8XU  
APPEAL REF: APP/Y2003/A/06/2029878/NWF**

Thank you for your letter dated 19 January 2007 enclosing The Council's Statement of Case in respect of the above, and asking for comments on it by 02 February 2007.

I can confirm that the Appellant does not wish to make any comments at this stage but will be responding to the issues raised in the Council's Statement in the various proofs of evidence to be submitted in due course.

Yours sincerely

A handwritten signature in black ink, appearing to read "P. Wood".

PETER WOOD

Cc J L Harrison Esq: Divisional Chairman, Pelham Homes Lincoln Limited  
R Sagar Esq: Walker Morris  
I Slater Esq: NorthCountry Homes Group Limited  
R Adams Esq: Pelham Homes Lincoln Limited  
H Lacey Esq: Pioneer Property Services  
N Treby Esq: Spectrum Acoustic Consultants Limited

**Application Number: PA/2006/0848**

(please quote in all correspondence)

Case Officer: David Wordsworth, Tel 01724 297497

Email: david.wordsworth@northlincs.gov.uk

13 February 2007

Sarah Worthington  
Senior Planner  
Peacock & Smith  
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LS3 1AB

Dear Madam

**Appeal by Pelham Homes Lincoln Ltd against the refusal by North Lincolnshire Council to grant planning permission to erect 38 dwellings together with roads, sewers and ancillary works on land off Scotter Road, Scunthorpe**

I refer to the above planning appeal and to the list of documents enclosed with the appeal. It appears that I do not have copies of several of the letters or notes referred to in the documents list. I therefore request that you send copies of the following documents to assist proceedings for the public inquiry:

*Section 8 - relevant correspondence with the local planning authority:*

- i) note (17/01/06) of telephone conversation between SN, NL and NT Spectrum agreeing scope of noise survey
- iii) letter (20/3/06) from MB, Pelham to CS, NL requesting response
- iv) letter (3/05/06) from MB, Pelham to CS, NL requesting response
- v) letter (26/05/06) from MB, Pelham to CS, NL requesting response
- xi) letter (9/08/06) from MB, Pelham to DW, NL enc. revised plans
- xix) letter (12/10/06) from PD, Oasis to PB, NL re knee rail

I am enclosing a copy of the Housing Survey 2006 which the council's witness will be referring to.

I understand that your noise consultant is meeting with the council's Environmental Protection Officer, Sarah Nicholson, who will be the council's witness regarding the issue of noise, in an attempt to agree common ground.

With regard to the statement of common ground, the final date that this should be with the Planning Inspectorate is 6 March 2007. To commence proceedings may I

ask that Pelham's produce a draft and forward it to me at the council for us to comment on or amend. I think it is highly unlikely for there to be conflict between parties on a statement regarding site location, planning history, and planning policy.

I look forward to your response.

Yours faithfully

A handwritten signature in black ink, appearing to read 'David Wordsworth', written over a horizontal line.

**David Wordsworth**  
**Principal Planning Officer**



# The Planning Inspectorate

Room: 3/18a  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

Direct Line: 0117-372-6252  
Switchboard: 0117-372-8000  
Fax No: 0117-372-8181  
GTN: 1374-6252

[teamp7@pins.gsi.gov.uk](mailto:teamp7@pins.gsi.gov.uk)

<http://www.planning-inspectorate.gov.uk>

Mrs L Morton  
North Lincolnshire Council  
Development Control  
Planning Dept  
Church Square House  
P O Box 42  
Scunthorpe  
DN15 6XQ  
N Lincs

Your Ref: 2006/0848  
Our Ref: APP/Y2003/A/06/2029878/NWF  
Date: 13 February 2007

Dear Mrs Morton

**Town and Country Planning Act 1990  
Appeal by Pelham Homes Lincoln Ltd  
Site at Land At Scotter Road, Scunthorpe, DN15 6XQ**

DEVELOPMENT CONTROL SECTION

14 FEB 2007

UNIT RECEIVED

Here is a copy of the site notice giving the inquiry details. The inquiry is scheduled to last 1 day. Please let me know within 5 working days, if you think more time is needed.

Please tell the owners and occupiers of property near the site of the inquiry details immediately. You should also tell others you consider to be affected by or interested in the proposed development, including any persons or bodies who made representations at application stage. Your letter should cover:

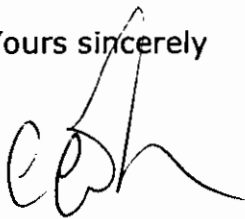
- the location of the site and a description of the appeal proposals;
- a clear statement of the date, time and place of the inquiry and of the powers enabling the Inspector, or the Secretary of State, to determine the appeal;
- where your and the appellant's statements, proofs of evidence, summaries and statement of common ground can be seen;
- that they can go to the inquiry. If they wish to speak they must be there when it opens;
- what facilities are available for people with disabilities e.g. parking spaces, access and seating arrangements;
- that we will send a copy of the Inspector's decision to those who ask for one in writing.

The press should be informed of inquiries.



We aim to issue decision letters within 7 weeks of the close of a one or two day inquiry. If there is likely to be a significant delay, we will let you know.

Yours sincerely

A handwritten signature in black ink, appearing to read 'ccol', with a long horizontal flourish extending to the right.

Chris Cole  
311(BPR)

*You can now use the Internet to submit documents, to see information and to check the progress of this case through the Planning Portal. The address of our search page is - <http://www.pcs.planningportal.gov.uk/pcsportal/casesearch.asp>  
You can access this case by putting the above reference number into the 'Case Ref' field of the 'Search' page and clicking on the search button*



"Sarah Worthington" <Sarah@peacockandsmith.co.uk> on 13/02/2007 10:42:40

To: "David Wordsworth" <David.Wordsworth@northlincs.gov.uk>

cc:

Subject: RE: Pelhams Appeal :- Scotter Road Scunthorpe ref:- 2006/0848[Scanned]

Please find attached copies of the correspondence requested in your letter (received by email with no attachments at the present time).

I note that the letter pre-dates our conversation yesterday in which we organised a meeting to discuss the statement of common ground next Tuesday (20th) at 10am.

I can confirm that a meeting has already taken place between Sarah Nicholson and Nick Treby regarding noise issues and that a separate statement of common ground specific to noise matters in relation to the site and the proposals will be prepared.

I look forward to meeting you on Tuesday.

Regards

Sarah Worthington

Sarah Worthington  
Senior Planner  
Peacock and Smith Limited  
Suite 2A  
Josephs Well  
Hanover Walk  
Leeds  
LS3 1AB

Tel. 0113 243 1919  
Fax. 0113 242 2198  
Mob. 0797 079 3050

Registered address: Westwood House, 78 Loughborough Road, Quorn,  
Leicestershire, LE12 8DX  
Registration No. 0130 6847

(This e-mail is for the use of the intended recipient(s) only. If you have received this e-mail in error, please notify the sender immediately and then delete it. If you are not the intended recipient, you must not use, disclose or distribute this e-mail without the author's prior permission. We have taken precautions to minimise the risk of transmitting software viruses, but we advise you to carry out your own virus checks on any attachment to this message. We cannot accept liability for any loss or damage caused by software viruses. If you are the intended recipient and you do not wish to receive similar electronic messages from us in future then please respond to the sender to this effect)

-----Original Message-----

From: David Wordsworth [mailto:David.Wordsworth@northlincs.gov.uk]  
Sent: 13 February 2007 10:01  
To: Sarah Worthington  
Subject: Pelhams Appeal :- Scotter Road Scunthorpe ref:-  
2006/0848[Scanned]

Sarah,

<b>Telecon Report</b>		<b>Initials:</b>	<b>NDT</b>	<b>Time:</b>	14:10	<b>Date:</b>	17/01/2006
<b>Name:</b>	Sarah Nicholson			<b>Job number:</b>			
<b>Company:</b>	EHO, N Lincs Council 01724 297318			<b>Copy:</b>			
<b>Project:</b>	Scotter Way						

- Procedure as I described it sounds fine
- However, Corus Cogifer is a noisy site, and they may well be reluctant to permit development on the site – she thins previous applications may have been turned down.



---

Pelham Homes Lincoln Limited  
10a Newport, Lincoln LN1 3DF

Tel: 01522 580400

Fax: 01522 545678  
Website: [www.pelham-homes.co](http://www.pelham-homes.co)

Our Ref: PHL/MB/kb  
Monday, 20 March 2006

Ms C Startin  
Planning and Regeneration  
North Lincolnshire Council  
Church Square House  
PO Box 42  
Scunthorpe  
DN15 6XQ

Dear Clare,

**Re: Scotter Road Scunthorpe**

Further to our letter dated 31<sup>st</sup> January 2006, a copy of which is attached, we have not yet received an official response. I acknowledge that we have discussed your thoughts over the telephone, but I would be grateful if you could confirm your affordable requirements to us in writing. Could you also confirm whether or not our Shared Ownership Scheme would be supported by your authority?

I look forward to hearing from you at your earliest convenience.

Yours sincerely

A handwritten signature in black ink, appearing to be "MB", written over a horizontal line.

Matthew Barker  
Land Manager  
[matthew@pelham-homes.co.uk](mailto:matthew@pelham-homes.co.uk)  
Direct Dial: 01522 580410

Enc





Pelham Homes Lincoln Limited  
10a Newport, Lincoln LN1 3DF

Tel: 01522 580400

Fax: 01522 545678  
Website: [www.pelham-homes.co](http://www.pelham-homes.co)

Our Ref PHL/MB/LM

Wednesday 3<sup>rd</sup> May 2006

Ms C Startin  
Planning & Regeneration  
North Lincolnshire Council  
Church Square House  
P O Box 42  
Scunthorpe  
DN15 6XQ

Dear Claire

**Re: Scotter Road Scunthorpe**

Further to our letters to you dated 31<sup>st</sup> January and 20<sup>th</sup> March (Copies enclosed), I notice that we have yet to receive a response.

We are likely to be submitting a planning application shortly on the above site and therefore I would welcome your response as soon as possible.

I look forward to receiving your response.

Yours sincerely

A handwritten signature in black ink, appearing to be "MB", written over a horizontal line.

Matthew Barker  
Land Manager  
[matthew@pelham-homes.co.uk](mailto:matthew@pelham-homes.co.uk)  
Direct Dial: 01522 580410





---

Pelham Homes Lincoln Limited  
10a Newport, Lincoln LN1 3DF

Tel: 01522 580400

Fax: 01522 545678

Website: [www.pelham-homes.co.uk](http://www.pelham-homes.co.uk)

Our Ref: PHL/MB/ec  
Friday, 26 May 2006

Ms C Startin  
Planning & Regeneration  
North Lincolnshire Council  
Church Square House  
PO Box 42  
Scunthorpe  
DN15 6XQ

Dear Claire

**Re: Scotter Road, Scunthorpe**

Further to our previous correspondence dated 31<sup>st</sup> January, 20<sup>th</sup> March and 3<sup>rd</sup> May 2006 I do not yet appear to have received a response.

A planning application was submitted by our Architect on 24<sup>th</sup> May 2006 and therefore your earliest response would be appreciated.

I have enclosed copies of our previous correspondence for your consideration.

Yours sincerely

Matthew Barker  
Land Manager  
[matthew@pelham-homes.co.uk](mailto:matthew@pelham-homes.co.uk)  
Direct Dial: 01522 580410

Enc





Pelham Homes Lincoln Limited  
10a Newport, Lincoln LN1 3DF

Tel: 01522 580400

Fax: 01522 545678  
Website: [www.pelham-homes.co.uk](http://www.pelham-homes.co.uk)

Our Ref: PHL/MB/GJ  
Wednesday 9<sup>th</sup> August 2006

David Wordsworth  
North Lincolnshire Council  
Church Square House  
PO BOX 42  
Scunthorpe  
North Lincolnshire  
DN15 6XQ

Dear Mr Wordsworth,

Re: **Scotter Road Scunthorpe PA/2006/0848**

Further to our meeting last week, please find enclosed 4 copies of plan PH/SCUN/001B.

We have amended our proposed layout to suit your comments and trust you will find the attached is acceptable.

As you are aware we have been asked to consider amendments to the scheme at a late stage during the planning process and trust this amended scheme can be taken to committee on 13<sup>th</sup> September 2006 despite this date running beyond our 13 week target determination date. Alternatively we would welcome a decision by delegated powers. If any issues arise in respect of this amended scheme, we would welcome your feedback as soon as possible to enable us to have time to answer any queries.

Yours sincerely

Matthew Barker  
Land Manager  
[matthew@pelham-homes.co.uk](mailto:matthew@pelham-homes.co.uk)  
Direct Dial: 01522 580410

Enc

Copy to: JLH

DS

Paul Deakin-Oasis



Neighbourhood & Environmental Services  
Cottage Beck Road  
Scunthorpe  
North Lincolnshire  
DN16 1TS

FAO. Patric Butler  
CC. Mathew Barker. Pelam Homes  
Date. Thursday, 12 October 2006

Our Ref. PB\_NLC\_PLA\_121006  
Your Ref PB 2006/B12-64

Dear Sir,

**Development on Land off Scotter Road, Scunthorpe PA/2006/0B48**

Further to your recent letter we have had instruction from our client Pelham Homes that they are now in agreement to amend the 400mm high knee rail to a 1m high post and three rail fence as requested.

We will be issuing amended drawings shortly, as further amendments to the layout are still being negotiated.

We hope this is now to your satisfaction; however should you require any further information please do not hesitate to call.

Yours faithfully,

Paul Deakin Bsc (Hons)  
OASIS



# The Planning Inspectorate

Room: 3/18a  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

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Switchboard: 0117-372-8000  
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GTN: 1374-6252

[teamp7@pins.gsi.gov.uk](mailto:teamp7@pins.gsi.gov.uk)  
<http://www.planning-inspectorate.gov.uk>

---

Mrs L Morton  
North Lincolnshire Council  
Development Control  
Planning Dept  
Church Square House  
P O Box 42  
Scunthorpe  
DN15 6XQ  
N Lincs

Your Ref: 2006/0848  
Our Ref: APP/Y2003/A/06/2029878/NWF  
Date: February 2007

---

Dear Mrs Morton

**Town and Country Planning Act 1990  
Appeal by Pelham Homes Lincoln Ltd  
Site at Land At Scotter Road, Scunthorpe, DN15 8XU**

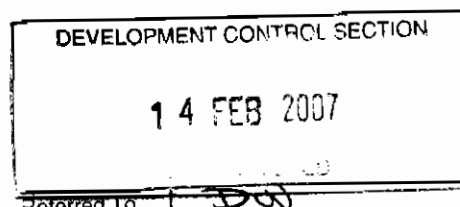
I refer to the above appeal.

I enclose a copy of a letter from the Environment Agency for your information.

Yours sincerely

Rose Holland

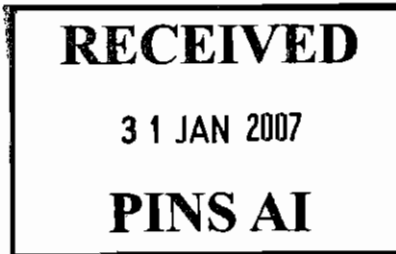
211B(BPR)



*You can now use the Internet to submit documents, to see information and to check the progress of this case through the Planning Portal. The address of our search page is - <http://www.pcs.planningportal.gov.uk/pcsportal/casesearch.asp>  
You can access this case by putting the above reference number into the 'Case Ref' field of the 'Search' page and clicking on the search button*



creating a better place



The Planning Inspectorate  
Temple Quay House (2 The Square)  
Temple Quay  
Bristol  
Avon  
BS1 6PN

**Our ref:** AN/2006/016849/02-L02  
**Your ref:** 2006/0848  
**Date:** 29 January 2007

Dear Sir/Madam

**Erection of 38 no. dwellings and ancillary works:  
LAND OFF SCOTTER ROAD, SCUNTHORPE**

Thank you for referring the above appeal notification which was received on 4/12/06.

The Agency has previously inspected this application, and has no further comments to make in respect of the proposed development, as submitted. However, I would refer you to my previous letter (copy enclosed), the content of which (especially the suggested condition) will apply in the event that the Appeal is allowed.

Please could you forward a copy of the Appeal Decision Notice to the Environment Agency for the purpose of monitoring in line with Defra High Level Targets.

Should you require any additional information, or wish to discuss these matters further, please do not hesitate to contact me on the number below.

Yours faithfully

A handwritten signature in black ink, appearing to read "Newby".

*JP.*

**Mr Jake Newby  
Planning Liaison Officer**

Direct dial 01522 785864  
Direct fax 01522 512927  
Direct e-mail [jacob.newby@environment-agency.gov.uk](mailto:jacob.newby@environment-agency.gov.uk)

Environment Agency  
Environment Agency, Waterside House, Waterside North, Lincoln, Lincolnshire, LN2 5HA.  
Customer services line: 08708 506 506  
Email: [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk)  
[www.environment-agency.gov.uk](http://www.environment-agency.gov.uk)  
Cont/d..



creating a better place



**Our Ref:** AN/2006/016849/02

**Your Ref:** 2006/0848

**Date:** 22-AUG-06

North Lincolnshire Council  
North Lincolnshire Council  
Church Square House, PO Box 42  
Scunthorpe  
DN15 6XQ

**COPY**

Dear Sir/Madam

**ERECTION OF 38 NO. DWELLINGS AND ANCILLARY WORKS:  
LAND OFF SCOTTER ROAD, SCUNTHORPE.**

I refer to my previous letter dated 19/6/06 relating to our objection to the above application as an insufficient Flood Risk Assessment had been submitted.

I can confirm that we have since received an amended Flood Risk Assessment (FRA) submitted to support the application. We consider that the details in the FRA have been undertaken in line with the fluvial main river aspect of flood risk guidance contained in Appendix F of PPG25, and these are considered appropriate for the scale and nature of the proposed development.

Please note that our advice has not considered the risk of flooding from ground water, drainage systems, reservoirs, canals or ordinary watercourses. The Local Planning Authority will therefore need to be satisfied that the proposed development is also in accordance with other requirements of PPG25 'Development and Flood Risk'.

Accordingly, the Environment Agency is prepared to **WITHDRAW** its previous objection, subject to the actions/mitigation measures identified in the approved FRA being secured by a planning condition to ensure that flood risk is adequately mitigated for the lifetime of the development:

<b>CONDITION</b>	Development shall proceed fully in accordance with the
mitigation	measures (e.g. finished floor levels) set out in the
approved Flood	Risk Assessment, and the applicant shall
confirm completion of the	approved scheme in writing
within one month thereafter.	

<b>REASON</b>	To reduce the risk and impact of flooding.
---------------	--

1 of 1

Environment Agency  
Waterside House, Waterside North, Lincoln, LN2 5HA.  
Customer services line: 08708 506 506  
Email: [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk)  
[www.environment-agency.gov.uk](http://www.environment-agency.gov.uk)



It should be noted that this site may have a residual risk of flooding from flood events exceeding the mitigated design standards used.

The Environment Agency provides extra information about how to protect property from flooding and what to do if affected. Further information can be obtained from our website, at [www.environment-agency.gov.uk/subjects/flood](http://www.environment-agency.gov.uk/subjects/flood) and following the link to 'Floodline'.

Please could you forward a copy of the Decision Notice to the Environment Agency for the purpose of monitoring in line with Defra High Level Targets.

Should you require any additional information, or wish to discuss these matters further, please do not hesitate to contact Nick Feltham on the number below.

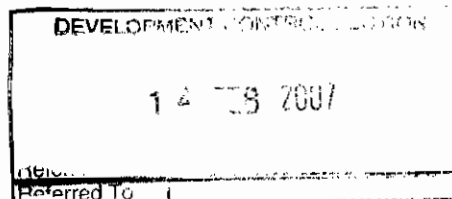
Yours faithfully

**ROGER ASHFORD**  
**Area Planning & Corporate Services Manager**

Direct Dial: 01522 785865 Fax: 01522 512927  
email: [nick.feltham@environment-agency.gov.uk](mailto:nick.feltham@environment-agency.gov.uk)

<b>Telecon Report</b>		Initials:	NDT	Time:	14:10	Date:	17/01/2006
Name:	Sarah Nicholson			Job number:			
Company:	EHO, N Lincs Council 01724 297318			Copy:			
Project:	Scotter Way						

- Procedure as I described it sounds fine
- However, Corus Cogifer is a noisy site, and they may well be reluctant to permit development on the site – she thins previous applications may have been turned down.





Pelham Homes Lincoln Limited  
10a Newport, Lincoln LN1 3DF

Tel: 01522 580400

Fax: 01522 545678  
Website: [www.pelham-homes.co](http://www.pelham-homes.co)

Our Ref: PHL/MB/kb  
Monday, 20 March 2006

Ms C Startin  
Planning and Regeneration  
North Lincolnshire Council  
Church Square House  
PO Box 42  
Scunthorpe  
DN15 6XQ

Dear Clare,

**Re: Scotter Road Scunthorpe**

Further to our letter dated 31<sup>st</sup> January 2006, a copy of which is attached, we have not yet received an official response. I acknowledge that we have discussed your thoughts over the telephone, but I would be grateful if you could confirm your affordable requirements to us in writing. Could you also confirm whether or not our Shared Ownership Scheme would be supported by your authority?

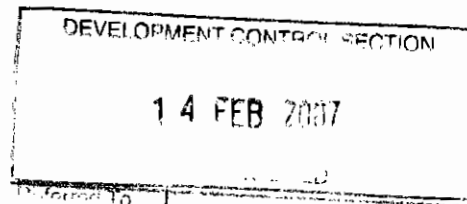
I look forward to hearing from you at your earliest convenience.

Yours sincerely

A handwritten signature in black ink, appearing to be "MB", written over a horizontal line.

Matthew Barker  
Land Manager  
[matthew@pelham-homes.co.uk](mailto:matthew@pelham-homes.co.uk)  
Direct Dial: 01522 580410

Enc





Pelham Homes Lincoln Limited  
10a Newport, Lincoln LN1 3DF

Tel: 01522 580400

Fax: 01522 545678  
Website: [www.pelham-homes.co](http://www.pelham-homes.co)

Our Ref PHL/MB/LM

Wednesday 3<sup>rd</sup> May 2006

Ms C Startin  
Planning & Regeneration  
North Lincolnshire Council  
Church Square House  
P O Box 42  
Scunthorpe  
DN15 6XQ

Dear Claire

**Re: Scotter Road Scunthorpe**

Further to our letters to you dated 31<sup>st</sup> January and 20<sup>th</sup> March (Copies enclosed), I notice that we have yet to receive a response.

We are likely to be submitting a planning application shortly on the above site and therefore I would welcome your response as soon as possible.

I look forward to receiving your response.

Yours sincerely

A handwritten signature in black ink, appearing to be "MB", written over a horizontal line.

Matthew Barker  
Land Manager  
[matthew@pelham-homes.co.uk](mailto:matthew@pelham-homes.co.uk)  
Direct Dial: 01522 580410





---

Pelham Homes Lincoln Limited  
10a Newport, Lincoln LN1 3DF

Tel: 01522 580400

Fax: 01522 545678

Website: [www.pelham-homes.co.uk](http://www.pelham-homes.co.uk)

Our Ref: PHL/MB/ec  
Friday, 26 May 2006

Ms C Startin  
Planning & Regeneration  
North Lincolnshire Council  
Church Square House  
PO Box 42  
Scunthorpe  
DN15 6XQ

Dear Claire

**Re: Scotter Road, Scunthorpe**

Further to our previous correspondence dated 31<sup>st</sup> January, 20<sup>th</sup> March and 3<sup>rd</sup> May 2006 I do not yet appear to have received a response.

A planning application was submitted by our Architect on 24<sup>th</sup> May 2006 and therefore your earliest response would be appreciated.

I have enclosed copies of our previous correspondence for your consideration.

Yours sincerely

Matthew Barker  
Land Manager  
[matthew@pelham-homes.co.uk](mailto:matthew@pelham-homes.co.uk)  
Direct Dial: 01522 580410

Enc





Pelham Homes Lincoln Limited  
10a Newport, Lincoln LN1 3DF

Tel: 01522 580400

Fax: 01522 545678  
Website: [www.pelham-homes.co.uk](http://www.pelham-homes.co.uk)

Our Ref: PHL/MB/GJ  
Wednesday 9<sup>th</sup> August 2006

David Wordsworth  
North Lincolnshire Council  
Church Square House  
PO BOX 42  
Scunthorpe  
North Lincolnshire  
DN15 6XQ

Dear Mr Wordsworth,

Re: **Scotter Road Scunthorpe PA/2006/0848**

Further to our meeting last week, please find enclosed 4 copies of plan PH/SCUN/001B.

We have amended our proposed layout to suit your comments and trust you will find the attached is acceptable.

As you are aware we have been asked to consider amendments to the scheme at a late stage during the planning process and trust this amended scheme can be taken to committee on 13<sup>th</sup> September 2006 despite this date running beyond our 13 week target determination date. Alternatively we would welcome a decision by delegated powers. If any issues arise in respect of this amended scheme, we would welcome your feedback as soon as possible to enable us to have time to answer any queries.

Yours sincerely

Matthew Barker  
Land Manager  
[matthew@pelham-homes.co.uk](mailto:matthew@pelham-homes.co.uk)  
Direct Dial: 01522 580410

Enc

Copy to: JLH

DS



Paul Deakin-Oasis



Neighbourhood & Environmental Services  
Cottage Beck Road  
Scunthorpe  
North Lincolnshire  
DN16 1TS

FAO. Patric Butler  
CC. Mathew Barker. Pelam Homes  
Date. Thursday, 12 October 2006

Our Ref. PB\_NLC\_PLA\_121006  
Your Ref PB 2006/B12-64

Dear Sir,

**Development on Land off Scotter Road, Scunthorpe PA/2006/0B48**

Further to your recent letter we have had instruction from our client Pelham Homes that they are now in agreement to amend the 400mm high knee rail to a 1m high post and three rail fence as requested.

We will be issuing amended drawings shortly, as further amendments to the layout are still being negotiated.

We hope this is now to your satisfaction; however should you require any further information please do not hesitate to call.

Yours faithfully,

Paul Deakin Bsc (Hons)  
OASIS

**Application Number: PA/2006/0848**

(please quote in all correspondence)

Case Officer: David Wordsworth Tel: 01724 297497  
david.wordsworth@northlincs.gov.uk

16 February 2007

Dear Sir/Madam

**Planning Appeal – Public Inquiry:** Planning permission to erect 38 dwellings together with roads and sewers and ancillary works Land off Scotter Road Scunthorpe

**Inspectorate's Reference:** APP/Y2003/A/06/2029878/NWF

**Appellant:** Pelham Homes Lincoln Ltd

I wrote to you previously to let you know about the above Inquiry. The Planning Inspectorate have now decided on a date for the Inquiry and this letter is to inform you about the arrangements.

The Inquiry will begin at 10:00 on Tuesday 3 April 2007 and is scheduled to last for 1 day.

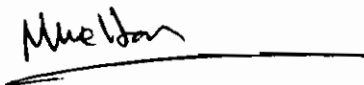
**Venue:**

Council Chamber, Pittwood House, Scunthorpe

All views received which have already been expressed in writing will still be taken into account. You may attend the inquiry if you wish, and, at the Inspector's discretion, express your views. If you, or anyone you know has a disability and is concerned about facilities at the inquiry venue, you should contact the case officer to confirm that suitable provisions are in place. Documents relating to the appeal can be viewed at the Council's offices by prior arrangements.

Please contact the case officer David Wordsworth on 01724 297497.

Yours faithfully



**Mike Welton**  
**Business Unit Manager, Development Control**

**Application Number: PA/2006/0848**

(please quote in all correspondence)

Case Officer: David Wordsworth Tel: 01724 297497  
david.wordsworth@northlincs.gov.uk

16 February 2007

Dear Sir/Madam

**Planning Appeal – Public Inquiry:** Planning permission to erect 38 dwellings together with roads and sewers and ancillary works Land off Scotter Road Scunthorpe

**Inspectorate's Reference:** APP/Y2003/A/06/2029878/NWF

**Appellant:** Pelham Homes Lincoln Ltd

I wrote to you previously to let you know about the above Inquiry. The Planning Inspectorate have now decided on a date for the Inquiry and this letter is to inform you about the arrangements.

The Inquiry will begin at 10:00 on Tuesday 3 April 2007 and is scheduled to last for 1 day.

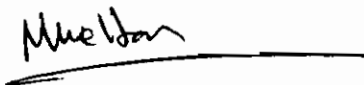
**Venue:**

Council Chamber, Pittwood House, Scunthorpe

All views received which have already been expressed in writing will still be taken into account. You may attend the inquiry if you wish, and, at the Inspector's discretion, express your views. If you, or anyone you know has a disability and is concerned about facilities at the inquiry venue, you should contact the case officer to confirm that suitable provisions are in place. Documents relating to the appeal can be viewed at the Council's offices by prior arrangements.

Please contact the case officer David Wordsworth on 01724 297497.

Yours faithfully



**Mike Welton**  
**Business Unit Manager, Development Control**



"Patch, Nicholas" <Nicholas.Patch@pins.gsi.gov.uk> on 19/02/2007 16:07:17

To: "Lynda Morton" <Lynda.Morton@northlincs.gov.uk>  
cc:

Subject: RE: Your Ref: 2029878/NWF

Linda

Thanks for your email. I have asked the Chart Room to amend our records, and hope to issue an amended site notice tomorrow.

We have also received a letter from the agent, advising that he will be calling three witnesses, and suggesting that the Council will be calling three witnesses too. Therefore, he feels that a second day will be required. Can you send me the Council's views before we take a decision on this issue.

Regards

Nick

---

Nicholas Patch  
Planning Inspectorate  
Appeals Administration  
Temple Quay House  
2 The Square, Temple Quay  
Bristol, BS1 6PN  
Tel. 0117 372 8562  
Email: teamp7@pins.gsi.gov.uk

---

-----Original Message-----

From: Lynda Morton [mailto:Lynda.Morton@northlincs.gov.uk]  
Sent: 16 February 2007 11:46  
To: Team P7  
Subject: Your Ref: 2029878/NWF

Council Ref: 2006/0848

Appeal by Pelham Homes Lincoln Ltd  
Site at land at Scotter Road, Scunthorpe

I have noticed that information included in the site notice you have recently sent to me is incorrect - the venue for the public inquiry is shown as The Council Offices, Church Square House, Scunthorpe.

The venue should be - The Council Chamber, Pittwood House, Scunthorpe

Would you please send me an amended site notice.

Thanks

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**Application Reference: PA/2006/0848**

(please quote in all correspondence)

Case Officer: David Wordsworth Tel: 01724 297497

Email: david.wordsworth@northlincs.gov.uk

20 February 2007

S Worthington  
Senior Planner  
Peacock & Smith Ltd Suite 2A  
Josephs Well  
Hanover Walk  
LEEDS  
LS3 1AB

Dear Madam

**Planning appeal – land off Scotter Road, Scunthorpe**

I refer to the above appeal and can advise you that Corus Cogifer who occupy the industrial site to the west of the appeal site wish to appear at the public inquiry and give evidence. I have advised them to contact the Planning Inspectorate directly.

Yours faithfully

**David Wordsworth**  
**Principal Planning Officer**



# The Planning Inspectorate

Room: 3/18a  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

Direct Line: 0117-372-6252  
Switchboard: 0117-372-8000  
Fax No: 0117-372-8181  
GTN: 1374-6252

[teamp7@pins.gsi.gov.uk](mailto:teamp7@pins.gsi.gov.uk)  
<http://www.planning-inspectorate.gov.uk>

---

Mrs L Morton  
North Lincolnshire Council  
Development Control  
Planning Dept  
Church Square House  
P O Box 42  
Scunthorpe  
DN15 6XQ  
N Lincs

Your Ref: 2006/0848  
Our Ref: APP/Y2003/A/06/2029878/NWF  
Date: 20 February 2007

---

Dear Mrs Morton

**Town and Country Planning Act 1990**  
**Appeal by Pelham Homes Lincoln Ltd**  
**Site at Land At Scotter Road, Scunthorpe, DN15 8XU**

## PLEASE NOTE CHANGE OF VENUE AND INCREASED DURATION

Here is a copy of the site notice giving the inquiry details. The inquiry is scheduled to last 2 days. Please let me know within 5 working days, if you think more time is needed.

Please tell the owners and occupiers of property near the site of the inquiry details immediately. You should also tell others you consider to be affected by or interested in the proposed development, including any persons or bodies who made representations at application stage. Your letter should cover:

- the location of the site and a description of the appeal proposals;
- a clear statement of the date, time and place of the inquiry and of the powers enabling the Inspector, or the Secretary of State, to determine the appeal;
- where your and the appellant's statements, proofs of evidence, summaries and statement of common ground can be seen;
- that they can go to the inquiry. If they wish to speak they must be there when it opens;
- what facilities are available for people with disabilities e.g. parking spaces, access and seating arrangements;
- that we will send a copy of the Inspector's decision to those who ask for one in writing.



The press should be informed of inquiries.

We aim to issue decision letters within 7 weeks of the close of a one or two day inquiry. If there is likely to be a significant delay, we will let you know.

Yours sincerely

pp Rose Holland

311(BPR)

*You can now use the Internet to submit documents, to see information and to check the progress of this case through the Planning Portal. The address of our search page is -*

*<http://www.pcs.planningportal.gov.uk/pcsportal/casearch.asp>*

*You can access this case by putting the above reference number into the 'Case Ref' field of the 'Search' page and clicking on the search button*

# TOWN AND COUNTRY PLANNING ACT 1990

## PUBLIC INQUIRY

At

The Council Chamber, Pittwood House, Scunthorpe,

On Tuesday 3 April 2007 at 10.00

### REASON FOR INQUIRY

Appeal by Pelham Homes Lincoln Ltd

Relating to the application to North Lincolnshire Council

for Residential development of 38 houses along with roads, sewers and ancillary works

### **At Land at Scotter Road, Scunthorpe, DN15 8XU**

An Inspector appointed by the First Secretary of State under paragraph 1(1) of schedule 6 to the Town and Country Planning Act 1990 will attend at the place, date and time shown above to decide the appeal.

**Members of the public may attend the inquiry and, at the Inspector's discretion, express their views. If you, or anyone you know has a disability and is concerned about facilities at the inquiry venue, you should contact the council to confirm that suitable provisions are in place. Documents relating to the appeal can be viewed at the Council's offices by prior arrangement.**

**Planning Inspectorate Reference: APP/Y2003/A/06/2029878**

**Contact point at the Planning Inspectorate: Rose Holland, 3/18a, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN Tel: 01173726252**

*You can now use the Internet to submit documents, to see information and to check the progress of this case through the Planning Portal. The address of our search page is -*

*<http://www.pcs.planningportal.gov.uk/pcspportal/casearch.asp>*

*You can access this case by putting the above reference number into the 'Case Ref' field of the 'Search' page and clicking on the search button*

**320(BPR)**



# The Planning Inspectorate

Room: 3/23 Hawk  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

Direct Line: 0117-372-8147  
Switchboard: 0117-372-8000  
Fax No: 0117-372-8804  
GTN: 1374-8147

[enquiries@pins.gsi.gov.uk](mailto:enquiries@pins.gsi.gov.uk)  
<http://www.planning-inspectorate.gov.uk>

---

Mrs L Morton  
North Lincolnshire Council  
Development Control  
Planning Dept  
Church Square House  
P O Box 42  
Scunthorpe  
DN15 6XQ  
N Lincs

Your Ref: 2006/0848  
Our Ref: APP/Y2003/A/06/2029878/NWF  
Date: 22 February 2007

---

Dear Mrs Morton

**Town and Country Planning Act 1990  
Appeal by Pelham Homes Lincoln Ltd  
Site at Land At Scotter Road, Scunthorpe, DN15 8XU**

## NOTIFICATION OF INSPECTOR

I am writing to inform you that the Inspector appointed to hold the inquiry into the above appeal will now be:

Edward Andrew Simpson BA(Hons) MRTPI

You have already been given notice of the arrangements for this inquiry.

Yours sincerely

Ian Chadwick

**NB: All further correspondence should be addressed to the case officer mentioned in the initial letter.**

206C

*You can now use the Internet to submit documents, to see information and to check the progress of this case through the Planning Portal. The address of our search page is -*

*<http://www.pcs.planningportal.gov.uk/pcsportal/casesearch.asp>*

*You can access this case by putting the above reference number into the 'Case Ref' field of the 'Search' page and clicking on the search button*



**Application Number: PA/2006/0848**

(please quote in all correspondence)

Case Officer: David Wordsworth Tel: 01724 297497  
david.wordsworth@northlincs.gov.uk

21 February 2007

Dear Sir/Madam

**Planning Appeal – Public Inquiry:** Planning permission to erect 38 dwellings together with roads and sewers and ancillary works Land off Scotter Road Scunthorpe

**Inspectorate's Reference:** APP/Y2003/A/06/2029878/NWF

**Appellant:** Pelham Homes Lincoln Ltd

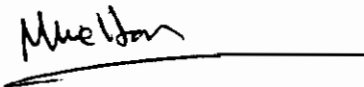
**AMENDMENT:**

I wrote to you previously to let you know about arrangements for the above Inquiry.

It has now been decided that the Inquiry will run for two days - the 3 and 4 April 2007. All other arrangements are as my previous letter dated 16 February 2007.

Please contact the case officer David Wordsworth on 01724 297497 if you have any queries in connection with the above.

Yours faithfully



**Mike Welton**  
**Business Unit Manager, Development Control**



"Patch, Nicholas"  
<Nicholas.Patch@pins.gsi.gov.uk>  
21/02/2007 09:51

To "Ian Lindsay" <ianl@coruscogifer.com>  
cc "Lynda Morton" <Lynda.Morton@northlincs.gov.uk>, <planning@peacockandsmith.co.uk>  
bcc  
Subject RE: Ref 2029878 planning appeal Pellam Land off Scotter Road Scunthorpe

Dear Mr Lindsay

Thank you for your email.

As you know, the inquiry for this appeal will start at 10.00am on Tuesday 3 April 2007 at the Council Chamber, Pittwood House, Scunthorpe. You are welcome to attend and, at the discretion of the Inspector, to speak about the proposal. I suggest you attend at the start of the inquiry and advise the Inspector then that you wish to speak.

The deadline for written representations on the appeal expired on 4 January. However, it is open to you to ask the Inspector to accept written evidence at the inquiry itself.

I have sent a copy of your email and this reply to the appellant's agent and the LPA for their information.

Yours sincerely

Nicholas Patch

---

Planning Inspectorate  
Appeals Administration  
3/18A Temple Quay House  
2 The Square, Temple Quay  
Bristol, BS1 6PN  
Email: teamp7@pins.gsi.gov.uk

---

**From:** Ian Lindsay [mailto:ianl@coruscogifer.com]  
**Sent:** 20 February 2007 11:12  
**To:** Team P7  
**Cc:** Wendy Preston; Neil.Chatterton@corusgroup.com; Darren Austin  
**Subject:** Ref 2029878 planning appeal Pellam Land off Scotter Road Scunthorpe

Dear Ms Holland,

Please accept my request to represent Corus Cogifer Switches and Crossings Limited at the appeal hearing to be held on 3rd April regarding land off Scotter Road, Scunthorpe, Pellam Homes. We would like to support our objection to the application with evidence.

Corus Cogifer is the land owner bordering two sides of the site under consideration. as a heavy industry manufacturer we believe our activities are not compatible to residential developments adjacent to our site.

I would be grateful if you could acknowledge receipt.

Regards,  
Ian Lindsay  
Managing Director  
Corus Cogifer switches and Crossing Ltd  
Hebden Road  
Scunthorpe  
DN15 8XX  
01724 862131

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[www.clearswift.com](http://www.clearswift.com)  
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## 3 Tenure

- 3.1 Two properties will be delivered as discounted market housing which will be sold at 70% of their open market value to qualifying persons identified under the provisions of paragraph 5 below. The 30% discount against open market value will be applied to initial and subsequent occupiers securing the properties in perpetuity.
- 3.2 Two properties will be delivered as social rented homes managed and owned by a Registered Social Landlord. (Subject to the cascade provisions set out below in paragraph 4.3).
- 3.3 This approach will provide a mixed tenure solution for the scheme and will contribute to resolving the affordable housing needs of the Borough as set out within the Housing needs assessment.

## 4 Delivery

- 4.1 The developer will identify up to five Registered Social Landlords who are interested in purchasing the two social rented dwellings.
- 4.2 Following a tender period the developer will use reasonable endeavors to enter into a contract with a Registered Social Landlord ("RSL") for the sale and transfer of the affordable housing units designated for the social rented provision.
- 4.3 If within 3 months of the receipt of tenders a transfer contract has not been agreed then the owner will consider the next highest tender and seek to enter a sale contract. If after a further period of 3 months a transfer contract has not been agreed then the two affordable properties will revert to discounted market dwellings which will be sold to qualifying persons at 70% of their open market value.

## 5 Qualifying persons.

- 5.1 Social rented dwellings,  
Qualifying persons in need and eligible for the social rented dwellings will be identified in discussions between the RSL and LA as appropriate.
- 5.2 Discounted Sale properties,  
At least four months prior to completion of the discounted sale properties, the owner will serve notice on the LA requesting a list of eligible purchasers. Within 2 weeks the LA will provide to the owner a list of persons in order of priority. The Owner will in order of their priority offer to sell a discounted sale property to those persons on the list. Where no offers are accepted the LA may continue to provide additional eligible purchasers until a period of 2 months has elapsed from the receipt of the initial list of purchasers. If no proceedable persons have been identified through this process then the owner can sell the discounted properties to persons considered as being in housing need due to the relationship between their income and local house prices.

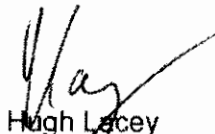
## 6 Phasing

- 6.1 Prior to the occupation of the 15<sup>th</sup> market dwelling the owner will have concluded the provisions of paragraph 4 above.
- 6.2 Prior to the occupation of the 30<sup>th</sup> market dwelling the four affordable dwellings will be completed and ready for occupation.

The above proposals provide a mixed tenure affordable housing proposal for the site which accords with the provisions of policy H11 of the Adopted local plan and the supporting SPG9. Furthermore it aligns with PPS3 and the findings of the latest housing market assessment for the Borough and is consequently a reasonable proposal for affordable housing provision on the site.

I trust the above details what we discussed and that we can now move to a statement of common ground which agrees the affordable housing proposals on this site as set out above. I would be grateful if you could indicate your approval to this revised proposal so that we can consider the wording of the statement and the supporting unilateral undertaking.

Yours sincerely



Hugh Lacey  
**Development Manager**

T 0845 8908003

F 0845 8908023

M 07971 380539

Email : [hlacey@pioneerps.co.uk](mailto:hlacey@pioneerps.co.uk)

**Our Ref:** CRS/

**Your Ref:**

**Date:** 27 February 2007

**Please ask for:** Mrs Claire R Startin 01724 297701  
Email: claire.startin@northlincs.gov.uk

Hugh Lacey  
Development Manager  
Pioneer Property Services Ltd  
Hartham Park  
Hartham Lane  
Corsham  
Wiltshire  
SN13 ORP

Dear Hugh

**Re: Scotter Road, Scunthorpe – Affordable Housing Contribution**

Thank you for your letter of 22<sup>nd</sup> February.

As I indicated to you on the telephone we welcome this improved offer. In terms of the detail proposed for the heads of terms for a unilateral undertaking I will address each of your points in turn.

1. Proportion

- 1.1. We are content with the four affordable housing units proposed.

2. Type

- 2.1. As you are aware the Housing Needs survey does highlight a need for increasing numbers of two bedroomed properties. Our preference would be for a mixture of two and three bedroomed properties given that those in highest need are likely to require three bedrooms. However in this instance we are prepared to accept the offer of two bedroomed units. If and when the adjacent site is developed we would look for a better mix.

3. Tenure

- 3.1. We are prepared to accept two discounted market housing properties that will be sold at 70% of market value, and your proposals to ensure these are secured in perpetuity.
- 3.2. We are happy to accept two homes to be social rented units managed by a Registered Social Landlord.
- 3.3. This meets our request to provide a mixed tenure solution.

#### 4. Delivery

- 4.1. As we discussed there are a number of Registered Social Landlords with housing stock in North Lincolnshire. It is our usual practice to request that developers approach RSLs with stock in the development site settlement. There are two main reasons for this, firstly the housing association is likely to have smaller lines of communication leading to more effective and efficient management, which is in the interests of both the developer and the RSL. The Housing Corporation has also made it clear that it expects the number of RSLs working in any one area to be rationalised in order to make for more efficient/effective management. I have checked our records and we only have four RSLs with general housing needs stock in Scunthorpe, one of which is the newly formed stock transfer North Lincolnshire Homes, which may not yet be in a position to increase it's stock base.
- 4.2. We are concerned that RSLs are not-for-profit, often charitable organisations. It is not appropriate for them to expend considerable resources chasing affordable housing units being delivered through the planning system.
- 4.3. The time scales suggested here would seem appropriate, but only if the terms of the suggested contract were generally acceptable to RSLs and in accordance with Housing Corporation requirements.

#### 5. Qualifying persons

- 5.1. Social rented dwellings,  
The local authority will expect to nominate to 100% of new housing units and to 50% thereafter. North Lincolnshire Homes now manages the Housing Register on behalf of the Council.
- 5.2. Discounted Sale properties,  
These proposals are acceptable, however, for subsequent re-sales we are concerned to maintain applicant confidentiality. Does Pelham propose to continue to manage this process? Obviously private owners should not be in a position to assess whether a person is in housing need due to the relationship between their income and local house prices. In that instance the Council, it's agent North Lincolnshire Homes or the Shared ownership Zone agents would be more appropriate.

#### 6. Phasing

- 6.1. This is acceptable
- 6.2. This is acceptable

We do consider this proposal reasonable in line with our policies, PPS3 and the Housing Market and Needs Assessment, and there is clearly scope for details to go into a statement of common ground and a supporting unilateral undertaking.


Yours sincerely

Claire Startin  
Strategic Co-ordinator and Advisor (Housing)

draft



Val  
Wilcockson/LD/NorthLincs  
28/02/2007 11:59

To Sarah Nicholson/NE/NorthLincs@NorthLincs  
cc David Wordsworth/PL/NorthLincs@NorthLincs  
bcc  
Subject Re: Pelham Homes Appeal. Draft Proof of evidence 

I'm confused about the Introduction/Summary.

You only need a summary if the statement is above 1500 words and, if it is, it needs to be a separate document.

The statement needs to start with qualifications and experience. You can then add that you are going to give evidence relating to the first reason for refusal.

2.2 Keep all the qualifications in: it shows that you are educated to degree level.

3. You need to tie in the adjacent site with the present application. You could bring down 1.1 here: express your concern that the development of residential dwellings is likely to result in a nuisance and then go on to say that the site adjacent to the western boundary has been used as an industrial site since 1952 etc.

3.2 I think you are concentrating too much on the complaints about the Corus Cogifer site. You will lay us open to the accusation that we are trying to use the planning process to solve a noise problem, which is an abuse of process. Just say that you have been receiving complaints since 2001 and append the list.

3.3 Too much detail here. We are not concerned with the Corus site, we are concerned with the application site. Does this section really need to be in?

4. Noise assessment. Start with your 1.2. Continue that the assessment was carried out between 24 and 25 January and that you contacted Corus etc. The rest is fine.

7. Bring your 1.3 in here.

8. Bring 1.4 in here.

-----Sarah Nicholson/NE/NorthLincs wrote: -----

To: Val Wilcockson/LD/NorthLincs@NorthLincs  
From: Sarah Nicholson/NE/NorthLincs  
Date: 28/02/2007 11:08AM  
Subject: Pelham Homes Appeal. Draft Proof of evidence

Val

Please find attached very much draft proof of appeal. I am still working on it, following a meeting with the applicant's noise consultant yesterday.

I will also send a draft statement of common ground over to you soon.

Sarah

x7318

This e-mail expresses the opinion of the author and is not necessarily the view of the Council. Please be aware that anything included in an e-mail may have to be disclosed under the Freedom of Information Act and cannot be regarded as confidential. This communication is intended for the addressee(s) only. Please notify the sender if received in error.

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addressee(s) only. Please notify the sender if received in error. 20060848 Draft proof.doc



"Sarah Worthington"  
<Sarah@peacockandsmith.  
co.uk>

28/02/2007 14:59

To "David Wordsworth" <David.Wordsworth@northlincs.gov.uk>

cc "Richard Sagar" <Richard.Sagar@walkermorris.co.uk>

bcc

Subject RE: Scotter Road, Scunthorpe - Planning Appeal[Scanned]

I understand that you are at the Planning Committee this afternoon. I can confirm that we are doing our best to get a draft statement of common ground to you tomorrow (Thursday).

I understand from our Affordable Housing consultant that the level and type of affordable housing now is considered acceptable by the Authority. We are therefore drafting a S106 so that it is completed for the Inspector. We are not aware of any other matters that need to be incorporated into this agreement in relation to the development proposals: please could you confirm this matter.

I would be grateful if you could reply to me as soon as possible on this matter due to the various time constraints.

Regards

Sarah

Sarah Worthington  
Senior Planner  
Peacock and Smith Limited  
Suite 2A  
Josephs Well  
Hanover Walk  
Leeds  
LS3 1AB

Tel. 0113 243 1919  
Fax. 0113 242 2198  
Mob. 0797 079 3050

Registered address: Westwood House, 78 Loughborough Road, Quorn,  
Leicestershire, LE12 8DX  
Registration No. 0130 6847

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"Sarah Worthington"  
<Sarah@peacockandsmith.co.uk>  
01/03/2007 12:27

To "David Wordsworth" <David.Wordsworth@northlincs.gov.uk>  
cc  
bcc

Subject Statement of Common Ground: Scotter Road

History: This message has been forwarded.

Please find attached a Draft version of the Statement of Common Ground. I also attach the Sustainability Audit and schedule of planning history that will form part of the appendices.

If we are unable to confirm agreement of the Draft by the submission date (effectively Monday 5th) we will submit it to the Planning Inspectorate as a draft with a note to indicate that there will be further discussions between representatives of the Appellants and the Council and that the Inspector will be updated at the Inquiry.

Please could you let me know when you can let us have the draft conditions that will form Section 5 of the statement.

If you wish to email me any responses or comments, please could you use [planning@peacockandsmith.co.uk](mailto:planning@peacockandsmith.co.uk) in addition to my normal address ([sarah@peacockandsmith.co.uk](mailto:sarah@peacockandsmith.co.uk)) so that any messages will be picked up even if I am not available.

Regards

Sarah Worthington

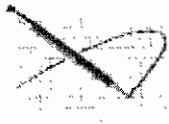
Sarah Worthington  
Senior Planner  
Peacock and Smith Limited  
Suite 2A  
Josephs Well  
Hanover Walk  
Leeds  
LS3 1AB  
Tel. 0113 243 1919  
Fax. 0113 242 2198  
Mob. 0797 079 3050

Registered address: Westwood House, 78 Loughborough Road, Quorn, Leicestershire, LE12 8DX  
Registration No. 0130 6847

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S25C-107030111550.pdf Scotter Rd SOCG1.doc Scotter Rd SOCG.doc



Val  
Wilcockson/LD/NorthLincs  
01/03/2007 16:44

To: David Wordsworth/PL/NorthLincs@NorthLincs  
cc: Mike Welton/PL/NorthLincs@NorthLincs  
bcc:  
Subject: Re: Fw: Statement of Common Ground: Scotter Road

On the face of this, I don't see any particular problems, but you need to address your mind to the following:

- What are your thoughts on the sustainability audit?
- Have you consulted anyone in Development Plans on this?
- Have you checked the planning history at the end? Is it accurate? Is the planning history of the adjacent sites relevant?

-----David Wordsworth/PL/NorthLincs wrote: -----

To: Val Wilcockson/LD/NorthLincs@NorthLincs  
From: David Wordsworth/PL/NorthLincs  
Date: 01/03/2007 12:29PM  
Subject: Fw: Statement of Common Ground: Scotter Road

----- Forwarded by David Wordsworth/PL/NorthLincs on 01/03/2007 12:26 -----

"Sarah Worthington"  
<Sarah@peacockandsmith.  
co.uk>

01/03/2007 12:27

To: "David Wordsworth"  
<David.Wordsworth@northlincs.gov.uk>  
cc:  
Subject: Statement of Common Ground: Scotter Road

Please find attached a Draft version of the Statement of Common Ground. I also attach the Sustainability Audit and schedule of planning history that will form part of the appendices.

If we are unable to confirm agreement of the Draft by the submission date (effectively Monday 5th) we will submit it to the Planning Inspectorate as a draft with a note to indicate that there will be further discussions between representatives of the Appellants and the Council and that the Inspector will be updated at the Inquiry.

Please could you let me know when you can let us have the draft conditions that will form Section 5 of the statement.

If you wish to email me any responses or comments, please could you use [planning@peacockandsmith.co.uk](mailto:planning@peacockandsmith.co.uk) in addition to my normal address ( [sarah@peacockandsmith.co.uk](mailto:sarah@peacockandsmith.co.uk) ) so that any messages will be picked up even if I am not available.

Regards

Sarah Worthington

Sarah Worthington  
Senior Planner  
Peacock and Smith Limited  
Suite 2A  
Josephs Well  
Hanover Walk

Leeds  
LS3 1AB  
Tel. 0113 243 1919  
Fax. 0113 242 2198  
Mob. 0797 079 3050

Registered address: Westwood House, 78 Loughborough Road, Quorn, Leicestershire, LE12 8DX  
Registration No. 0130 6847

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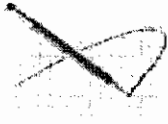
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addressee(s) only. Please notify the sender if received in error. S25C-107030111550.pdf



Scotter Rd SOCG1.doc Scotter Rd SOCG.doc



Val  
Wilcockson/LD/NorthLincs  
02/03/2007 15:43

To David Wordsworth/PL/NorthLincs@NorthLincs  
cc  
bcc

Subject Re: Pelhams appeal- Proof Of Evidence 

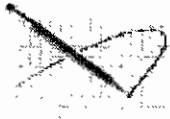
Having read the proposed statement of common ground, the list of planning applications that the appellants have come up with is far longer than the one contained in your paragraph 2.1. Assuming that you agree with their list, it might therefore be better to amend your paragraph 2.1 as follows:

*"Records held at the planning department of the Council identify the following planning applications that relate to the site. The applications are identified by the reference number and are briefly described by the description and the decision. They are listed in chronological order starting with the most recent first. Other applications are listed in the Statement of Common Ground. None of these applications are considered to be of direct relevance to this appeal."*

[I have typed the amendments in italics, but obviously it needs to be in the same type-face in your final version.]

Also, there is a typo in 4.2.4: it should be "l" not "i".

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Val  
Wilcockson/LD/NorthLincs  
06/03/2007 12:02

To David Wordsworth/PL/NorthLincs@NorthLincs  
cc Mike Welton/PL/NorthLincs@NorthLincs  
bcc

Subject Re: Fw: Suggested Conds. Appeals

*- letter re education  
in appeal bundle - responds  
sent to authors &*

The Inspector does not have power to ask for section 106 obligations: if one is offered it is treated as a material consideration.

The developer is offering a section 106 on affordable housing, so that shouldn't be a problem. So far as education and open spaces are concerned, the LPA can ask for contributions on the basis of SPGs 8 and 10.

Unfortunately, neither of these have been identified as a policy issue in your main proof or, indeed, the rule 6. What you should have done is put something in the main proof to say that if the problems of noise can be overcome, we would be looking for contributions for affordable housing, education and open space. Since only affordable housing has been identified as an issue, I think you have missed the boat on the other matters.

You could try contacting the developer and asking if they would agree as part of the common ground, but really these matters should have been addressed up front.

You therefore need to delete the final two lines from the list of conditions submitted to the Inspector.

----David Wordsworth/PL/NorthLincs wrote: ----

To: Val Wilcockson/LD/NorthLincs@NorthLincs  
From: David Wordsworth/PL/NorthLincs  
Date: 05/03/2007 03:59PM  
Subject: Fw: Suggested Conds. Appeals

Val,

These are my suggested conditions- please note that a S106 would be required for commuted sums for education, maintenance of P.O.S. and Affordable Housing. Shall we get the S106 drafted/agreed prior to the Inquiry?

Regards

David

---- Forwarded by David Wordsworth/PL/NorthLincs on 05/03/2007 15:35 ----

**Claire  
Bradley/PL/North  
Lincs**

To David.wordsworth@northlincs.gov.uk

cc

05/03/2007 15:10

Subject Suggested Conds. Appeals

Please find attached document

This e-mail expresses the opinion of the author and is not necessarily the view of the Council. Please be aware that anything included in an e-mail may have to be disclosed under the Freedom of Information Act and cannot be regarded as confidential. This communication is intended for the



addressee(s) only. Please notify the sender if received in error. E\_1822099.DOC



# The Planning Inspectorate

Room: 3/23 Hawk  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

Direct Line: 0117-372-8098  
Switchboard: 0117-372-8000  
Fax No: 0117-372-8804  
GTN: 1374-6131

<http://www.planning-inspectorate.gov.uk>

---

Mrs L Morton  
North Lincolnshire Council  
Development Control  
Planning Dept  
Church Square House  
P O Box 42  
Scunthorpe  
DN15 6XQ  
N Lincs

Your Ref: 2006/0848  
Our Ref: APP/Y2003/A/06/2029878/NWF  
Date: 8 March 2007

---

Dear Mrs Morton

**Town and Country Planning Act 1990  
Appeal by Pelham Homes Lincoln Ltd  
Site at Land At Scotter Road, Scunthorpe, DN15 8XU**

**Please Note: Change of venue**

I am writing to inform you of the arrangements made for the inquiry into the above appeal, in accordance with the relevant Inquiries Procedure Rules.

The inquiry will be held at 10.00 on 3 April 2007 at **The Council Chamber, Pittwood House, Scunthorpe**. Please note that this date has been imposed upon yourselves. The venue should be reserved for 2 days.

The Inspector currently nominated to hold the inquiry is Edward Andrew Simpson BA(Hons) MRTPI.

Formal notices will be sent in due course.

Please note that disabled people who may be concerned about facilities at the venue have been advised to write to or contact your Council to confirm that proper provisions are in place.

Yours sincerely

Carolyn Welding



**NB: All further correspondence should be addressed to the case officer mentioned in the initial letter.**

FORCEL

*You can now use the Internet to submit documents, to see information and to check the progress of this case through the Planning Portal. The address of our search page is -*

*<http://www.pcs.planningportal.gov.uk/pcsportal/casesearch.asp>*

*You can access this case by putting the above reference number into the 'Case Ref' field of the 'Search' page and clicking on the search button*

**Application Reference: PA/2006/0848**

(please quote in all correspondence)

Case Officer: David Wordsworth Tel: 01724 297497

Email: david.wordsworth@northlincs.gov.uk

8 March 2007

Peacock & Smith  
Suite 2A  
Joseph's Well  
Hanover Walk  
LEEDS  
LS3 1AB

Dear Sir or Madam:

**Planning permission to erect 38 dwellings together with roads and sewers and ancillary works – Land off Scotter Road, Scunthorpe**

In response to your letter 5 March 2007, I note that you have submitted the draft statement of common ground to the Planning Inspectorate, even though the document has not been agreed.

I have now had an opportunity to look at the statement of common ground and feel that various amendments are necessary. I will forward the complete list of amendments shortly, but would point out that we take particular issue with sections iii) and iv) of the sustainability audit and these are unlikely to be agreed. In addition we feel that that the sustainability audit needs amending to reflect the commuted sum relating to maintenance of the Public Open Space.

I understand that the statement of common ground relating to noise has been forwarded to the Planning Inspectorate but we have not seen anything about affordable housing. Your e-mail dated 28 February 2007 says that you are drafting a section 106 so that it is completed for the Inspector. Please note that we will need time to comment on any draft section 106 agreement and, if we do not receive it prior to the Inquiry, we reserve our right to ask for an adjournment.

A copy of this letter has been sent to the Planning Inspectorate.

Yours sincerely

**David Wordsworth**  
**Principal Planning Officer**



# The Planning Inspectorate

Room: 3/18a  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

Direct Line: 0117-372-6252  
Switchboard: 0117-372-8000  
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GTN: 1374-6252

[teamp7@pins.gsi.gov.uk](mailto:teamp7@pins.gsi.gov.uk)  
<http://www.planning-inspectorate.gov.uk>

---

Mrs L Morton  
North Lincolnshire Council  
Development Control  
Planning Dept  
Church Square House  
P O Box 42  
Scunthorpe  
DN15 6XQ  
N Lincs

Your Ref: 2006/0848  
Our Ref: APP/Y2003/A/06/2029878/NWF  
Date: 9 March 2007

---

Dear Mrs Morton

**Town and Country Planning Act 1990  
Appeal by Pelham Homes Lincoln Ltd  
Site at Land At Scotter Road, Scunthorpe, DN15 8XU**

I enclose a copy of the appellant's proofs of evidence.

Yours sincerely

pp Rose Holland

325(BPR)

DEVELOPMENT CONTROL SECTION	
12 MAR 2007	
DATE RECEIVED	
Referred To	

*You can now use the Internet to submit documents, to see information and to check the progress of this case through the Planning Portal. The address of our search page is -*

<http://www.pcs.planningportal.gov.uk/pcsportal/casearch.asp>

*You can access this case by putting the above reference number into the 'Case Ref' field of the 'Search' page and clicking on the search button*



John  
Galbraith/EL/NorthLincs  
09/03/2007 16:49

To David Wordsworth/PL/NorthLincs@NorthLincs  
cc Jo Rea/EL/NorthLincs@NorthLincs  
bcc  
Subject re planning application 2006/0848

David,

further to the fax sent to jo rea this afternoon i will comment as follows in response to pelham homes sustainability audit.

you have asked me to respond to para s 12 & 13 of their document.

para 12. primary school places.

I can confirm that if this development received planning permissions the children living in such a development would be served by the primary schools on marsden drive, namely Berkeley infants ,Berkeley juniors and St Augustine webster RC primary schools.

As i indicated previously to Matthew Barker, pelham homes each of these schools is regularly full to capacity and therefore we would see developer contributions to provide additional educational places.

We are also negotiating with the adjacent Lakeland development for the provision of a site and a new primary school to meet demand from the lakeland development.

In both situations we are seeking developer contributions towards additional educational places at primary level.

The pelham homes development might access either the 3 schools named above ( although they are full) or the new primary on the Lakeland site ,when built. in my opinion it is likely that in the longer term ,if pelham homes site was approved and developed then children will look to access the new primary school.

para 13 secondary places.

it is normally expected that pupils at secondary age can travel further and if pelham homes site was developed then we would expect most children to travel to Foxhills or High ridge schools. There are spaces at these schools presently ,although high ridge is full in year 7 this coming september 2007. As i indicated in my previous email to matthew barker, we would not seek developer contributions for secondary places at this stage. however we are planning to rebuild all secondary schools in scunthorpe and if this development did not start within 5 years i would need to reserve the right to review our position on secondary places.

**in summary we will insist on primary contributions of £1795.25 per house ,based on 2006/7 prices.** The standard section 106 agreement would need to be signed, which includes the right to inflate this figure annually and to agree how the contribution is paid.

I understand that the first phase is approx .38 houses so the payments would be:

30% on occupation of 1st house

30% on occupation of 15 the house

40% on occupation of 30th house.

excluding any houses we agree as being specialist accommodation.

If this planning application is for an initial phase of approx 38 houses but has any reference to a much larger development as phase 2 please advise as i would reconsider my decision not to claim secondary places.

thank you

John Galbraith  
BSF Project Manager

01724 297131  
fax 01724 297242

**Application Reference: PA/2006/0848**

(please quote in all correspondence)

Case Officer: David Wordsworth, Tel 01724 297497

Email: david.wordsworth@northlincs.gov.uk

13 March 2007

Peacock & Smith  
Suite 2A  
Joseph's Well  
Hanover Walk  
LEEDS  
LS3 1AB

**For the attention of Sarah Worthington**

Dear Ms Worthington

**Appeal by Pelham Homes - land off Scotter Road, Scunthorpe**

Further to our conversation earlier today regarding the above, I can now confirm North Lincolnshire Council's comments with regard to the Draft Statement of Common Ground.

I also enclose a copy of a letter I sent to you on 8 March 2007 for your records.

**Amendment 1**

Paragraph 2.04 – the following sentence should be added to follow the final sentence:

'Should planning permission be granted, a commuted sum of £28,811.00 will be required from the developer for maintenance.'

**Amendment 2**

In paragraph 12 of the Sustainability Audit, the second sentence of the paragraph should read as follows:

'If this is taken purely as a walking time, the appeal site is in the catchment area of a number of primary schools.'

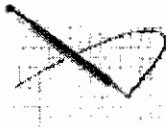
With regard to the acoustic report submitted as part of the Proof of Evidence of N D Treby, could you please confirm if Appendix G is a letter from Spectrum Acoustics dated 17 October 2006 detailing the proposed acoustic barrier as one was not sent as part of the proof.

I would be grateful to receive confirmation on these points.

Yours sincerely

**David Wordsworth**  
**Principal Planning Officer**

Enc



Sarah  
Nicholson/NE/NorthLincs  
21/03/2007 11:32

To David Wordsworth/PL/NorthLincs@NorthLincs  
cc  
bcc  
Subject Fw: Re: Scotter Road

David

Should this information also be sent to the planning inspectorate?  
If so, please could you forward it as I do not have their details.

Thanks  
Sarah  
x7318

-----Forwarded by Sarah Nicholson/NE/NorthLincs on 21/03/2007 11:28AM -----

To: "Nick Treby" <NTreby@spectrumacoustic.com>  
From: Sarah Nicholson/NE/NorthLincs  
Date: 21/03/2007 11:31AM  
cc: Sarah Nicholson/NE/NorthLincs@NorthLincs, "Richard Sagar"  
<Richard.Sagar@walkermorris.co.uk>, "Sarah Worthington" <Sarah@peacockandsmith.co.uk>, "Ian Slater" <ian.slater@gladedale.com>, "Robert Adams" <robert.adams@pelham-homes.co.uk>, Val Wilcockson/LD/NorthLincs@NorthLincs, David Wordsworth/PL/NorthLincs@NorthLincs  
Subject: Re: Scotter Road

Nick

Please see attached plan showing approximate position of Area A with approximate distance to proposed development boundary.

Kind regards

Sarah Nicholson  
Environmental Protection Officer

---

Dr Sarah Nicholson  
Environmental Protection Officer  
North Lincolnshire Council  
Church Square House  
Scunthorpe  
North Lincolnshire  
DN15 6XQ

tel: 01724 297318  
fax: 01724 297898  
email: [sarah.nicholson@northlincs.gov.uk](mailto:sarah.nicholson@northlincs.gov.uk)

-----"Nick Treby" <NTreby@spectrumacoustic.com> wrote: -----

To: "Sarah Nicholson" <Sarah.Nicholson@northlincs.gov.uk>  
From: "Nick Treby" <NTreby@spectrumacoustic.com>  
Date: 20/03/2007 04:24PM  
cc: "Richard Sagar" <Richard.Sagar@walkermorris.co.uk>, "Sarah Worthington" <Sarah@peacockandsmith.co.uk>, "Ian Slater" <ian.slater@gladedale.com>, "Robert Adams" <robert.adams@pelham-homes.co.uk>  
Subject: Scotter Road

Sarah

In paragraph 4.3 of your proof you refer to Area A, but haven't included anything that says where Area A is. Could you confirm this for me?

(I was advised to contact you directly for expediency.)

Kind regards

Nick  
Senior

Treby  
Consultant

-----  
Spectrum  
27-29  
Bedfordshire.  
DDI.  
Fax.  
<http://www.spectrumacoustic.com>

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High

Consultants  
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SG18  
**+44(0)1767**  
+44(0)1767

Ltd  
Biggleswade  
OJE  
**603220**  
317704

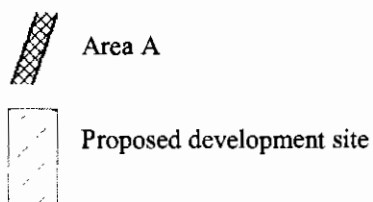
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addressee(s) only. Please notify the sender if received in error. 2006-0848Plan.doc

Plan showing approximate position of Area A at the Corus Cogifer site



The southern half of Area A runs parallel to the proposed development boundary. The eastern boundary of Area A is approximately 40 metres from the western boundary of the proposed development site.

**EMAIL MESSAGE**

**To** Sarah Nicholson  
**Company** North Lincolnshire Council  
**From** Nick Treby  
**Date** 22 March 2007  
**Our Ref** NDT2339/NDT/25403  
**Your Ref** PA/2006/0848  
APP/Y2003/A/06/2029878/NWF  
**Page** 1/1

**APPEAL BY PELHAM HOMES LTD  
LAND OFF SCOTTER ROAD, SCUNTHORPE  
ACOUSTICS**



Sarah

I write with regards to your intention to play the forthcoming inquiry a recording of the noise you heard at Corus Cogifer, on your visit of 26<sup>th</sup> February 2007. As you know, I have not yet been able to hear the recording, and I await receipt of some further tapes, so my comments are made without having listened to it.

I am concerned that playing the recording of noise you measured at the above site will mislead, rather than inform the forthcoming Inquiry. I note that it is your intent to use this to solely demonstrate the nature of the noise. However, it is inevitable that those who hear the recording will form a conclusion as to how disturbing it is. This conclusion will be affected by the following factors:

- The level at which the noise is played;
- The background noise level and room conditions in the inquiry room;
- The lack of context
- Habituation – listening to a noise in a one-off setting does not account for people becoming used to a noise, or increasingly disturbed by a noise.

Industrial noise, of the sort generated by Corus is not unusual, and I expect most people will be familiar with the character of noise generated by such hand tools, including the Stihl saw. In any event, the Inspector will visit the site, and will be able to form his own view on the nature of the noise.

Therefore, I do not think that playing the recording will add anything to the Inquiry, and will be misleading, inviting those present to form an opinion on the acceptability or otherwise of the noise, without having heard the noise in context.

Kind regards

Nick Treby  
**Senior Consultant**

**Distribution**

Name	Company	
Case Officer	The Planning Inspectorate	By post and email
David Wordsworth	North Lincolnshire Council	By email
Various	Pelham Homes Inquiry Team	By email

Our Ref: PA/2006/0848

Planning Inspectorate Reference: APP/Y2003/A/06/2029878/NWF

Date: 26 March 2007

If telephoning, please ask for: Sarah Nicholson 01724 - 297318

Email: Sarah.Nicholson@northlincs.gov.uk

Mr N Treby  
Senior Consultant  
Spectrum Acoustic Consultants  
27-29 High Street  
Biggleswade  
Bedfordshire  
SG18 0JE

Dear Mr Treby

**Re: Appeal by Pelham Homes Ltd, Land off Scotter Road, Scunthorpe**

Further to your email message of 22 March 2007, I enclose a copy of DAT tape reference SRU65069-26/02/07.

As you know, I offered to play this tape recording to you when you visited our offices on 27 February 2007, but you declined. A copy of this tape recording has also been sent to you, but I understand from your email of 15 March that you were unable to listen to it because of problems with your equipment.

However, I appreciate that you will want to listen to this tape recording before the planning appeal so I have sent this additional copy to you.

Thank you for outlining your concerns regarding the playing of this recording at the Inquiry. I have taken note of your comments and I am satisfied that your concerns can be adequately addressed so that the tape recording will be useful rather than misleading.

Please do not hesitate to contact me if you have any further queries about this matter.

Yours sincerely

**Sarah Nicholson**  
**Environmental Protection Officer**

John  
Galbraith/EL/NorthLincs  
21/03/2007 15:53

To "John Walker" <john.walker3@tesco.net>  
cc David Wordsworth/PL/NorthLincs@NorthLincs, Val  
Wilcockson/LD/NorthLincs@NorthLincs,  
sarah@peacockandsmith.co.uk  
bcc

Subject Re: Scotter Road, Scunthorpe PA 2006/0848

History: This message has been forwarded.

i refer to your email of 15 march and sarah worthington's email of 13 march.and respond accordingly.

latest numbers as requested.  
what we cannot project is effect from other housing developments already being constructed and the fact that some of the schools on the second list are admitting children from families locating into scunthorpe from eastern european countries. Our schools are beginning to comment on the number of polish and eastern European migrant workers moving into the area. If this trend continues and the families settle we expect to see admissions rising especially at these schools.

Our evidence about pupil admissions from the area within which the proposed development is located is that parents will express preferences for the first 3 schools only. there is no evidence or trend that any parents opt for other schools on the list. we know from past history that families willnot cross the berkeley circle and travel to parkwood school. it is not seen as a safe walking route to school for primary children.

There are on average some places at the 2 Berkeley schools. There has been a particular reason why numbers have dropped at the junior school but we expect the school's popularity to rise again.

\* the initial bid for 38 homes could be accommodated in the 2 berkeley schools , based on present numbers, however if the application is the first in a phased bid to develop a much larger site then our SPG permits us to seek developer contributions (para 8.22)

\* If the design of the proposed application shows potential for future road links to a larger development then irrespective of whether there are some spare places at the local catchment area schools I will press the planning officer to seek a section 106 agreement for primary school place contributions ( presently £1795.25 per house ,based on 2006/7 prices,with an inflation factor) because the potential sum effect will exceed capacity of local schools and we will continue our longer term planning for a new primary school on the lakeland site ,using developer contributons from all local developments.

if this site has the potential to link to a much larger development I have requested the right to reconsider my decision not to seek secondary contributions.

i have copied this response to david wordsworth, planning offcier and val wilcockson, solicitor as requested.

	forecast Av	NOR ( JAN 2007) NOR( excluding new	potential capacity housing or new
admissions)			
Berkeley Junior	335	336	360
Berkeley Inf	250	253	270
St Augustine Webster RC	425	436	420
Henderson Avenue	490	481	514
Crosby	460	468	483
Parkwood	295	295	329
Scunthorpe C of E	190	206	238
Frodingham Inf	160	140	171
Bushfield Road Inf	149	147	150
Westcliffe	260	254	266
Brumby Junior	380	356	428

John Galbraith  
BSF Project Manager  
01724 297131  
fax 01724 297242  
"John Walker" <john.walker3@tesco.net>



"John Walker"  
<john.walker3@tesco.ne  
">  
15/03/2007 10:04

To <john.galbraith@northlincs.gov.uk>,  
<joanne.rea@northlincs.gov.uk>  
cc

Subject Scotter Road, Scunthorpe

Dear both

On 4 August 2006 Matthew Barker of Pelham Homes emailed Mr Galbraith asking for numbers on roll at a number of schools in relation to the proposed development at Scotter Road; a reply was received from Ms Rea on 23 August. I have been asked to follow this correspondence up for an update.

As you may be aware, this site has gone to planning appeal, starting, I understand, on 3 April 2007. I would be most grateful if figures could be provided for numbers on roll at the schools in January 2007, using the DfES Annual School Census data. If all children aged 4 or over as at 31/8/2006 could be counted as individuals, rather than as full time equivalent, we should have a good estimate of the maximum number on roll in reception classes and older this academic year.

To remind you, the schools are:

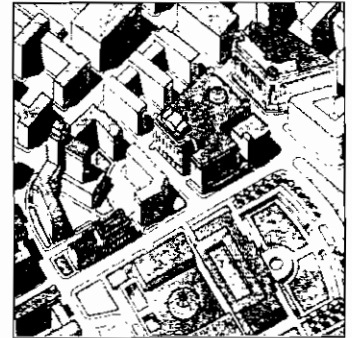
Berkeley Junior  
Berkeley Inf  
St Augustine Webster  
Henderson Avenue  
Crosby  
Parkwood  
Scunthorpe C of E  
Frodingham Inf  
Bushfield Road Inf  
Westcliffe  
Brumby Junior

Do you also have updated forecasts for these schools?

I apologise for the short notice given for this request, but I believe that the appellants considered that an education contribution was no longer an outstanding issue. The planning inquiry timetable is very tight at this stage and your co-operation would be greatly appreciated if the figures could be produced by this weekend (16/3/07) so that they can be submitted to the Planning Inspector as part of his or her deliberations on the merits of the planning case.

John Walker  
John R Walker  
JRW Solutions  
3 Larkens Close  
Puckeridge  
WARE  
Herts  
SG11 1ST  
Phone/fax 01920 821875  
Mobile 07890 008067

D Wordsworth Esq  
Principal Planning Officer  
Planning and Regeneration Services  
North Lincolnshire Council  
Church Square House  
P O Box 42  
Scunthorpe  
DN15 6XQ



Chartered Town Planners  
Development Consultants

22 MAR 2007

21 March 2007

Dear Mr Wordsworth

**APPEAL BY PELHAM HOMES LINCOLN LIMITED  
LAND AT SCOTTER ROAD, SCUNTHORPE**

**APPEAL REF. APP/Y2003/A/06/2029878/NWF**

I refer to your letters dated 8 and 13 March 2007 addressed to my colleague Sarah Worthington in respect of the above, to your various discussions with Ms Worthington since the exchange of evidence, and to our telephone conversation this morning.

In relation to your first letter you are correct to note that the Statement of Common Ground on Planning Matters was submitted to the Planning Inspectorate *in draft* on 5 March 2007 – ie in time to meet the Inspectorate's deadline. This course of action follows the procedure discussed at our meeting on 20 February 2007, and as set out in Sarah Worthington's email to you dated 1 March, to which you did not respond before the Inspectorate's deadline. In this respect, I note that the draft Conditions prepared by the Council for Section 5 of the Statement of Common Ground were also not received until after the submission deadline.

In your letter of 8 March you note that you had by then had an opportunity to consider the draft document and felt that various amendments are necessary, referring to particular issue being taken with Sections (iii) and (iv) of the Sustainability Audit, which you suggested are unlikely to be agreed. You also suggested that the Sustainability Audit needs amending to reflect the commuted sum relating to the maintenance of the public open space.

Finally, in your letter of 8 March you refer to the Statements of Common Ground on noise and affordable housing, and in relation to the latter indicate that you will need time to comment on

any draft Section 106 Obligation, reserving the right to seek an adjournment if it is not received for comment prior to the Inquiry.

In your letter of 13 March you provide the detail of the Council's concerns relating to the Statement of Common Ground on Planning Matters and raise a query in relation to Mr Treby's Appendix G.

I will deal with these matters in turn.

### **Draft Statement of Common Ground on Planning Matters**

I am grateful for your confirmation in your letter of 13 March 2007 that there are only two matters in the draft Statement with which the Council takes issue:

- (a) para. 2.04: you suggest that reference should be made to a commuted sum for maintenance of the open space;
- (b) Appendix SOCG1 – Sustainability Audit para. 12: you suggest a matter of clarification.

Regarding (a) above, I note that your comments on this matter no longer relate to the Sustainability Audit. I suggest, as per your recent telephone discussion with Sarah Worthington, that the text be cross referenced to a planning condition which addresses the matter. Accordingly, I suggest that:

- (a) para. 2.04 be amended by the addition of a final sentence to read:

**“...Should planning permission be granted a condition will be imposed relating to the design and maintenance of the open space provision within the site (see Section 5 below)”.** and

- (b) a draft condition be added at Section 5 to read:

\*

**“No dwelling shall be occupied until a <sup>layout</sup> design and maintenance scheme has been submitted to, and approved in writing by the Local Planning Authority relating to the areas of public open space shown on Planning Layout Drawing PH/SCUN/001 Rev B, and the areas so defined shall be laid out and thereafter ~~be~~ used and maintained solely as public open space in accordance with the approved scheme”.**

Regarding (b) above, I note that you no longer raise issue in relation to Section (iv) of the Sustainability Audit. Regarding Section (iii) (ie para. 12) you appear to be raising a distinction between availability and accessibility. I suggest, therefore, that para. 12 be amended to read:

**“The RSS suggests a 30 minute journey time within which primary health and education facilities should be located. Taken purely as a walking time there are a number of primary schools (on Marsden Drive), nurseries and doctors/dentists within the 30 minute ‘catchment’. If the journey time is taken as being by bus or other modes, the number of facilities providing primary health or education increases significantly”.**

Please confirm that the above suggestions are acceptable to the Council, and I will amend the draft document in readiness for signing on behalf of both parties prior to the Inquiry. I would, however, like to discuss the draft conditions and in this respect we have arranged to meet at 16.00 hours on 27 March 2007. Following this, I trust that the Statement of Common Ground can be signed.

#### **Statements of Common Ground on Noise and Affordable Housing Issues**

An agreed Statement of Common Ground on noise matters was forwarded to the Planning Inspectorate on 5 March 2007 (please liaise with Sarah Nicholson direct), together with a draft Statement of Common Ground on affordable housing matters. An amended draft of the latter, which reflects the provisions of the Draft Section 106 Agreement was forwarded to Claire Startin on 20 March 2007. Please liaise with Ms Startin direct in this respect.

#### **Draft Section 106 Agreement**

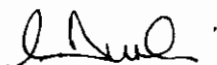
The draft Section 106 Agreement which is in the form of a Unilateral Obligation was forwarded to Claire Startin on 16 March 2007. Again, please liaise direct with her.

#### **Appendix G to Mr Treby’s Evidence**

Two copies of Mr Treby’s Appendix G are attached with this letter.

I trust the above properly and fully addresses the matters you have raised, and look forward to meeting you on 27 March.

Yours sincerely



pp PETER WOOD

Enc

cc I Slater Esq: Gladedale (Central Division) Limited  
S Wright Esq: Gladedale (Central Division) Limited  
R Adams Esq: Gladedale (Lincoln) Limited  
R Sagar Esq: Walker Morris  
N Treby Esq: Spectrum Acoustic Consultants Limited  
H Lacey Esq: Pioneer Property Services

EMAIL MESSAGE

To	Matthew Barker
Company	Pelham Homes
From	Peter Jackson
Date	17 October 2006
Our Ref	PJ1990/PJ/25403
Your Ref	
Page	1/2

SCOTTER ROAD, SCUNTHORPE



Matthew

I refer to your request for comment regarding the Authority's expressed concerns over outside noise levels at the plots closest to the boundary fence shared with the Corus Cogifer site.

As my colleague Nick Treby is on holiday at the moment I have reviewed, in his absence, the previous reports and detail relative to the external noise situation and can provide the following comment.

The original noise assessment report stated that noise levels across most aspects of the development site are well below the recommended LAeq 55 dB for outdoor amenity spaces, but that this level will be exceeded at positions closest to the boundary of the Cogifer site.

I have looked at the noise measurements taken from positions 2 and 3, which are representative of this site boundary position. Noise levels at position 2 were measured at between LAeq 56 – 59dB(A) and at position 3 between LAeq 51 – 56.5dB(A). Consequently noise levels only exceed the LAeq 55dB(A) criterion by a relatively small margin.

Due to enforced changes to the site layout caused by re-positioning the access road further into the centre of the site, plots 1,2,6 and 7 have now been moved nearer to the boundary with the Cogifer site, however, plot 38 is retained in the same position, as per the original scheme.

Your current mitigation proposals for reducing external site noise levels at house plots 1, 6 and 38, closest to the site boundary with Cogifer, are covered by Nick's following comments, covering the position and the required materials specification for the barrier:

*I understand you are now proposing an acoustic barrier along sections of the rear boundary of the site, between plots 1, 2 and 38 with the Cogifer site. The barrier should comprise a close-boarded timber fence, minimum mass 15kg/m<sup>2</sup>. You are proposing it to be 1.8m high, to provide acoustic attenuation to external areas. Clearly this will have a beneficial effect, screening low sources on the Cogifer site from the gardens in the proposed development. Such a barrier will provide a reduction in the A weighted sound pressure levels of approximately 15 dB, and so will further reduce the noise exposure of the site from Cogifer's works.*

**Distribution**

Name Company  
(see email cover sheet)

**EMAIL MESSAGE (Cont'd)**

**Our Ref** PJ1990/25403  
**Page** 2/2

Clearly, the benefit of an acoustic barrier varies depending on the noise source height, and the receiver position in the shadow of the barrier, however, the performance is highest, as in this case, where the barrier is close to the receiver position i.e. the garden amenity of the house plots nearest the site boundary.

Based on the reported noise data, reducing noise levels in the garden amenity areas of the plots closest to the site boundary to below  $L_{Aeq} 55dB(A)$  would only require noise reduction of up to  $5dB(A)$ . As stated above, provision of an acoustic barrier along the boundary will easily achieve this objective.

If you need to discuss anything further please contact my colleague Nick when he is back from holiday next week.

Kind regards

Peter Jackson  
**Principal Consultant**

**Application Reference: PA/2006/0848**

(please quote in all correspondence)

Case Officer: David Wordsworth Tel: 01724 297497

Email: david.wordsworth@northlincs.gov.uk

23 March 2007

S Worthington, Senior Planner  
Peacock & Smith Ltd  
Suite 2A  
Josephs Well  
Hanover Walk  
LEEDS  
LS3 1AB

Dear Madam,

**Planning permission to erect 38 dwellings together with roads and sewers and ancillary works**

**PUBLIC INQUIRY DETAILS: 3 AND 4 APRIL 2007, COUNCIL CHAMBER, PITTWOOD HOUSE, SCUNTHORPE – land off Scotter Road, Scunthorpe**

I refer to our previous conversations on 13 March 2007, prior to my weeks annual leave regarding a commuted sum for education contributions for the above development.


Please find enclosed a copy of my colleagues figures as requested, I also forwarded these on to you by email on 21 March 2007. I trust this clarifies the requirement for a commuted sum for education provision.

Should you need to discuss this further please do not hesitate to contact me.

Yours faithfully

**David Wordsworth**  
**Principal Planning Officer**

David  
Wordsworth/PL/NorthLincs  
26/03/2007 16:56

To Sarah Nicholson/NE/NorthLincs@NorthLincs  
cc  
bcc  
Subject Re: Fw: APP/Y2003/A/06/2029878/NWF - Scotter Road  
Public Inquiry 

Sarah,

I have spoken to the Planning inspectorate today and they advised me that the deadline has passed for sending further information to them - so just provide hard copies for the Inquiry. Could you compile a set of e-mails and letters sent after the the proofs of evidence that have not been included from the statements of common ground and proofs up to the Inquiry next week. We will need a copy for the Inspector, a copy for Val and a copy for myself.

Thanks

Dave

D Wordsworth Esq  
Principal Planning Officer  
Planning and Regeneration Services  
North Lincolnshire Council  
Church Square House  
P.O. Box 42  
Scunthorpe  
North Lincolnshire  
DN15 6XQ

26 MAR 2007

23 March 2007

Dear Mr Wordsworth

**APPEAL BY PELHAM HOMES LINCOLN LIMITED  
LAND AT SCOTTER ROAD, SCUNTHORPE  
APPEAL REF APP/Y2003/A/06/2029878/NWF**

I refer to your recent telephone discussion with my colleague Sarah Worthington in respect of the above, during which you indicated that the Council would require the payment of a contribution towards education provision.

You will recall that this matter was raised prior to the determination of the appeal application by John Galbraith/Jo Rea in an email to you dated 14 July 2006 which indicated that the appeal site should be considered as part of the Doncaster Road Development (Local Plan allocation H2-10) and that a contribution should be sought towards a new primary school.

As you know, provision for such contributions is made via the Council's SPG8 "Developer Contributions to Schools" (April 2006).

Accordingly, the Applicant commissioned a report to assess the need for a contribution having specific regard to the criteria for assessing developer contributions set out in SPG8. The Report "The Application of Approved Supplementary Planning Guidance to the Proposed Development at Scotter Road, Scunthorpe" was prepared by consultant statistician John R Walker (JRW Solutions), and was forwarded to you under cover of correspondence from the Applicant dated 21 September 2006.

As you will recall, the report concluded that the nearest schools have ample surplus spaces, no shortfall is forecast, and accordingly no contribution (towards schools) is required.

Brief details in relation to the above are recorded at pars 1.06 and 1.07 of my proof of evidence.

Following your recent suggestion that the Council still requires a contribution towards schools, the Appellant has commissioned John Walker to update his original report, Mr Walker has, therefore contacted Jo Rea/John Galbraith requesting up-to-date data upon

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Development Consultants

which to base the update. This was supplied to him by John Galbraith in an email dated 21 March 2007 which was copied to you.

Mr Walker has confirmed that the up-dated information does not change his original conclusions. Indeed, inter-alia, the email acknowledges that

**“... the initial bid for 38 homes could be accommodated in the 2 berkeley schools, based on present numbers...”**

While this conclusion is qualified to the effect that a contribution would be required:

- (a) *if* the application is the first in a phased bid to develop a much larger site (SPG8 para 8.22); and
- (b) *if* the design of the proposed application shows potential for future road links to a larger development;

it is clear that *neither is the case*. The appeal proposals comprise a *single phase* development of 38 dwellings on a site bounded to all sides by existing development. The appeal site is *not linked* with the Doncaster Road site, in respect of which the Appellant has no interests, and the site layout shows no potential for future road links to any larger development.

Notwithstanding the fact that the appeal proposals comprise a single phase development, SPG8 para 8.22 makes it clear that the intention of the approach towards phasing is to include developments which are deliberately sub-divided and phased in an attempt to avoid the contribution thresholds. There can be no suggestion that this applies to the appeal proposals.

Equally, notwithstanding the absence of any link with the Doncaster Road site or potential road links to any other development, Circular 05/2005 makes it clear that contributions must be fairly and reasonably related in scale and kind to the development proposed and the impact it would make. Any request which involves a contribution from the Appellant towards mitigating the impact of another development would fail the above test.

I should be grateful, therefore, if you would confirm in writing that the Council no longer requires a contribution from the Appellant towards education provision in this case.

Yours sincerely



PP  
PETER WOOD

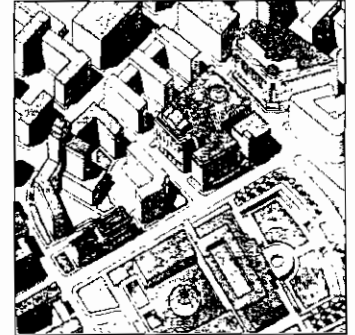
Cc S Wright Esq: Gladedale (Central Division) Ltd  
I Slater Esq: Gladedale (Central Division) Ltd  
R Adams Esq: Gladedale (Lincoln) Ltd  
R Sagar Esq: Walker Morris  
J Walker Esq: JRW Solutions  
N Treby Esq: Spectrum Acoustic Consultants Ltd  
H Lacey Esq: Pioneer Property Services

PW/LD/2759/15(29Mar07)Wordsworth

# Peacock & Smith

**BY COURIER**

D Wordsworth Esq  
Principal Planning Officer  
Planning and Regeneration Services  
North Lincolnshire Council  
Church Square House  
P O Box 42  
Scunthorpe  
DN15 6XQ



Chartered Town Planners  
Development Consultants

30 MAR 2007

29 March 2007

Dear Mr Wordsworth

**APPEAL BY PELHAM HOMES LINCOLN LIMITED  
LAND AT SCOTTER ROAD, SCUNTHORPE**

**APPEAL REF. APP/Y2003/A/06/2029878/NWF**

I refer to my letter dated 23 March 2007 which addresses the Council's request for a developer contribution towards education provision in respect of the above, and to our subsequent discussion of this matter at our meeting on 27 March 2007.

You will recall that in my letter of 23 March I set out the reasons for which the Appellant considers that an education contribution is not necessary, and on that basis requested confirmation that the Council no longer requires such a contribution. At our meeting on 27 March, however, you were unable to agree this.

Accordingly, I attach two copies of a Supplementary Proof of Evidence and associated Appendices which addresses the matters we have discussed, and sets out the Appellant's position.

The attached documents have been forwarded by Courier who will obtain written confirmation of receipt.

Yours sincerely

A handwritten signature in black ink, appearing to read 'P. Wood', written in a cursive style.

PETER WOOD

Enc

cc S Wright Esq: Gladedale (Lincoln) Limited  
I Slater Esq: Gladedale (Central Division) Limited  
R Adams Esq: Gladedale (Lincoln) Limited  
R Sagar Esq: Walker Morris  
N Treby Esq: Spectrum Acoustic Consultants Limited  
H Lacey Esq: Pioneer Property Services



"Louise Durkin"  
<Louise@peacockandsmith  
.co.uk>

29/03/2007 12:06

To <david.wordsworth@northlincs.gov.uk>  
cc <RMS@walkermorris.co.uk>,  
<stephen.wright@gladedale.com>,  
<robert.adams@gladedale.com>, "Ian Slater"  
bcc

Subject Appeal by Pelham Homes Lincoln Limited: Land at Scotter  
Road, Scunthorpe - Statement of Common Ground

David

1. Further to our meeting on 27 March 2007 in respect of the above, I attach as promised the amended text of the Statement of Common Ground which:

- ✓ (a) incorporates at para. 2.04 the agreed reference to the open space maintenance condition;
- ✓ (b) includes at para. 4.07 the agreed references to adopted Local Plan Policy ST2; and
- (c) sets out at Section 5 the agreed conditions (as amended at our meeting) and both the Council's and the Appellant's drafts of the conditions which are not agreed.

2. I also attach an amended copy of the Sustainability Audit with the paragraph numbering corrected. The earlier draft has two paragraphs each numbered 6 and 7. The amended draft aims, however principally to set out the Council's and the Appellant's positions regarding the text of what is now para. 14 (formerly 12).

I have, however, noted that there is an error at para. 3 which, as previously drafted, suggests that the appeal site is within an extension to the Sub-Regional centre, whereas the correct position is that the site lies within the Sub-Regional centre. Accordingly I have amended para. 3 to this effect, with certain minor consequential amendments to paras. 2, 8 (formerly 6) and 14 (formerly 12).

I have also taken the opportunity to insert at paras. 2 and 3 the cross references to Tables 7.2 and 16.9, purely for purposes of clarify.

3. I trust, therefore, that the above is acceptable and that we can now agree the SOCG. Please would you confirm this in writing. That being the case, I will bring a number of copies to the Inquiry so that they can be signed and distributed.

Regards.

Peter

**Peter Wood**  
**Managing Director**  
**Peacock & Smith Limited**  
**Tel: 0113 2431919**  
**Fax: 0113 2422198**  
**Suite 2A, Josephs Well, Hanover Walk, Leeds, LS3 1AB**

Registered address: Westwood House, 78 Loughborough Road, Quorn, Leicestershire, LE12 8DX  
Registration No. 0130 6847

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caused by software viruses. If you are the intended recipient and you do not wish to receive similar electronic messages from




us in future then please respond to the sender to this effect) Scotter Rd SOCG.doc Scotter Rd SOCG1.doc



Sustainability Audit.doc

David  
Wordsworth/PL/NorthLincs  
30/03/2007 10:33

To "Louise Durkin" <Louise@peacockandsmith.co.uk>  
cc Val Wilcockson/LD/NorthLincs@NorthLincs  
bcc  
Subject Re: Appeal by Pelham Homes Lincoln Limited: Land at  
Scotter Road, Scunthorpe - Statement of Common Ground 

Peter,

Thankyou for your e-mail regarding our meeting of the 27th March. North Lincolnshire council will not now be seeking a commuted sum for education should the inspector grant planning permission at the Public Inquiry. This is due to paragraphs 5 & 6 of John Galbraith's email of 21.03.07. I suggest adding the following condition:

Condition 20

At no time shall there be any direct vehicular or pedestrian link constructed between this site and any other adjoining residential development.

Reason 20

To avoid the requirement for any education contribution that would be necessary if the site were linked to other new residential developments.

I can also confirm the Councils reason for objecting to your suggested wording of Paragraph 12 of Appendix 1 of the Statement of Common Ground is because of the reference to "Marsden Drive". This is considered to be too specific as there are other education facilities within a 30 minute walk time.

I trust this clarifies the points you raised on Tuesday.

Regards

David



## The Planning Inspectorate

Room: 3/04  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

Direct Line: 0117-372-8377  
Switchboard: 0117-372-8000  
Fax No: 0117-372-8443  
GTN: 1374-8377

<http://www.planning-inspectorate.gov.uk>

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Mrs L Morton  
North Lincolnshire Council  
Development Control  
Planning Dept  
Church Square House  
P O Box 42  
Scunthorpe  
DN15 6XQ  
N Lincs

Your Ref: 2006/0848  
Our Ref: APP/Y2003/A/06/2029878/NWF  
Date: 19 April 2007

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Dear Mrs Morton

**Town and Country Planning Act 1990  
Appeal by Pelham Homes Lincoln Ltd  
Site at Land At Scotter Road, Scunthorpe, DN15 8XU**

I enclose a copy of our Inspector's decision on the above appeal.

The attached leaflet explains the right of appeal to the High Court against the decision and how the documents can be inspected.

If you have any queries relating to the decision please send them to:

Quality Assurance Unit  
The Planning Inspectorate  
4/09 Kite Wing  
Temple Quay House  
2 The Square, Temple Quay  
Bristol BS1 6PN

Phone No. 0117 372 8252

Fax No. 0117 372 8139

E-mail: [complaints@pins.qsi.gov.uk](mailto:complaints@pins.qsi.gov.uk)

**SUPERSEDED**

COVERDL1

*You can now use the Internet to submit documents, to see information and to check the progress of this case through the Planning Portal. The address of our search page is -*





# The Planning Inspectorate

An Executive Agency in the Office of the Deputy Prime Minister and the National Assembly for Wales

## Challenging the Decision in the High Court

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### ***Challenging the decision***

Appeal decisions are legal documents and, with the exception of very minor slips, we cannot amend or change them once they have been issued. Therefore a decision is final and cannot be reconsidered unless it is successfully challenged in the High Court. If a challenge is successful, we will consider the decision afresh.

### ***Grounds for challenging the decision***

A decision cannot be challenged merely because someone disagrees with the Inspector's judgement. For a challenge to be successful you would have to show that the Inspector misinterpreted the law or, for instance, that the inquiry, hearing, site visit or other appeal procedures were not carried out properly, leading to, say, unfair treatment. If a mistake has been made and the Court considers it might have affected the outcome of the appeal it will return the case to us for re-consideration.

### ***Different appeal types***

High Court challenges proceed under different legislation depending on the type of appeal and the period allowed for making a challenge varies accordingly. Some important differences are explained below:

#### ***Challenges to planning appeal decisions***

These are normally applications under Section 288 of the Town & Country Planning Act 1990 to quash decisions into appeals for planning permission (including enforcement appeals allowed under ground (a), deemed application decisions or lawful development certificate appeal decisions and advertisement appeals.). For listed building or conservation area consent appeal decisions, challenges are made under Section 63 of the Planning (Listed Buildings and Conservation Areas) Act 1990. **Challenges must be received by the Administrative Court within 42 days (6 weeks) of the date of the decision - this period cannot be extended.**

#### ***Challenges to enforcement appeal decisions***

Enforcement appeal decisions under all grounds [see our booklet 'Making Your Enforcement Appeal'] can be challenged under Section 289 of the Town & Country Planning Act 1990. Listed building or conservation area enforcement appeal decisions can be challenged under Section 65 of the Planning (Listed Buildings and Conservation Areas) Act 1990. To challenge an enforcement decision under Section 289 or Section 65 you must first get the permission of the Court. However, if the Court does not consider that there is an arguable case, it can refuse permission. **Applications for permission to make a challenge must be received by the Administrative Court within 28 days of the date of the decision, unless the Court extends this period.**

**Important Note** - This leaflet is intended for guidance only. Because High Court challenges can involve complicated legal proceedings, you may wish to consider taking legal advice from a qualified person such as a solicitor if you intend to proceed or are unsure about any of the guidance in this leaflet. Further information is available from the Administrative Court (see overleaf).

### **Frequently asked questions**

"Who can make a challenge?" – In planning cases, anyone aggrieved by the decision may do so. This can include third parties as well as appellants and councils. In enforcement cases, a challenge can only be made by the appellant, the council or other people with a legal interest in the land -other aggrieved people must apply promptly for judicial review by the Courts (the Administrative Court can tell you more about how to do this – see Further Information).

"How much is it likely to cost me?" - A relatively small administrative charge is made by the Court for processing your challenge (the Administrative Court should be able to give you advice on current fees – see 'Further information'). The legal costs involved in preparing and presenting your case in Court can be considerable though, and if the challenge fails you will usually have to pay our costs as well as your own. However, if the challenge is successful we will normally meet your reasonable legal costs.

"How long will it take?" - This can vary considerably. Although many challenges are decided within six months, some can take longer.

"Do I need to get legal advice?" - You do not have to be legally represented in Court but it is normal to do so, as you may have to deal with complex points of law made by our own legal representative.

"Will a successful challenge reverse the decision?" - Not necessarily. The Court can only require us to reconsider the case and an Inspector may come to the same decision again but for different or expanded reasons.

"What can I do if my challenge fails?" - The decision is final. Although it may be possible to take the case to the Court of Appeal, a compelling argument would have to be put to the Court for the judge to grant permission for you to do this.

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### **Inspection of appeal documents**

We normally keep appeal files for one year after the decision is issued, after which they are destroyed. You can inspect appeal documents at our Bristol offices by contacting us on our General Enquiries number to make an appointment (see 'Contacting us'). We will then ensure that the file is obtained from our storage facility and is ready for you to view. Alternatively, if visiting Bristol would involve a long or difficult journey it may be more convenient to arrange to view your local planning authority's copy of the file, which should be similar to our own.

### **Further information**

Further advice about making a High Court challenge can be obtained from the Administrative Court at the Royal Courts of Justice, Queen's Bench Division, Strand, London WC2 2LL, telephone 0207 9476655; Website: [www.courtservice.gov.uk](http://www.courtservice.gov.uk)

### **Council on tribunals**

If you have any comments on appeal procedures you can contact the Council on Tribunals, 81 Chancery Lane, London WC2A 1BQ. Telephone 020 7855 5200; website: <http://www.council-on-tribunals.gov.uk/>. However, it cannot become involved with the merits of individual appeals or change an appeal decision.

### **Contacting us**

High Court Section  
The Planning Inspectorate  
4/07 Kite Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

Phone: 0117 372 8962

#### **Website**

[www.planning-inspectorate.gov.uk](http://www.planning-inspectorate.gov.uk)

#### **General Enquiries**

Phone: 0117 372 6372

E-mail: [enquiries@pins.qsi.gov.uk](mailto:enquiries@pins.qsi.gov.uk)

#### **Complaints**

Phone: 0117 372 8252

E-mail: [complaints@pins.qsi.gov.uk](mailto:complaints@pins.qsi.gov.uk)

#### **Cardiff Office**

The Planning Inspectorate  
Room 1-004  
Cathays Park  
Cardiff CF1 3NQ  
Phone: 0292 082 3866  
E-mail: [wales@pins.qsi.gov.uk](mailto:wales@pins.qsi.gov.uk)

#### **The Parliamentary Ombudsman**

Office of the Parliamentary  
Commissioner for Administration  
Millbank Tower, Millbank  
London, SW1P 4QP

Helpline: 0845 0154033

Website: [www.ombudsman.org.uk](http://www.ombudsman.org.uk)

E-mail:

[phso.enquiries@ombudsman.org.uk](mailto:phso.enquiries@ombudsman.org.uk)



# The Planning Inspectorate

An Executive Agency in the Office of the Deputy Prime Minister and the National Assembly for Wales

## Our Complaints Procedures

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### **Complaints**

We try hard to ensure that everyone who uses the appeal system is satisfied with the service they receive from us. Planning appeals often raise strong feelings and it is inevitable that there will be at least one party who will be disappointed with the outcome of an appeal. This often leads to a complaint, either about the decision itself or the way in which the appeal was handled.

Sometimes complaints arise due to misunderstandings about how the appeal system works. When this happens we will try to explain things as clearly as possible. Sometimes the appellant, the council or a local resident may have difficulty accepting a decision simply because they disagree with it. Although we cannot re-open an appeal to re-consider its merits or add to what the Inspector has said, we will answer any queries about the decision as fully as we can.

Sometimes a complaint is not one we can deal with (for example, complaints about how the council dealt with another similar application), in which case we will explain why and suggest who may be able to deal with the complaint instead.

### **How we investigate complaints**

Inspectors have no further direct involvement in the case once their decision is issued and it is the job of our Quality Assurance Unit to investigate complaints about decisions or an Inspector's conduct. We appreciate that many of our customers will not be experts on the planning system and for some, it will be their one and only experience of it. We also realise that your opinions are important and may be strongly held.

We therefore do our best to ensure that all complaints are investigated quickly, thoroughly and impartially, and that we reply in clear, straightforward language, avoiding jargon and complicated legal terms.

When investigating a complaint we may need to ask the Inspector or other staff for comments. This helps us to gain as full a picture as possible so that we are better able to decide whether an error has been made. If this is likely to delay our full reply we will quickly let you know.

### **What we will do if we have made a mistake**

Although we aim to give the best service possible, we know that there will unfortunately be times when things go wrong. If a mistake has been made we will write to you explaining what has happened and offer our apologies. The Inspector concerned will be told that the complaint has been upheld.

We also look to see if lessons can be learned from the mistake, such as whether our procedures can be improved upon. Training may also be given so that similar errors can be avoided in future. Minor slips and errors may be corrected under the terms of the Planning & Compulsory Purchase Act 2004 but we cannot amend or change in any way the substance of an Inspector's decision.

### **Who checks our work?**

The Government has said that 99% of our decisions should be free from error and has set up an independent body called the Advisory Panel on Standards (APOS) to report on our performance. APOS regularly examines the way we deal with complaints and we must satisfy it that our procedures are fair, thorough and prompt.

### **Taking it further**

If you are not satisfied with the way we have dealt with your complaint you can contact the Parliamentary Commissioner for Administration (often referred to as The Ombudsman), who can investigate complaints of maladministration against Government Departments or their Executive Agencies. If you decide to go to the Ombudsman you must do so through an MP. Again, the Ombudsman cannot change the decision.

### **Frequently asked questions**

*"Can the decision be reviewed if a mistake has happened?"* – Although we can rectify minor slips, we cannot reconsider the evidence the Inspector took into account or the reasoning in the decision. This can only be done following a successful High Court challenge. The enclosed High Court leaflet explains more about this.

*"If you cannot change a decision, what is the point of complaining?"* – We are keen to learn from our mistakes and try to make sure they do not happen again. Complaints are therefore one way of helping us improve the appeals system.

*"Why did an appeal succeed when local residents were all against it?"* – Local views are important but they are likely to be more persuasive if based on planning reasons, rather than a basic like or dislike of the proposal. Inspectors have to make up their own minds whether these views justify refusing planning permission.

*"How can Inspectors know about local feeling or issues if they don't live in the area?"* – Using Inspectors who do not live locally ensures that they have no personal interest in any local issues or any ties with the council or its policies. However, Inspectors will be aware of local views from the representations people have submitted.

*"I wrote to you with my views, why didn't the Inspector mention this?"* – Inspectors must give reasons for their decision and take into account all views submitted but it is not necessary to list every bit of evidence.

*"Why did my appeal fail when similar appeals nearby succeeded?"* – Although two cases may be similar, there will always be some aspect of a proposal which is unique. Each case must be decided on its own particular merits.

*"I've just lost my appeal, is there anything else I can do to get my permission?"* – Perhaps you could change some aspect of your proposal to increase its acceptability. For example, if the Inspector thought your extension would look out of place, could it be re-designed to be more in keeping with its surroundings? If so, you can submit a revised application to the council. Talking to its planning officer about this might help you explore your options.

*"What can I do if someone is ignoring a planning condition?"* – We cannot intervene as it is the council's responsibility to ensure conditions are complied with. It can investigate and has discretionary powers to take action if a condition is being ignored.

### **Further information**

Every year we publish a Business and Corporate Plan which sets out our plans for the following years, how much work we expect to deal with and how we plan to meet the targets which Ministers set for us. At the end of each financial year we publish our Annual Report and Accounts, which reports on our performance against these targets and how we have spent the funds the Government gives us for our work. You can view these and obtain further information by visiting our website (see 'Contacting us'). You can also get booklets which give details about the appeal process by telephoning our enquiries number.

You can find the latest Advisory Panel on Standards report either by visiting our website or on the ODPM website - [www.odpm.gov.uk/](http://www.odpm.gov.uk/)

### **Contacting us**

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### **The Parliamentary Ombudsman**

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# SUPERSEDED



## Appeal Decision

Inquiry held on 3 and 4 April 2007

Site visit made on 4 April 2007

by **M Middleton** BA (Econ) Dip TP Dip Mgmt MRTPI

an Inspector appointed by the Secretary of State for  
Communities and Local Government

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Date: 19 April 2007

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**Appeal Ref: APP/Y2003/A/06/2029878/NWF**

**Land off Scotter Road, Scunthorpe, North Lincolnshire, DN15 8XU**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Pelham Homes Lincoln Ltd against the decision of North Lincolnshire Council.
- The application Ref 2006/0848, dated 25 May 2006, was refused by notice dated 30 October 2006.
- The development proposed is residential development of 38 houses along with roads, sewers and ancillary works.

**Summary of Decision: The appeal is allowed, and planning permission granted subject to conditions set out below in the Formal Decision.**

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### Procedural Matters

1. At the Inquiry a unilateral undertaking made under Section 106 of The Town and Country Planning Act 1990 was submitted by the appellants. In this they agree to provide affordable housing in accordance with procedures set out in the undertaking. The Council considers this overcomes reason for refusal No. 2 and I agree. I have therefore taken the existence of this undertaking into account when reaching my decision but have not discussed this issue any further in my reasoning.

### Planning Policy

2. The Development Plan for the area includes the *North Lincolnshire Local Plan 2003 (LP)*. Criterion 1) of LP Policy H5 seeks to prevent annoyance from adjacent land uses at proposed new housing developments, whilst criterion ix) of LP Policy DS1 requires all development not to conflict with nearby land uses.
3. I have also been referred to Planning Policy Guidance Note 24 (PPG24): *Planning and Noise*, which gives advice on the use of planning powers to minimise the adverse impact of noise.

### Background

4. The site is located within the Scunthorpe and Bottesford Urban Area, where LP Policy H5 allows the principle of new housing development. The proposal would redevelop this unused, previously developed site, which being close to shops and other facilities is situated in a very sustainable location. It would provide a mix of dwelling types that would contribute to the housing needs of the area and make an efficient reuse of the site. In these respects the proposal is in accordance with and positively supported by Development Plan Policies and National Guidance.
-

### **Main Issue**

5. In these circumstances I consider the main issues to be whether the proposal would create acceptable living conditions for future occupiers of the dwellings, having particular regard to the noise pollution from the adjacent heavy engineering works.

### **Reasons**

6. The proposal would redevelop the cleared site of a former textile factory, with a mixture of dwelling types located off a cul-de-sac and incorporating an area of public open space. Immediately to the west of the site, a heavy rail engineering plant undertakes outdoor work assembling and testing tracks. The assembly operations are periodically very noisy. In particular noise from stihl saws, augers, hammer drills and impact wrenches is distinct and in the Council's opinion likely to be sufficient to annoy residents. It is particularly concerned about the living conditions at the proposed three dwellings that would be located immediately adjacent to the boundary with Corus Cogifer.
7. After discussion at the Inquiry it was agreed that noise at night time and weekends was not an issue. It was also accepted by the Council that internal day time noise could be reduced by acoustically rated glazing and background ventilation to achieve noise levels that would be within the reasonable standards for resting and sleeping conditions recommended in British Standard 8233:1999 *Sound insulation and noise reduction for buildings* (BS 8233). The evidence before the Inquiry also suggests that other than at times when intense activity is taking place close to the site boundary, with an appropriate boundary acoustic screen acceptable levels of daytime internal noise could be achieved with windows partially open.
8. As a result the issue between the parties can be further narrowed to the impact of the noise from the engineering site on the enjoyment of the gardens and other outdoor living areas.
9. The Council doubts the appropriateness of the periods when the appellants undertook their surveys. Unfortunately it chose not to discretely ascertain when rail assembly would take place close to the appeal site in order to advise the appellants as to what would have been an appropriate time to monitor the noise impact. Nevertheless, the evidence from the appellants' surveys points to noticeably higher 16 hour daytime noise levels being recorded in the week commencing 31 January 2007. This coincides with the building of a concrete layout in the area adjacent to the appeal site.
10. Surveys undertaken on behalf of Corus Cogifer in March 2004 and March 2007 showed average daytime noise levels that when corrected for measurement location were not dissimilar to those found by the appellants in the week commencing 31 January 2007. As the appellants have based their assessment on the results obtained in that week and not on their overall results, I consider, in the absence of results from an agreed joint investigation, this to be a fair representation of the likely noise levels that would be experienced close to the site boundary. I note the Council's point about an absence of work on timber layouts at the time of the appellant's surveys. Timber layouts were monitored on behalf of Corus Cogifer, although their consultants did not find it necessary to specifically distinguish between the noises of activities associated with these different types of layout.
11. The Council did not challenge the accuracy of the appellant's surveys and agreed that their calculations with regard to noise dispersal and the impact of mitigation measures were correct. The appellants' have offered to construct an acoustic barrier along the entire

western boundary of the site. This and its impact on noise reduction could be the subject of a condition. The appellant's calculations suggest that the impact of the barrier and distance would be to reduce average daytime noise levels in gardens close to the site boundary from about 65 dB(A) to 50. BS 8233 points out that it is desirable that steady noise levels in gardens do not exceed 50  $L_{Aeq,T}$  dB and that 55 should be regarded as the upper limit. With the proposed mitigation measures the appeal proposal could meet this standard.

12. Should the activities at Corus Cogifer lead to higher noise levels in the future, then as in the past these could lead to complaints from existing residents and subsequent remedial action. In addition to the action taken in the past, the company would have the option to erect its own noise barriers should it so wish.
13. PPG24 points out that noise characteristics can vary substantially and that these should be taken into account along with the level. The nature of the noise from Corus Cogifer is such that it is irregular and there are sudden impulses and distinguishable tones. However, there is a general absence of noisy activities at night and at weekends and an ability to satisfactorily insulate the dwellings. Average noise levels in gardens are also expected to be below the recommended upper limit.
14. On the balance of the evidence before me, I therefore consider that the nearby noisy land use need not result in annoyance to residents of the proposed new housing development to an extent that justifies refusing planning permission. The proposal is therefore in accordance with criterion l) of LP Policy H5 and criterion ix) of LP Policy DS1. I conclude that the proposal would create acceptable living conditions for future occupiers of the dwellings, having particular regard to the noise pollution from the adjacent heavy engineering works.
15. Information supplied to the Inquiry suggests that there is no shortage of industrial land in North Lincolnshire and the Council has not advanced the loss of employment land as an argument against the scheme. The supply of housing land in North Lincolnshire falls short of the five year supply recommended in Planning Policy Statement 3 (PPS3): *Housing*. The district has also found it difficult to meet its targets for development on previously developed land, which in themselves are low by comparison with the national targets. The appeal proposal would be a windfall site that would contribute to the supply of housing land and the amount of previously developed land used for residential purposes in North Lincolnshire. This gives added weight to the above conclusion and my decision to allow this appeal.

### **Conditions**

16. In addition to the conditions discussed above and the standard time limit condition; the Council has suggested eighteen other conditions, three of which are not agreed by the appellants. The proposed conditions concern the nature and timing of the construction of the access road and parking areas and their retention, landscaping, contamination, levels, open space layout and maintenance, and wheel cleaning facilities.
17. I have considered the need for these conditions in the light of the guidance contained in Circular 11/95: *The Use of Conditions in Planning Permissions*. A list of the approved drawings forms a part of this decision letter so that there can be no confusion about the approved scheme. Proposed condition 2 is not therefore necessary.

18. The proper phased implementation and permanent retention of works to the access road and the areas of parking and movement, which in part can be covered in the submission of landscape details, will also help to define the quality of the development and assist highway safety. The three suggested conditions could be linked but I agree that the phased construction of the access road needs to be coordinated with the construction and occupation of the dwellings. Detailed specifications of construction, services (including the future use of the service strips) and lighting should be covered in a separate agreement with the Highway Authority. This agreement would more appropriately cover the timing of the completion of highway works than a planning condition. Wheel cleaning facilities are necessary to prevent the deposition of mud from the construction site on the public highway.
19. The site may have been the subject of contamination in the past so that a condition that requires the identification and safe removal of any contamination is essential in the public interest. However, the site was previously occupied by a clothing factory and there is no clear evidence in the Council's case justifying the need for five detailed conditions. At the Inquiry discussion on conditions, the Council referred to the examples of conditions used by Local Planning Authorities and listed in Appendix 2B of Annex 2 to Planning Policy Guidance Note 23: *Planning and Pollution Control*. However the text says that they are not intended as model conditions and in the absence of specific evidence pointing to the nature of any actual pollution on the site I consider those proposed to be too prescriptive. In my view, the model conditions contained in Circular 11/95 give the Council adequate control over the potential contamination hazards and the measures to be taken to remove any that are found.
20. The timely and proper implementation of the landscaping scheme would ensure that it contributed to the future appearance of the development and area. However, other than along the southern boundary, where the planting would be removed to enable the access road to be constructed, there is little vegetation on the site. Details of existing trees and hedgerows on the site to be retained are not therefore appropriate in this case. There are no details that relate to the proposed areas of public open space. A condition, requiring the approval of such details and the arrangements for future maintenance, is essential if a quality development is to be established and maintained. The area is potentially at risk from flooding so it is essential that the finished floor levels comply with those set out in the approved Flood Risk Assessment.
21. The plans do not indicate the materials to be used. To ensure that the development respects the character and appearance of the area, I consider a condition covering this to be important. As discussed above if this development is to be adequately protected from noise it is essential that an acoustic barrier along the western site boundary and sound insulation to all the dwellings are achieved to the standards agreed at the hearing.

### **Conclusions**

22. Having particular regard to the noise pollution from the adjacent heavy engineering works, I conclude that the proposal could create acceptable living conditions for future occupiers of the dwellings. For the reasons given above and having regard to all other matters raised, I also conclude that the appeal should be allowed.

### Formal Decision

23. I allow the appeal, and grant planning permission for residential development of 38 houses along with roads, sewers and ancillary works on Land off Scotter Road, Scunthorpe, North Lincolnshire, DN15 8XU in accordance with the terms of the application, Ref 2006/0848, dated 25 May 2006, and the plans submitted with it, subject to the following conditions:
- 1) The development hereby permitted shall begin before the expiration of five years from the date of this decision.
  - 2) Before any dwelling is occupied a two metre high barrier of minimum mass per unit area of 15kg/m<sup>2</sup> shall be installed along the western boundary of the proposed development site and thereafter maintained and full details of the future arrangements and responsibilities for maintenance of the barrier shall be submitted to and agreed in writing by the Local Planning Authority.
  - 3) The building envelope of all plots shall be constructed so as to provide a minimum sound attenuation against externally generated noise of 35dBA, with windows shut and other means of ventilation provided.
  - 4) Unless otherwise agreed in writing by the local planning authority, the construction of the development hereby approved shall not begin until the junction between the proposed service road and Scotter Road, including the required visibility splays, has been constructed in accordance with the approved details.
  - 5) No dwelling shall be occupied until that part of the service road which provides vehicular access to it, together with any footway and street lighting, and the vehicle parking spaces serving it have been constructed up to at least base course standard, in accordance with the approved plans. Once provided the vehicle parking spaces shall be retained thereafter unless otherwise agreed in writing by the local planning authority.
  - 6) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the buildings 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.
  - 7) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg. furniture, play equipment, refuse or other storage units, signs, lighting etc); proposed and existing functional services above and below ground (eg. drainage power, communications cables, pipelines etc. indicating lines, manholes, supports etc.).
  - 8) Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme.
  - 9) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation

of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written approval to any variation.

- 10) The details of the landscaping of the site required to be submitted shall include details of a scheme for the laying out of that part of the application site shown on drawing No. PH/SCUN/001 Rev E as public open space. The areas so defined shall be laid out and thereafter maintained solely as public open space in accordance with the approved scheme.
- 11) Unless otherwise agreed in writing by the local planning authority, development shall proceed fully in accordance with the mitigation measures (i.e. finished floor levels) set out in the approved Flood Risk Assessment.
- 12) Development shall not begin until a comprehensive scheme to investigate and deal with contamination of the site has been submitted to and approved in writing by the local planning authority. The above scheme shall include a full investigation and assessment to identify the extent of contamination and the measures to be taken to remove any that is found, avoiding risk to the public/buildings/environment when the site is developed. Development shall not begin until the measures approved in the scheme have been implemented.
- 13) No work shall be carried out on site unless and until an effective vehicle wheel-cleaning facility has been installed in accordance with details to be approved by the local planning authority. Such facility shall be retained in working order and operated throughout the period of work on the site to ensure that vehicles do not leave the site carrying earth and mud on their wheels in a quantity which causes a nuisance or hazard on the public highway.

*M Middleton*

INSPECTOR



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Mrs L Morton  
North Lincolnshire Council  
Development Control  
Planning Dept  
Church Square House  
P O Box 42  
Scunthorpe  
DN15 6XQ  
N Lincs

Your Ref: 2006/0848  
Our Ref: APP/Y2003/A/06/2029878/NWF  
Date: 19 June 2007

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Dear Mrs Morton

**Town and Country Planning Act 1990  
Appeal by Pelham Homes Lincoln Ltd  
Site at Land At Scotter Road, Scunthorpe, DN15 8XU**

**CORRECTION NOTICE**

Following a request from the appellants, I am enclosing a copy of the corrected appeal decision, in pursuance of Section 56(2) of the Planning and Compulsory Purchase Act 2004. This decision corrects that issued on 19 April 2007 by substituting the letter E for the letter B in the drawing number in condition 10. Please accept my apologies for this error and for any confusion it may have caused.

A separate note is enclosed setting out the circumstances in which the validity of this decision may be challenged by making an application to the High Court.

Yours sincerely

Jenny Cassell

*You can now use the Internet to submit documents, to see information and to check the progress of this case through the Planning Portal. The address of our search page is - <http://www.pcs.planningportal.gov.uk/pcportal/casesearch.asp>  
You can access this case by putting the above reference number into the 'Case Ref' field of the 'Search' page and clicking on the search button*





# The Planning Inspectorate

An Executive Agency in the Office of the Deputy Prime Minister and the National Assembly for Wales

## Challenging the Decision in the High Court

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### ***Challenging the decision***

Appeal decisions are legal documents and, with the exception of very minor slips, we cannot amend or change them once they have been issued. Therefore a decision is final and cannot be reconsidered unless it is successfully challenged in the High Court. If a challenge is successful, we will consider the decision afresh.

### ***Grounds for challenging the decision***

A decision cannot be challenged merely because someone disagrees with the Inspector's judgement. For a challenge to be successful you would have to show that the Inspector misinterpreted the law or, for instance, that the inquiry, hearing, site visit or other appeal procedures were not carried out properly, leading to, say, unfair treatment. If a mistake has been made and the Court considers it might have affected the outcome of the appeal it will return the case to us for re-consideration.

### ***Different appeal types***

High Court challenges proceed under different legislation depending on the type of appeal and the period allowed for making a challenge varies accordingly. Some important differences are explained below:

#### ***Challenges to planning appeal decisions***

These are normally applications under Section 288 of the Town & Country Planning Act 1990 to quash decisions into appeals for planning permission (including enforcement appeals allowed under ground (a), deemed application decisions or lawful development certificate appeal decisions and advertisement appeals.). For listed building or conservation area consent appeal decisions, challenges are made under Section 63 of the Planning (Listed Buildings and Conservation Areas) Act 1990. **Challenges must be received by the Administrative Court within 42 days (6 weeks) of the date of the decision - this period cannot be extended.**

#### ***Challenges to enforcement appeal decisions***

Enforcement appeal decisions under all grounds [see our booklet 'Making Your Enforcement Appeal'] can be challenged under Section 289 of the Town & Country Planning Act 1990. Listed building or conservation area enforcement appeal decisions can be challenged under Section 65 of the Planning (Listed Buildings and Conservation Areas) Act 1990. To challenge an enforcement decision under Section 289 or Section 65 you must first get the permission of the Court. However, if the Court does not consider that there is an arguable case, it can refuse permission. **Applications for permission to make a challenge must be received by the Administrative Court within 28 days of the date of the decision, unless the Court extends this period.**

**Important Note** - This leaflet is intended for guidance only. Because High Court challenges can involve complicated legal proceedings, you may wish to consider taking legal advice from a qualified person such as a solicitor if you intend to proceed or are unsure about any of the guidance in this leaflet. Further information is available from the Administrative Court (see overleaf).

### **Frequently asked questions**

"Who can make a challenge?" – In planning cases, anyone aggrieved by the decision may do so. This can include third parties as well as appellants and councils. In enforcement cases, a challenge can only be made by the appellant, the council or other people with a legal interest in the land -other aggrieved people must apply promptly for judicial review by the Courts (the Administrative Court can tell you more about how to do this – see Further Information).

"How much is it likely to cost me?" - A relatively small administrative charge is made by the Court for processing your challenge (the Administrative Court should be able to give you advice on current fees – see 'Further information'). The legal costs involved in preparing and presenting your case in Court can be considerable though, and if the challenge fails you will usually have to pay our costs as well as your own. However, if the challenge is successful we will normally meet your reasonable legal costs.

"How long will it take?" - This can vary considerably. Although many challenges are decided within six months, some can take longer.

"Do I need to get legal advice?" - You do not have to be legally represented in Court but it is normal to do so, as you may have to deal with complex points of law made by our own legal representative.

"Will a successful challenge reverse the decision?" - Not necessarily. The Court can only require us to reconsider the case and an Inspector may come to the same decision again but for different or expanded reasons.

"What can I do if my challenge fails?" - The decision is final. Although it may be possible to take the case to the Court of Appeal, a compelling argument would have to be put to the Court for the judge to grant permission for you to do this.

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### **Inspection of appeal documents**

We normally keep appeal files for one year after the decision is issued, after which they are destroyed. You can inspect appeal documents at our Bristol offices by contacting us on our General Enquiries number to make an appointment (see 'Contacting us'). We will then ensure that the file is obtained from our storage facility and is ready for you to view. Alternatively, if visiting Bristol would involve a long or difficult journey it may be more convenient to arrange to view your local planning authority's copy of the file, which should be similar to our own.

### **Further information**

Further advice about making a High Court challenge can be obtained from the Administrative Court at the Royal Courts of Justice, Queen's Bench Division, Strand, London WC2 2LL, telephone 0207 9476655; Website: [www.courtservice.gov.uk](http://www.courtservice.gov.uk)

### **Council on tribunals**

If you have any comments on appeal procedures you can contact the Council on Tribunals, 81 Chancery Lane, London WC2A 1BQ. Telephone 020 7855 5200; website: <http://www.council-on-tribunals.gov.uk/>. However, it cannot become involved with the merits of individual appeals or change an appeal decision.

### **Contacting us**

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#### **The Parliamentary Ombudsman**

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# Appeal Decision

Inquiry held on 3 and 4 April 2007

Site visit made on 4 April 2007

by **M Middleton** BA (Econ) Dip TP Dip Mgmt MRTPI

an Inspector appointed by the Secretary of State for  
Communities and Local Government

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Date: 19 June 2007

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**Appeal Ref: APP/Y2003/A/06/2029878/NWF**

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- The appeal is made by Pelham Homes Lincoln Ltd against the decision of North Lincolnshire Council.
- The application Ref 2006/0848, dated 25 May 2006, was refused by notice dated 30 October 2006.
- The development proposed is residential development of 38 houses along with roads, sewers and ancillary works.

**Summary of Decision: The appeal is allowed, and planning permission granted subject to conditions set out below in the Formal Decision.**

---

## Procedural Matters

This decision is issued in accordance with Section 56(2) of the Planning and Compulsory Purchase Act 2004 and supersedes that issued on 19 April 2007.

1. At the Inquiry a unilateral undertaking made under Section 106 of The Town and Country Planning Act 1990 was submitted by the appellants. In this they agree to provide affordable housing in accordance with procedures set out in the undertaking. The Council considers this overcomes reason for refusal No. 2 and I agree. I have therefore taken the existence of this undertaking into account when reaching my decision but have not discussed this issue any further in my reasoning.

## Planning Policy

2. The Development Plan for the area includes the *North Lincolnshire Local Plan 2003* (LP). Criterion 1) of LP Policy H5 seeks to prevent annoyance from adjacent land uses at proposed new housing developments, whilst criterion ix) of LP Policy DS1 requires all development not to conflict with nearby land uses.
3. I have also been referred to Planning Policy Guidance Note 24 (PPG24): *Planning and Noise*, which gives advice on the use of planning powers to minimise the adverse impact of noise.

## Background

4. The site is located within the Scunthorpe and Bottesford Urban Area, where LP Policy H5 allows the principle of new housing development. The proposal would redevelop this unused, previously developed site, which being close to shops and other facilities is situated in a very sustainable location. It would provide a mix of dwelling types that would contribute to the housing needs of the area and make an efficient reuse of the site. In these
-

respects the proposal is in accordance with and positively supported by Development Plan Policies and National Guidance.

### **Main Issue**

5. In these circumstances I consider the main issues to be whether the proposal would create acceptable living conditions for future occupiers of the dwellings, having particular regard to the noise pollution from the adjacent heavy engineering works.

### **Reasons**

6. The proposal would redevelop the cleared site of a former textile factory, with a mixture of dwelling types located off a cul-de-sac and incorporating an area of public open space. Immediately to the west of the site, a heavy rail engineering plant undertakes outdoor work assembling and testing tracks. The assembly operations are periodically very noisy. In particular noise from stihl saws, augers, hammer drills and impact wrenches is distinct and in the Council's opinion likely to be sufficient to annoy residents. It is particularly concerned about the living conditions at the proposed three dwellings that would be located immediately adjacent to the boundary with Corus Cogifer.
7. After discussion at the Inquiry it was agreed that noise at night time and weekends was not an issue. It was also accepted by the Council that internal day time noise could be reduced by acoustically rated glazing and background ventilation to achieve noise levels that would be within the reasonable standards for resting and sleeping conditions recommended in British Standard 8233:1999 *Sound insulation and noise reduction for buildings* (BS 8233). The evidence before the Inquiry also suggests that other than at times when intense activity is taking place close to the site boundary, with an appropriate boundary acoustic screen acceptable levels of daytime internal noise could be achieved with windows partially open.
8. As a result the issue between the parties can be further narrowed to the impact of the noise from the engineering site on the enjoyment of the gardens and other outdoor living areas.
9. The Council doubts the appropriateness of the periods when the appellants undertook their surveys. Unfortunately it chose not to discretely ascertain when rail assembly would take place close to the appeal site in order to advise the appellants as to what would have been an appropriate time to monitor the noise impact. Nevertheless, the evidence from the appellants' surveys points to noticeably higher 16 hour daytime noise levels being recorded in the week commencing 31 January 2007. This coincides with the building of a concrete layout in the area adjacent to the appeal site.
10. Surveys undertaken on behalf of Corus Cogifer in March 2004 and March 2007 showed average daytime noise levels that when corrected for measurement location were not dissimilar to those found by the appellants in the week commencing 31 January 2007. As the appellants have based their assessment on the results obtained in that week and not on their overall results, I consider, in the absence of results from an agreed joint investigation, this to be a fair representation of the likely noise levels that would be experienced close to the site boundary. I note the Council's point about an absence of work on timber layouts at the time of the appellant's surveys. Timber layouts were monitored on behalf of Corus Cogifer, although their consultants did not find it necessary to specifically distinguish between the noises of activities associated with these different types of layout.

11. The Council did not challenge the accuracy of the appellant's surveys and agreed that their calculations with regard to noise dispersal and the impact of mitigation measures were correct. The appellants' have offered to construct an acoustic barrier along the entire western boundary of the site. This and its impact on noise reduction could be the subject of a condition. The appellant's calculations suggest that the impact of the barrier and distance would be to reduce average daytime noise levels in gardens close to the site boundary from about 65 dB(A) to 50. BS 8233 points out that it is desirable that steady noise levels in gardens do not exceed 50  $L_{Aeq,T}$  dB and that 55 should be regarded as the upper limit. With the proposed mitigation measures the appeal proposal could meet this standard.
12. Should the activities at Corus Cogifer lead to higher noise levels in the future, then as in the past these could lead to complaints from existing residents and subsequent remedial action. In addition to the action taken in the past, the company would have the option to erect its own noise barriers should it so wish.
13. PPG24 points out that noise characteristics can vary substantially and that these should be taken into account along with the level. The nature of the noise from Corus Cogifer is such that it is irregular and there are sudden impulses and distinguishable tones. However, there is a general absence of noisy activities at night and at weekends and an ability to satisfactorily insulate the dwellings. Average noise levels in gardens are also expected to be below the recommended upper limit.
14. On the balance of the evidence before me, I therefore consider that the nearby noisy land use need not result in annoyance to residents of the proposed new housing development to an extent that justifies refusing planning permission. The proposal is therefore in accordance with criterion l) of LP Policy H5 and criterion ix) of LP Policy DS1. I conclude that the proposal would create acceptable living conditions for future occupiers of the dwellings, having particular regard to the noise pollution from the adjacent heavy engineering works.
15. Information supplied to the Inquiry suggests that there is no shortage of industrial land in North Lincolnshire and the Council has not advanced the loss of employment land as an argument against the scheme. The supply of housing land in North Lincolnshire falls short of the five year supply recommended in Planning Policy Statement 3 (PPS3): *Housing*. The district has also found it difficult to meet its targets for development on previously developed land, which in themselves are low by comparison with the national targets. The appeal proposal would be a windfall site that would contribute to the supply of housing land and the amount of previously developed land used for residential purposes in North Lincolnshire. This gives added weight to the above conclusion and my decision to allow this appeal.

### **Conditions**

16. In addition to the conditions discussed above and the standard time limit condition; the Council has suggested eighteen other conditions, three of which are not agreed by the appellants. The proposed conditions concern the nature and timing of the construction of the access road and parking areas and their retention, landscaping, contamination, levels, open space layout and maintenance, and wheel cleaning facilities.
  17. I have considered the need for these conditions in the light of the guidance contained in Circular 11/95: *The Use of Conditions in Planning Permissions*. A list of the approved
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drawings forms a part of this decision letter so that there can be no confusion about the approved scheme. Proposed condition 2 is not therefore necessary.

18. The proper phased implementation and permanent retention of works to the access road and the areas of parking and movement, which in part can be covered in the submission of landscape details, will also help to define the quality of the development and assist highway safety. The three suggested conditions could be linked but I agree that the phased construction of the access road needs to be coordinated with the construction and occupation of the dwellings. Detailed specifications of construction, services (including the future use of the service strips) and lighting should be covered in a separate agreement with the Highway Authority. This agreement would more appropriately cover the timing of the completion of highway works than a planning condition. Wheel cleaning facilities are necessary to prevent the deposition of mud from the construction site on the public highway.
19. The site may have been the subject of contamination in the past so that a condition that requires the identification and safe removal of any contamination is essential in the public interest. However, the site was previously occupied by a clothing factory and there is no clear evidence in the Council's case justifying the need for five detailed conditions. At the Inquiry discussion on conditions, the Council referred to the examples of conditions used by Local Planning Authorities and listed in Appendix 2B of Annex 2 to Planning Policy Guidance Note 23: *Planning and Pollution Control*. However the text says that they are not intended as model conditions and in the absence of specific evidence pointing to the nature of any actual pollution on the site I consider those proposed to be too prescriptive. In my view, the model conditions contained in Circular 11/95 give the Council adequate control over the potential contamination hazards and the measures to be taken to remove any that are found.
20. The timely and proper implementation of the landscaping scheme would ensure that it contributed to the future appearance of the development and area. However, other than along the southern boundary, where the planting would be removed to enable the access road to be constructed, there is little vegetation on the site. Details of existing trees and hedgerows on the site to be retained are not therefore appropriate in this case. There are no details that relate to the proposed areas of public open space. A condition, requiring the approval of such details and the arrangements for future maintenance, is essential if a quality development is to be established and maintained. The area is potentially at risk from flooding so it is essential that the finished floor levels comply with those set out in the approved Flood Risk Assessment.
21. The plans do not indicate the materials to be used. To ensure that the development respects the character and appearance of the area, I consider a condition covering this to be important. As discussed above if this development is to be adequately protected from noise it is essential that an acoustic barrier along the western site boundary and sound insulation to all the dwellings are achieved to the standards agreed at the hearing.

### **Conclusions**

22. Having particular regard to the noise pollution from the adjacent heavy engineering works, I conclude that the proposal could create acceptable living conditions for future occupiers of

the dwellings. For the reasons given above and having regard to all other matters raised, I also conclude that the appeal should be allowed.

### **Formal Decision**

23. I allow the appeal, and grant planning permission for residential development of 38 houses along with roads, sewers and ancillary works on Land off Scotter Road, Scunthorpe, North Lincolnshire, DN15 8XU in accordance with the terms of the application, Ref 2006/0848, dated 25 May 2006, and the plans submitted with it, subject to the following conditions:

- 1) The development hereby permitted shall begin before the expiration of five years from the date of this decision.
- 2) Before any dwelling is occupied a two metre high barrier of minimum mass per unit area of 15kg/m<sup>2</sup> shall be installed along the western boundary of the proposed development site and thereafter maintained and full details of the future arrangements and responsibilities for maintenance of the barrier shall be submitted to and agreed in writing by the Local Planning Authority.
- 3) The building envelope of all plots shall be constructed so as to provide a minimum sound attenuation against externally generated noise of 35dBA, with windows shut and other means of ventilation provided.
- 4) Unless otherwise agreed in writing by the local planning authority, the construction of the development hereby approved shall not begin until the junction between the proposed service road and Scotter Road, including the required visibility splays, has been constructed in accordance with the approved details.
- 5) No dwelling shall be occupied until that part of the service road which provides vehicular access to it, together with any footway and street lighting, and the vehicle parking spaces serving it have been constructed up to at least base course standard, in accordance with the approved plans. Once provided the vehicle parking spaces shall be retained thereafter unless otherwise agreed in writing by the local planning authority.
- 6) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the buildings 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.
- 7) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg. furniture, play equipment, refuse or other storage units, signs, lighting etc); proposed and existing functional services above and below ground (eg. drainage power, communications cables, pipelines etc. indicating lines, manholes, supports etc.).
- 8) Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment);

schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme.

- 9) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written approval to any variation.
- 10) The details of the landscaping of the site required to be submitted shall include details of a scheme for the laying out of that part of the application site shown on drawing No. PH/SCUN/001 Rev B as public open space. The areas so defined shall be laid out and thereafter maintained solely as public open space in accordance with the approved scheme.
- 11) Unless otherwise agreed in writing by the local planning authority, development shall proceed fully in accordance with the mitigation measures (i.e. finished floor levels) set out in the approved Flood Risk Assessment.
- 12) Development shall not begin until a comprehensive scheme to investigate and deal with contamination of the site has been submitted to and approved in writing by the local planning authority. The above scheme shall include a full investigation and assessment to identify the extent of contamination and the measures to be taken to remove any that is found, avoiding risk to the public/buildings/environment when the site is developed. Development shall not begin until the measures approved in the scheme have been implemented.
- 13) No work shall be carried out on site unless and until an effective vehicle wheel-cleaning facility has been installed in accordance with details to be approved by the local planning authority. Such facility shall be retained in working order and operated throughout the period of work on the site to ensure that vehicles do not leave the site carrying earth and mud on their wheels in a quantity which causes a nuisance or hazard on the public highway.

INSPECTOR

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Valen Wilcockson Solicitor	North Lincolnshire Council, Pittwood House, Ashby Road, Scunthorpe, DN16 1AB
She called	
David Wordsworth	North Lincolnshire Council, Church Square House, Scunthorpe, DN15 6XQ
BSc, Dip TP	
Sarah Nicholson	North Lincolnshire Council, Church Square House, Scunthorpe, DN15 6XQ
BSc, PhD	

FOR THE APPELLANT:

Richard Sagar Solicitor	Walker Morris, Kings Court, 12 King Street, Leeds, LS1 2HL
He called	
Peter Wood	Peacock and Smith, Suite 2a, Joseph's Well, Leeds, LS3 1AB
Dip TP, MRTPI	
Nicholas D Treby	Spectrum Acoustic Consultants, 27-29 High Street, Biggleswade, Bedfordshire, SG18 0JE
BEng, MIOA, MAES	

INTERESTED PERSONS:

Ian Lindsay BSc, C Eng	Corus Cogifer Switches and Crossings Ltd, Hebden Road, Scunthorpe, DN15 8XX
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DOCUMENTS PRESENTED TO THE HEARING

- 1 Lists of persons present at the Inquiry
- 2 Council's letters giving notice of the Inquiry
- 3 Jointly agreed and signed Statement of Common Ground on Planning Matters
- 4 Jointly agreed and signed Statement of Common Ground on Affordable Housing Provision
- 5 Supplementary Proof of Evidence by Peter Wood
- 6 Appendices to Supplementary Proof of Evidence by Peter Wood
- 7 Rebuttal proof of Evidence on Acoustic Matters Issued by Nicholas D Treby
- 8 Presentation by Ian Lindsay on behalf of Corus Cogifer
- 9 Noise Survey at Corus Cogifer Scunthorpe, carried out by Acoustic Associates in March 2007
- 10 Obligation by way of Undertaking under Section 106 of the Town and Country Planning Act 1990, relating to the provision of affordable housing on land at Scotter Road, Scunthorpe, signed by Pelham Homes Lincoln and others
- 11 North Lincolnshire Local Development Framework, Annual Monitoring Report:- December 2006
- 12 North Lincolnshire, Housing Land Supply, April 2006
- 13 North Lincolnshire, Housing Past Trends, 1998/99-2005/06
- 14 Comparison of Corus and Spectrum noise surveys prepared by Nicholas D Treby
- 15 Extract from BS 8233:1999 concerning noise from industry and construction
- 16 World Health Organisation, Guidelines for Community Noise
- 17 Source Characteristics and Sound Propagation

- 18 Note of telephone conversation with Nick Treby on 17/07/2006 prepared by Sarah Nicholson
- 19 Agreed noise conditions

#### APPROVED PLANS

- Plan A 1/1250 Site location plan
- Plan B Dwg. No. NCH05-18, Topographic survey
- Plan C Dwg. No. PH/SCUN/001 Rev. B, Planning layout
- Plan D Dwg. No. 04-255-PD, House type 255, floor plans and elevations
- Plan E Dwg. No. 04-259-PD, House type 259, floor plans and elevations
- Plan F Dwg. No. 04-365-PD, House type 365, floor plans and elevations
- Plan G Dwg. No. 04-366-PD, House type 366, floor plans and elevations
- Plan H Dwg. No. 04-368-PD, House type 368, floor plans and elevations
- Plan I Dwg. No. 04-371-PD, House type 371, floor plans and elevations
- Plan J Dwg. No. 04-376-PD, House type 376, floor plans and elevations
- Plan K Dwg. No. 04-408-PD, House type 408, floor plans and elevations
- Plan L Dwg. No. 04-410-PD, House type 410, floor plans and elevations
- Plan M Dwg. No. 04-412-PD, House type 412, floor plans and elevations
- Plan N Dwg. No. 04-GARAGE-1, Double and single garage, elevations and foundations

#### OTHER PLANS BEFORE THE INQUIRY

- Plan O Design appraisal, 1/1250 layout concept
- Plan P Schedule of accommodation showing house type elevations
- Plan Q Not to scale plan showing layout of Corus Cogifer site
- Plan R Not to scale plan indicating approximate survey position referred to in report prepared for Corus Cogifer and dated 11 March 2004

#### PHOTOGRAPHS

- Photo 1 Site location plan with four photographs of adjacent area
- Photo 2 Cutting a steel rail with a stihl saw at Corus Cogifer



Lynda Morton  
04/12/2006 11:12

To: Sally Grindrod/LDS/NorthLincs, Kath Jickells/NE/NorthLincs,  
cc:

Subject: Public Inquiry - Pelham Homes

Application Ref: 2006/0848 - Land off Scotter Road, Scunthorpe

The applicant Pelham Homes has now lodged a public inquiry following their recent refusal. Certain of the reasons for refusal were based on your comments and recommendation and as such you may be asked to provide evidence at the public enquiry. You will also need to provide the case officer - David Wordsworth - with "proof of evidence" which will need to go the planning inspectorate no later than 4 weeks before the inquiry. I will inform you of the date of the inquiry as soon as one is arranged.

Lynda