

<b>APPLICATION NO</b>	<b>PA/2013/1000</b>
<b>APPLICANT</b>	Lucent Lincolnshire Lakes SARL
<b>DEVELOPMENT</b>	Outline application (access not reserved) for erection of a maximum of 2550 dwellings including a care/retirement home (Use Classes C2 and C3), primary school and community facilities (Use Class D1), village centres (Use Classes A1, A2, A3, A4, A5 and B1), new roads and footpaths, informal areas of open space, play areas and sports pitches and new wildlife habitat, lakes and wetland
<b>LOCATION</b>	Land to the north and south of Brumby Common Lane, and east and west of the M181 motorway, Burringham & Ashby Parklands
<b>PARISH</b>	<b>BURRINGHAM</b>
<b>WARD</b>	Burringham and Gunness
<b>CASE OFFICER</b>	David Wordsworth
<b>SUMMARY RECOMMENDATION</b>	<b>Subject to the completion of a Section 106 agreement, grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Objections by Gunness, Burringham, Keadby and Ashby Parklands Parish Councils  Significant public interest

## **NATIONAL POLICY**

**Planning Practice Guidance (PPG):** Paragraphs 18 to 20.

**National Planning Policy Framework (NPPF):** Paragraph 11 – Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

Paragraph 19 – The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.

Paragraph 32 – All developments that generate significant amounts of movement should be supported by a transport statement or transport assessment. Plans and decisions should take account of whether:

- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- safe and suitable access to the site can be achieved for all people; and

- improvements can be undertaken within the transport network that cost-effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

Paragraph 47 – To boost significantly the supply of housing, local planning authorities should:

- use their evidence base to ensure that their local plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period;
- identify and update annually a supply of specific deliverable<sup>11</sup> sites sufficient to provide five years' worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land;
- identify a supply of specific, developable<sup>12</sup> sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15;
- for market and affordable housing, illustrate the expected rate of housing delivery through a housing trajectory for the plan period and set out a housing implementation strategy for the full range of housing describing how they will maintain delivery of a five-year supply of housing land to meet their housing target; and
- set out their own approach to housing density to reflect local circumstances.

<sup>11</sup> To be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is viable. Sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within five years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans.

<sup>12</sup> To be considered developable, sites should be in a suitable location for housing development and there should be a reasonable prospect that the site is available and could be viably developed at the point envisaged.

Paragraph 49 – Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

Paragraph 50 – To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should:

- plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes);
- identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand; and
- where they have identified that affordable housing is needed, set policies
- for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or make more effective use of the existing housing stock) and the agreed approach contributes to the objective of creating mixed and balanced communities. Such policies should be sufficiently flexible to take account of changing market conditions over time.

Paragraph 52 – The supply of new homes can sometimes be best achieved through planning for larger scale development, such as new settlements or extensions to existing villages and towns that follow the principles of Garden Cities. Working with the support of their communities, local planning authorities should consider whether such opportunities provide the best way of achieving sustainable development. In doing so, they should consider whether it is appropriate to establish Green Belt around or adjoining any such new development.

Paragraph 56 – The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Paragraph 59 – Local planning authorities should consider using design codes where they could help deliver high quality outcomes. However, design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally.

Paragraph 64 – Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Paragraph 69 – The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Local planning authorities should create a shared vision with communities of the residential environment and facilities they wish to see. To support this, local planning authorities should aim to involve all sections of the community in the development of local plans and in planning decisions, and should facilitate neighbourhood planning. Planning policies and decisions, in turn, should aim to achieve places which promote:

- opportunities for meetings between members of the community who might not otherwise come into contact with each other, including through mixed-use developments, strong neighbourhood centres and active street frontages which bring together those who work, live and play in the vicinity;

- safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
- safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas.

Paragraph 73 – Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and wellbeing of communities. Planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. The assessments should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area. Information gained from the assessments should be used to determine what open space, sports and recreational provision is required.

Paragraph 94 – Local planning authorities should adopt proactive strategies to mitigate and adapt to climate change,<sup>16</sup> taking full account of flood risk, coastal change and water supply and demand considerations.

<sup>16</sup> In line with the objectives and provisions of the Climate Change Act 2008.

Paragraph 96 – In determining planning applications, local planning authorities should expect new development to:

- comply with adopted local plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and
- take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

Paragraph 100 – Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. Local plans should be supported by a strategic flood risk assessment and develop policies to manage flood risk from all sources, taking account of advice from the Environment Agency and other relevant flood risk management bodies, such as lead local flood authorities and internal drainage boards. Local plans should apply a sequential, risk-based approach to the location of development to avoid, where possible, flood risk to people and property and manage any residual risk, taking account of the impacts of climate change, by:

- applying the sequential test;
- if necessary, applying the exception test;
- safeguarding land from development that is required for current and future flood management;
- using opportunities offered by new development to reduce the causes and impacts of flooding; and

- where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, seeking opportunities to facilitate the relocation of development, including housing, to more sustainable locations.

Paragraph 103 – When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment<sup>20</sup> following the Sequential Test, and if required the Exception Test, it can be demonstrated that:

- within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location; and
- development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including by emergency planning; and it gives priority to the use of sustainable drainage systems.<sup>21</sup>

<sup>20</sup> A site-specific flood risk assessment is required for proposals of 1 hectare or greater in Flood Zone 1; all proposals for new development (including minor development and change of use) in Flood Zones 2 and 3, or in an area within Flood Zone 1 which has critical drainage problems (as notified to the local planning authority by the Environment Agency); and where proposed development or a change of use to a more vulnerable class may be subject to other sources of flooding.

<sup>21</sup> The Floods and Water Management Act 2010 establishes a Sustainable Drainage Systems Approving Body in unitary or county councils. This body must approve drainage systems in new developments and re-developments before construction begins.

Paragraph 104 – For individual developments on sites allocated in development plans through the Sequential Test, applicants need not apply the Sequential Test. Applications for minor development and changes of use should not be subject to the Sequential or Exception Tests<sup>22</sup> but should still meet the requirements for site-specific flood risk assessments.

<sup>22</sup> Except for any proposal involving a change of use to a caravan, camping or chalet site, or to a mobile home or park home site, where the Sequential and Exception Tests should be applied as appropriate.

Paragraph 118 –When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:

- if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- proposed development on land within or outside a Site of Special Scientific Interest likely to have an adverse effect on a Site of Special Scientific Interest (either individually or in combination with other developments) should not normally be permitted. Where an adverse effect on the site's notified special interest features is likely, an exception should only be made where the benefits of the development, at this site, clearly outweigh both the impacts that it is likely to have on the features of the site that make it

of special scientific interest and any broader impacts on the national network of Sites of Special Scientific Interest;

- development proposals where the primary objective is to conserve or enhance biodiversity should be permitted;
- opportunities to incorporate biodiversity in and around developments should be encouraged;
- planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss; and
- the following wildlife sites should be given the same protection as European sites:
  - potential Special Protection Areas and possible Special Areas of Conservation;
  - listed or proposed Ramsar sites<sup>26</sup>; and
  - sites identified, or required, as compensatory measures for adverse effects on European sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.

<sup>26</sup> Potential Special Protection Areas, possible Special Areas of Conservation and proposed Ramsar sites are sites on which Government has initiated public consultation on the scientific case for designation as a Special Protection Area, candidate Special Area of Conservation or Ramsar site.

Paragraph 186 – Local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development. The relationship between decision-taking and plan-making should be seamless, translating plans into high quality development on the ground.

Paragraph 187 – Local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

Paragraph 196 – The planning system is plan-led. Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. This framework is a material consideration in planning decisions.

Paragraph 197 – In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

Paragraph 204 – Planning obligations should only be sought where they meet all of the following tests:

- necessary to make the development acceptable in planning terms;

- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

Paragraph 206 – Planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

## **LOCAL POLICY**

**North Lincolnshire Local Plan:** Policies H4, H8, T2, T6, T8, T9, T14, T15, T18, T19, R5, C3, LC1, LC2, LC4, LC5, LC6, LC7, LC12, HE9, DS1, DS3, DS7, DS13, DS14 and W10.

**North Lincolnshire Core Strategy:** Policies CS1, CS2, CS3, CS4, CS5, CS6, CS7, CS8, CS9, CS11, CS16, CS17, CS18, CS19, CS22, CS23 and CS24.

## **Lincolnshire Lakes Area Action Plan (AAP)**

The emerging Lincolnshire Lakes AAP has been produced for the site and sets out the plans and policies for the delivery of the Lincolnshire Lakes. The plans will see the creation of a series of villages set amidst areas of water and landscaping. A preferred option has evolved and this has been influenced by national and local planning policy, an array of evidence-based documents and community consultation exercises. The next steps are a further round of consultation on the AAP followed by submission for examination in public.

Supplementary Planning Guidance SPG10 (Open Space Provision) and SPG11 (Trees and Development)

## **CONSULTATIONS**

**Environment Agency:** No objections subject to conditions.

**Highways:** No objections subject to conditions.

**English Heritage:** There is potential for the proposed scheme to have a significant impact on important archaeology and therefore North Lincolnshire Council's Historic Environment Record should be consulted.

Additionally, the medieval Church of St Oswald, Keadby is listed grade I and is therefore of exceptional architectural and historic interest. The important part of its setting and significance is its close association with the River Trent and the village of Burringham within its rural setting on the opposite bank. It is advised that the rural character of the area adjacent to the Trent close to the village of Burringham should be preserved to minimise the impact of the proposed scheme on the significance and setting of St Oswald's Church.

**Natural England:** The application site is approximately 500 metres from the Humber Estuary Site of Special Scientific Interest (SSSI). It is also designated as a Special Area of Conservation (SAC) and Ramsar site. The application site is approximately 10km from the Humber Estuary Special Protection Area for birds (SPA). It is unlikely that the proposal will have a significant effect on the Humber Estuary SPA, SAC or Ramsar site. SPA bird species have not been found to be present on site in significant numbers and the habitats on site are not considered to be particularly suitable species included in the breeding bird assemblage or species associated with the Humber Estuary SSSI. With regard to protected

species, Natural England does not object to the proposed development. However, concern is raised regarding potential disturbance to otters which may pass through the area and the strategic delivery of green infrastructure. The local planning authority is expected to assess potential impacts resulting from the proposal on local sites in terms of biodiversity and geodiversity, local landscape character and local or national biodiversity priority habitats and species.

**Highways Agency:** No objection.

**Network Rail:**

- A construction traffic management plan is expected and should be required by condition should planning permission be granted for this proposal to avoid the use of the A18 to Althorpe due to the low headroom of the bridge.
- A condition should be attached to any permission to provide for bridge scour protection as necessary for any increased flow of water through the drainage channels.
- The proposal will have an impact upon the two existing railway stations (Scunthorpe and Althorpe). The traffic assessment does not thoroughly assess the impact and it is reasonable to expect that there would be some use of both stations by residents from the new development. Scunthorpe train station has limited car parking and Althorpe train station has no car parking. Contributions towards their improvement should therefore be sought.

**Canal and River Trust:** There is no requirement to consult the Canal and River Trust on these applications.

**West Lindsey District Council:** No comments.

**Severn Trent Water:** Advise a condition.

**Humberside Airport:** The proposal has been examined from an aerodrome safeguarding aspect and does not conflict with safeguarding criteria, therefore no objections.

**Scunthorpe Water Management Board:** The Board has no objections to the proposals on land drainage or water management grounds subject to the applicants satisfying several requirements.

**National Grid:** No objections in principle providing all works recorded to National Grid.

**Humberside Police Advisor:** Reserve the right to comment at the more detailed planning stage.

**Lincolnshire Wildlife Trust:** Are generally supportive of the levels of habitat creation and other green infrastructure proposed, however a condition is recommended requiring a minimum amount of area for habitats. Strong support is given to the creation of large areas of wetland habitat to the west of the site and these would be ideal for the quiet enjoyment of nature. Any use of the proposed lakes for water sports should be sensitively located away from areas of biodiversity. The creation of new water bodies should not be at the expense of existing habitats.



Concerns are raised regarding additional pressures on existing sites of value for wildlife in the local area due to potentially 10,000 or more new residents and their pets. There is the potential for impacts from these additional visitors.

Support is given for the recommendations for further bat and water vole surveys. It is recommended that monitoring of the habitats is tied to management plans of the site. Consideration should be given to the incorporation of features within buildings on the site for bats and declining urban birds and include permanent bat roosts within buildings.

The Lincolnshire Wildlife Trust would be pleased to remain as a consultee on this project when more detailed plans are submitted.

**Environment Team (Trees):** Further information is required on the following issues:

- criteria for the thinning of woodland
- confirmation of the use of Scots pine and white poplar
- confirmation on the use of pollarded willows
- concern for the use of black poplar and willow.

**Environment Team (Ecology):**

No objections subject to conditions.

**Environment Team (Public Rights of Way):** No objections, however the advice given previously dated 3 June 2013 still applies.

**Public Health:**

- Where do the current planning applications sit in relation to the preferred option of the Lincolnshire Lakes AAP?
- The travel plan includes little in terms of bus services to the area yet it is important to improve the vibrancy of the night-time economy in North Lincolnshire.
- It is not clear whether the creation of a new train station near the development on the Scunthorpe line has been discounted.
- The need for a care/retirement home in North Lincolnshire is questioned as the number of elderly people in need is falling, but would support more extra care developments in the area.
- The impact of an increased population on the existing NHS services in Scunthorpe needs to be considered.

**Environmental Protection:** Recommend conditions to address the issues of contaminated land, noise, light and the construction phase of the development (including air quality and dust).

**Historical Environment Record (HER):** Originally objected to the proposal but now raise no objections subject to conditions.

## **PARISH/TOWN COUNCILS**

### **Gunness Parish Council:**

- This proposal has already been decided.
- Comments will be ignored.
- Building on a floodplain – risk to residents. Why is this being allowed when other proposals within the area are refused due to flood risk?

**Burringham Parish Council:** The application should be rejected in its entirety and a public inquiry carried out.

### **Keadby with Althorpe Parish Council:** Raises the following objections:

- Traffic congestion is a major concern with Burringham being used as an alternative route.
- Residents deliberately park cars on the main street to create traffic a traffic calming system.
- Three thousand more cars and lorries using the village in an attempt to avoid Berkeley Circle will be horrendous and cause deadlock, particularly at school collection times.
- Traffic going north of Scunthorpe will create a greater problem at Berkeley Circle and other roundabouts, particularly when development at the football ground is up and running.
- Another thousand houses being built to the rear of Tesco with all their added problems.
- The commercial park will create even more lorries in the area and won't all filter to the motorway.
- The traffic planning system is already grossly inadequate.

### **Ashby Parklands Parish Council:**

- The proposed building heights of 10-13 metres directly behind Parklands should be reduced to single-storey, particularly the four blocks between Parklands and the M181.
- Only three traffic surveys were taken between March and April and the applicants were very economical with the information which doesn't confirm times and details.
- No consideration given to the M&S retail park traffic, Scotter Road issue, Asda roundabout and now relocation of Glanford Park football ground.
- potential impact on access from Bristol Road, West Common Lane and new road onto Scotter Road with buses
- The right turn into Parklands and also out of Parklands causes delay which will only be exacerbated by an existing outline planning permission for more park homes, possibly up to 100 or more.

- concern about safeguards with the creation of large water bodies and 3,500 homes, and many children in the area.
- Who will maintain these water bodies and at what cost to whom?
- concern that this area is nature's natural escape of water from Scunthorpe but when this is developed where will it go?
- In September 2013 a report was released regarding global warming/climate change, raising water levels and impact on development.
- depreciation of property due to flooding and agreement still not reached by British insurers and the Government with previous events
- North Lincolnshire does need jobs and houses but there must be a safer, more suitable and sustainable site.

**Flixborough Parish Council:** No objections.

**Bottesford Town Council:** Supports the proposed development.

## **PUBLICITY**

A significant amount of public consultation was undertaken by the applicants, Lucent, preceding submission of the four planning applications. Information regarding the Lucent applications was accessible on a Lincolnshire Lakes website with comments and feedback reported in the Statement of Community Involvement that was submitted as part of the planning submission for the four Lucent applications.

The planning applications were advertised by numerous site notices displayed in the area, press notices, letters posted to residential and commercial premises that require consultation through the neighbour notification procedure, and the application was accessible to view on the council's website. No more than seven letters of objection were received on the four Lucent applications. The following objections have been received:

### **Flood risk**

- The application is to be sited on an area which frequently floods. Vast areas of the proposed development were extensively underwater in summer and winter only two years ago.
- What additional, if any, flood defences or drainage will be provided to protect this vulnerable area?
- Another 3,500 homes would result in greater risk of flooding.
- Residents are still suffering from so-called freak flooding events yet more flooding is likely due to climate change.
- Why build on a flood plain when empty land and buildings could be utilised on East Common Lane, Dudley Road etc?

## **Highways**

- Existing congestion will become chaos due to the extra traffic from 5,000+ vehicles when this development is constructed.

## **Environment**

- loss of quality agricultural land
- loss of a beautiful rural area that is peaceful with clean air
- The farmland is an excellent wildlife and conservation area. Many wildlife species will decline as a result of this development.
- The proposal links Burringham with Scunthorpe and is basically an extension of the Westcliff estate.
- no buffer surrounding proposed villages, therefore not protecting local residents' views
- The farmland is grade 1 and 2 – why build on the most productive land?
- Negative impact upon many species of wildlife (deer, pheasant, partridge, hares, foxes).
- Lucent must erect a large boundary fence all the way down the side of the housing with a hedgerow to ensure wildlife.

## **Other**

- The proposal includes sports facilities – mainly football pitches – but why not alternative sports to football?
- Will the pitches be locked at night or just there for antisocial behaviour/activity.
- The proposals will have a negative impact on the way of life, particularly in the villages like Burringham.
- The feelings of existing residents are not on the radar of the council.
- The applicants are not a construction company but a strategic land development company which pays landowners to secure land.
- Government incentives for more affordable housing therefore project will go ahead.

## **BACKGROUND**

This planning application is one of four submitted by applicants Lucent (Lucent Lincolnshire Lakes SARL) which together represent an important phase in the development of the Lincolnshire Lakes project. The applications were submitted in August 2013 prior to the release of the Lincolnshire Lakes Area Action Plan (AAP) which is now progressing and will soon commence a further phase of consultation. The planning applications fall within a Planning Performance Agreement (PPA), that is a framework agreed between a local planning authority and an applicant for the management of complex development proposals within the planning process.

The Lincolnshire Lakes AAP is planned to be developed out between the period from 2015 to 2028 and the length of time to deliver the project brings with it significant challenges in terms of infrastructure delivery phasing and housing completion rates which are anticipated to be an average of 468 dwellings per annum up to 2026.

Paragraph 1.4 of the Core Strategy summarises the importance of the Lincolnshire Lakes:

*'Lincolnshire Lakes has the potential to make a significant contribution to effecting a positive change for Scunthorpe in the direction of a sustainable, modern and vibrant economy. Bringing with it significant financial, social and environmental benefits for North Lincolnshire, its community and the wider region. It will do this through the creation of a high quality, sustainable urban extension for Scunthorpe incorporating new homes, business parks and leisure facilities in an attractive waterside setting, which will put Scunthorpe on the map as a location of choice in the 21st century, changing its image and placing it on a new economic trajectory. This flagship project forms a fundamental part of the transformation of the town.'*

It should be noted that as the project progressed the concept of a sustainable urban extension evolved into a series of villages.

For ease of reference the four applications are referred to as:

Application 1	PA/2013/1001	Outline planning permission (with access not reserved) for the erection of a maximum of 450 dwellings including a care/retirement home (Use Classes C2 and C3), a village centre (Use Classes A1, A2, A3, A4, A5, B1 and D1), health care facility and community facility (Use Class D1), new roads and footpaths, informal areas of open space, play areas and sports pitches
Application 2	PA/2013/1002	Full planning permission for highway works to create new junction to the M181 motorway and construction of the western section of the east-west link road
Application 3	PA/2013/1003	Outline application for a commercial park comprising Use Classes A1 (food) A2, A3, A4, A5, B1, C1 and D2
Application 4	PA/2013/1000	Outline application (access not reserved) for erection of a maximum of 2550 dwellings including a care/retirement home (Use Classes C2 and C3), primary school and community facilities (Use Class D1), village centres (Use Classes A1, A2, A3, A4, A5 and B1), new roads and footpaths, informal areas of open space, play areas and sports pitches and new wildlife habitat, lakes and wetland

## **ASSESSMENT**

Application 4 seeks outline planning permission (access not reserved for subsequent approval) for the erection of a maximum of 2,550 dwellings, a care/retirement home, primary school and community facilities. The proposal also includes village centres, new roads and footpaths, informal areas of open space, play areas and sports pitches, and new wildlife habitat lakes and wetland on a site of 196.3 hectares in size. This application (application 4) is defined by the balance of the Lucent landholding, covering these elements

of its master plan which are not included within the boundaries of applications 1, 2 or 3. Therefore the application can be simplified by referring to it as three distinct areas. The largest element lies to the west of the M181 and extends between the proposed commercial park and the River Trent in the west. The whole Lucent landholding is bisected by the existing M181 motorway and the area of this application to the east of the M181 is bisected by the east-west link road creating a northern and southern area.

This application provides the bulk of the residential development in terms of numbers of dwellings and mass of the Lucent landholding. The residential areas (Use Classes C3 and C2) are illustrated on the land use parameters plan which shows the extent of the development parcels within application 4. To the east of the M181 new dwellings will be delivered in the latter phases of the eastern village (village centre and first 450 dwellings to be delivered within application 1). The balance of the residential dwellings in application 4 will be delivered as a second village to the west of the M181, the village centre being of a local centre status which is proposed to be located south of the commercial park (application 3).

Cumulatively the four Lucent planning applications would provide two of the six villages proposed within the council's Lincolnshire Lakes AAP. The two villages as described would sit to the east and west of the M181 motorway that is proposed to be de-trunked and these development parcels would form the northern villages within the emerging AAP.

In support of the application the applicants have submitted:

- environmental impact assessment
- planning application drawings
- flood risk assessment and drainage strategy
- design and access statement
- planning statement
- arboricultural assessment
- transport assessment and framework travel plan
- statement of community involvement
- sustainability statement
- energy strategy
- biodiversity strategy
- draft scope for Section 106 heads of terms.

**The key issues in the determination of this application are:**

- (i) whether the proposals comply with the policies and objectives set out within the North Lincolnshire Core Strategy, the proposed Lincolnshire Lakes AAP and national planning policy;**

- (ii) whether the proposals for strategic transportation infrastructure are acceptable for the development of this site;**
- (iii) whether the proposals adequately address the issues of flood risk and provide acceptable levels of mitigation; and**
- (iv) whether the design and layout of the land uses proposed fulfil the vision for the Lincolnshire Lakes development.**

### **Planning policy context**

The National Planning Policy Framework sets out the Government's planning policies for England and how they are expected to be applied. It provides a framework that must be taken into account and is a material consideration in planning decisions. The Government considers that sustainable development is a principal aim and should be achieved through the planning system performing a number of roles, namely economic, social and environmental. The NPPF requires the planning system to do everything it can to support sustainable economic growth whilst contributing to conserving and enhancing the natural environment. A key aim of the Government is to boost significantly the supply of housing and assist local planning authorities in the delivery of a wide choice of high quality homes, including the provision of affordable housing, by establishing a housing implementation strategy for the delivery of a five-year supply of housing land to meet their housing target.

The North Lincolnshire Core Strategy was adopted in June 2011. It sets out the long-term vision for North Lincolnshire and provides a blueprint for managing growth and development in the area up to 2026. It is the most important element of the North Lincolnshire Local Development Framework (LDF). The Lincolnshire Lakes lie at the heart of this blueprint. Sitting alongside major projects to create jobs at the South Humber Gateway, it will help to transform the area as a place to live, work and visit. It was based on a robust evidence base and was the subject of extensive public consultation, as well as an independent public examination which found the document 'sound'. The strategy states that the Lincolnshire Lakes will be delivered via an Area Action Plan (AAP). Both conform with the National Planning Policy Framework. The Core Strategy objectives and policies, as well as those of the emerging AAP, clearly highlight the need to create a transformational new housing location, improve strategic transport infrastructure, and blue and green landscape through the provision of multi-functional lakes and waterways and green infrastructure. It is also clear that the lakes and waterways will form part of the overall flood mitigation measures for the project, as well as forming new opportunities for biodiversity enhancement and habitat creation. The Lincolnshire Lakes project is referred to within policy CS1 (Spatial Strategy for North Lincolnshire) as a major flagship urban renaissance project that will be located to the west of the town creating a major new sustainable waterside setting that will soften the edge and provide an impressive gateway. Policy CS4 (Creating a renaissance in North Lincolnshire) states that the council will work with its partners to promote and secure area-wide renaissance in North Lincolnshire. Lincolnshire Lakes will be delivered through the creation of a master plan as part of the development of an Area Action Plan (AAP).

It is considered that the policy background for the Lincolnshire Lakes development in which this application sits is a key element in the assessment of the Lucent group of applications and is well established. The suite of local planning policies in the Core Strategy and the AAP firmly supports the principle of development.

### **Access and transportation**

The eastern parts of application 4 will be accessed from junctions located along the east-west link road which provides the key route from the to be de-trunked M181 and a key route through application 1 to the existing Brumby Common Lane junction with Scotter Road to the east of the site on the fringes of Scunthorpe. The western part of application 4 will be accessed by a connection to the proposed road leading west from the northern junction to the M181. This road also serves the site of the commercial park (application 3).

Connections to the wider AAP area, particularly to the south of the Lucent applications is incorporated within the proposed movement and hierarchy framework. East of the M181, a road link has been proposed along the western side of the development parcels. This has the potential to continue further south through the wider AAP area (land outside of Lucent's control) to join Burringham Road further south. This could provide wider traffic benefits and open up the potential for development on the south-eastern plots of the AAP area. In the western part of application 4 are potential locations for linkage from the proposed western village leading south into the wider AAP area. No vehicle link westward from the western village towards the Trentside villages of Burringham and Gunness is currently proposed. The main existing route from areas within southern Scunthorpe to Keadby Bridge is provided from Burringham Road to the south of the Lucent landholding.

With regard to pedestrian and cycle movements, the areas within application 4 are proposed to be well served by pedestrian and cycle routes with two key strategic east-west connections being identified within the master plan. The transport assessment submitted with the four applications provides an overview of potential public transport arrangements for individual phases of development. The applicants state within the design and access statement that the areas west of the M181 are likely to be identified as a longer-term phase from a public transport perspective and a separate service is likely to be required.

### **Flood risk/mitigation**

The four Lucent planning applications lie within SFRA Flood Zone 2/3a. As part of the planning application the following documents were submitted:

- flood risk assessment
- drainage strategy
- hydraulic modelling.

National guidance contained within the NPPG requires all development in such flood zones to demonstrate that there are no reasonably available sites in locations subject to lower flood risk. North Lincolnshire and North East Lincolnshire Councils produced the Strategic Flood Risk Assessment (SFRA) which assessed the issues of flood risk in significant detail (including climate change) involved in the Lincolnshire Lakes site. North Lincolnshire Council assessed the Core Strategy in line with the then required PPS25 sequential testing, which has now been superseded by the NPPF and PPG.

The council's sequential test of the Flood Risk Potential Development Sites Final Report (2010) concluded that only a limited supply of land is available for development in Flood Zone 1 and that in order to meet housing needs, there is a requirement for development in the Lincolnshire Lakes area.



National guidance stated that where there are no reasonably available sites in Flood Zone 1, local planning authorities in their decision-making should take into account the flood risk vulnerability of land uses and consider reasonably available sites in Flood Zone 2, applying the exception test if required. The Lincolnshire Lakes site has been thoroughly tested and passes the sequential and exceptions test strategy through the progression and adoption of the North Lincolnshire Core Strategy. The Lincolnshire Lakes development area is identified within the Core Strategy to deliver 6000 homes within policy CS8. Policy CS19 states that development within the Lincolnshire Lakes area will comply with the flood management principles set out in the Western Scunthorpe Urban Extension Exception Test Strategy (2010). The data from this Strategy has been used together with some of the hydraulic modelling work carried out by a consultant acting for the applicant, in the Lincolnshire Lakes Flood Management and Drainage Strategy (October 2014).

The proposals also include a drainage strategy and hydraulic modelling report which sets out measures to mitigate the risk of surface water flooding to the development and to ensure no increase in flood risk to the surrounding area. The mitigation measures include the control of surface water run-off flows; land-raising to create safe development platforms; and the creation of extensive attenuation areas within the proposed pond, wetland and recreation areas to store surface water during extreme rainfall events. The proposals have been developed in consultation with the Environment Agency and the Scunthorpe and Gainsborough Water Management Board who have no objection to the proposals subject to a number of conditions.

The proposals accompanying this suite of planning applications comprise mitigation measures that involve strengthening the existing flood defences between Gunness and Burringham by the insertion of a continuous steel piling into the river bank and through land-raising to create a safe platform upon which development can be built. It is not proposed to amend the existing levels at which the M180 motorway currently sits. The variation in platform levels relates to applications 1, 3 and 4 for residential and commercial development.

The Environment Agency has been consulted throughout the progression of the area action plan and the four Lucent planning applications. The Environment Agency does not raise any objections to the proposals subject to several conditions attached to each planning application.

The Lincolnshire Lakes planning applications contain a number of flood defence measures which are outlined below. These measures have arisen as the result of extensive modelling and design work by the applicant.

1. Lincolnshire Lakes will be built on a raised development platform to protect it from flooding.
2. The basic design standard is 1:200yrs plus 300mm minimum 'freeboard' (additional safety factor) with allowance for climate change impacts to 2115.
3. The design standard includes for a breach of the River Trent defences at the time of the 1:200yr tidal surge.
4. Further land-raising for drainage will result in increasing the basic design standard of 1:200yrs plus 300mm minimum 'freeboard' for most properties.

5. The homes at Lincolnshire Lakes will be protected to a standard well above the minimum requirement of the Association of British Insurers which is 1:100yrs.
6. For the benefit of Lincolnshire Lakes and the villages of Burringham and Gunness, the existing flood defence earth bank will be reinforced by steel piling.
7. For the benefit of the villages of Burringham and Gunness, the Burringham Pumping Station will be provided with an external connection facility for emergency power supply.
8. For the benefit of Burringham and Gunness, a platform will be provided for installation of temporary pumps to replace the existing pumping station in the event of complete failure.
9. The Lincolnshire Lakes development does not require any raising of the flood defences on the River Trent and is completely separate to any works to be promoted by the Environment Agency or other third party.
10. The steel piling reinforcement of the existing flood defence will be designed to facilitate any proposed raising of the bank by the Environment Agency or other third party.
11. The villages of Burringham and Gunness will continue to be at residual risk of flooding from overtopping or breach of the River Trent defence or failure of the Burringham Pumping Station. However, the Lucent proposals will reduce the residual risk of breach failure of the existing defences and reduce the impact of such breach. The Lucent proposals will also reduce the risk of flooding from failure of Burringham Pumping Station.

### **Amended plans (August 2014)**

Following the initial round of consultations and a lengthy period of negotiations and discussions with North Lincolnshire Council officers and consultees, amended plans were received by North Lincolnshire Council in August 2014 which required a further round of consultations and publicity. The amendments to application 4 are summarised as follows:

- Reduction in the western extent of village west of M181
- Reduction in the south-western extent of the eastern village
- An associated reduction in the number of units from the previous upper total of 3,000 units as previously applied for in August 2013 to a new maximum target of 2,550 units
- Revisions to the central part of the western village to enable the relocation of the local centre adjacent to the southern boundary of the commercial park, a small migration to the west of the primary school and the delivery of a new park within the village
- Safeguarding of land for waterbodies on the east side of the M181. This relates to the provision of a major lake in line with the emerging AAP and a smaller area for a local lake to create an appropriate buffer with Parkland Homes as agreed with adjoining residents)

- Revisions to the quantum of open space have been defined based on the reduced development quantum, and amendments in the illustrative landscape proposals
- Removal of westernmost parcel of illustrative landscape proposals (“scrapes” and wet grassland) adjacent to Burringham with the space retained in use as agricultural land

## Design/layout

Consultations undertaken by North Lincolnshire Council in the preparation of the AAP established several key principles that residents and parish councils had voiced their concerns over. One of these was the extent to which the development parcels of the western village in application 4 extended westwards. It was apparent that a significant area of buffer zone should be sought to prevent encroachment upon villages on the banks of the River Trent and to the west of the AAP area, namely Gunness and Burringham. A reduction in the extent of the western village has been achieved and is illustrated in the revisions received by North Lincolnshire Council in August 2014. The separation distance will assist in maintaining the character and individuality of Burringham and Gunness whilst reducing the impact of the development upon them.

Development parcels located within the south-western corner of the eastern village of application 4 have been reduced to provide a swathe of safeguarded land for parts of a significant water body. This safeguarded land has the potential to connect to a larger proposal on third party land to the south of the eastern village which is likely to be reflected within the emerging AAP. Additionally the easternmost development parcels have been realigned to provide a buffer zone between the new development and the existing fringes of Scunthorpe and Bottesford to the east. This realignment coincides with the extent of development to the north in application 1.

The western village has been amended to relocate the western village local centre eastwards to a location directly to the south of the proposed commercial park (application 3). The *western village centre* is shown within the supplementary planning and design statement accompanying the revisions and illustrates that the village centre contains a public space of civic and social importance fringed by buildings which could contain a number of uses including residential, small retail unit, and a public house/restaurant. The village centre is shown as being connected to the northern junction to the east by the creation of the new road that provides access to the development parcels to the north and west within the western village of application 4. The amended positioning of the village centre more closely aligns with the area proposed in the AAP for a new primary school. It should be noted that the AAP indicates that a district centre should be located in this area rather than a local centre. Given that the proposed food unit (Class A1) within the commercial park is located just north of the village centre (see application 3), it is considered that the proposals broadly comply with the AAP.

The creation of a new *central park* area within the western village is illustrated in the master plan by relocating a portion of recreational space from the western village park fringe. This park represents a significant green wedge of approximately 3 hectares, would be easily accessible to village residents and would be close to the school. The proposal includes a super NEAP (neighbourhood equipped area of play), children’s play equipment, a MUGA (multi-use games area) and small sports pitch. It is accepted that the central park proposal is one of the key elements for the western village and would play an important role in place-making and the character of the village.

Other key areas within the proposals for the western village include the *western park fringe* which would provide a linear belt of public open space incorporating playing pitches, allotments and informal open space and act as a transition zone between the development edge to the east and the new wetland landscape to the west. This area would contain a strong network of paths to connect the surrounding area. Further west, the *western village wetlands* incorporate an area of existing agricultural land that would be retained in part as an agricultural field edged by species-rich grassland, clumps of native broadleaf trees, allotments to the north, and formal sports pitches to the south of the area. Pathways and cycleways would permeate this area but would only allow a single track westwards through the wetland area to the River Trent bank. This area will provide a key function in terms of habitat and biodiversity creation. The illustrative master plan demonstrates how this area would function around a central lake area bordered by a broadleaf tree belt running north to south. The aforementioned character areas are likely to conform generally with the principles and illustrations of the master plan contained within the Lincolnshire Lakes AAP.

The *eastern village wetlands* that are proposed to the north-east of the northern junction will provide a multi-functional wetland which performs ecological landscape and drainage roles. This area will provide a replacement habitat for water voles and ditches removed during the construction phase of the eastern village. The illustrative design shows a small water body which connects to a network of 750 metres of new ditches including islands of grassland that would be inaccessible to the public and act as a refuge for water voles. There would also be an attenuation function in times of high run-off. The council's ecologist has been consulted and supports the provision of this wetland habitat area subject to the imposition of conditions.

The principal uses within application 4 are demonstrated on the use parameters plan which show the extent of the development parcels. In terms of mix of dwellings, the applicants have stated that a degree of flexibility should be maintained around the housing mix to allow for changing trends in future housing demand and market conditions. However, the indicative percentage breakdown in terms of size of dwellings is as follows:

- 2 bedroom dwellings            28%
- 3 bedroom dwellings            35%
- 4/4+ bedroom dwellings       37%

The average density across the proposed villages is approximately 36 to 37 dwellings per hectare but will vary between 20 and 45 dwellings per hectare with the most dense areas being located around the village centre. The parameters of height and depth of buildings are set within the design and access statement to be no greater than three storeys within residential areas, however in certain sensitive locations adjacent to Parkland Homes the upper limit is set at two to two-and-a-half storeys. Heights in the local centre would be up to four storeys (maximum height of 17 metres), and up to three storeys (maximum height of 16 metres) for the proposed school.

## **Other matters**

The objection raised regarding development of grades 1 and 2 agricultural land has been considered. The area within the Lincolnshire Lakes AAP that is the most fertile and is allocated grade 1 status lies to the far west of the AAP area abutting the villages of Gunness and Burringham. This development does not propose to build dwellings on the

best, most fertile land but lower grades 2 and 3, which are closer to the western fringes of Scunthorpe. It is felt that North Lincolnshire possesses large areas of grade 1 and 2 agricultural land and there is not a shortfall caused by the loss of some agricultural land as a result of this development. The application states less than 4 hectares of grade 1 agricultural land would be lost.

Objections regarding adverse impact upon wildlife in the area have been considered through the consultation process with agencies such as the Lincolnshire Wildlife Trust, Natural England and also the council's own Environment Team, none of which object to the proposals. The Lincolnshire Wildlife Trust is generally supportive of the proposals due to the amount of habitat to be created and other green infrastructure that is proposed.

A key concern of some residents surrounds the increase in levels of congestion and traffic generation, particularly in the Doncaster Road and Scotter Road areas that already face problems. The progression of the Lincolnshire Lakes project was not just to deal with increased traffic generated by the developments proposed but also to assist in resolving outstanding problems within the Scunthorpe and Bottesford transport infrastructure. Through the delivery of the Lincolnshire Lakes development, and more specifically the northern junction and east-west link road within the Lucent proposals (application 2), it is anticipated that heavily congested areas to the north of Scunthorpe, particularly at Berkeley Circle, will be relieved to a significant degree. This is because, in future, Doncaster Road will not be the only primary route for traffic to access the motorway network from the M181, or indeed the villages to the west of Scunthorpe, or those accessed over Keadby Bridge.

Comments from Public Health have been considered. The Lucent group of applications were submitted prior to the emerging AAP, however the amendments that were submitted in August 2014 have reduced the differences between the applications and the AAP to those of minor significance. Taken as a whole, the amended applications conform generally with the preferred option that is emerging in the AAP, particularly on issues of extent of development parcels, open space and green infrastructure, and flood risk management.

A new train station to the north of the Lucent applications has not been included in allocations of the emerging AAP but it may be an opportunity for future investment.

Comments regarding the impact of the development upon NHS services is appreciated. Policy CS24 is the relevant policy in the North Lincolnshire Core Strategy.

With regard to comments on the submitted travel plan, this has been assessed by the council's highways department who would control this through a condition.

With regard to concerns raised by Ashby Parklands Parish Council concerning the impact of the proposed development and separation distances between the development parcels on the south-eastern boundary of application 4 to the Ashby Parklands park homes to the east, the amended planning applications indicate that an area of safeguarded land for a water body will be created adjacent to this boundary and therefore this element is considered acceptable and addresses the issue raised by the parish council.

### **Section 106 agreement**

The following items are to be included in a Section 106 agreement between the applicants and the council:

- affordable housing provision

- education provision
- utilities
- flood risk mitigation
- public open space/recreation
- highway contributions:
  - traffic regulation orders
  - residential travel plan
  - subsidised public transport
  - M181 de-trunking works
  - undertaking to create M181 junction, de-trunking and connecting section of east-west link road.

### **Review mechanism**

It is proposed to include a financial viability review mechanism within the Section 106 agreement. This mechanism will require several reviews at key periods over the entire development.

### **RECOMMENDATION**

**Subject to the finalisation of a formal agreement under Section 106 of the Town and Country Planning Act 1990 in accordance with the Heads of Terms set out in the report, and finalisation (including additional conditions where necessary) of the conditions listed below, the committee resolves:**

- (i) it is mindful to grant permission for the development;**
- (ii) the decision be delegated to the Head of Development Management upon completion of the obligation;**
- (iii) if the obligation is not completed by 22 April 2015 the Head of Development Management be authorised to refuse the application on grounds of failure to provide adequate levels of:**
  - **provision of affordable housing (policy CS9 of the North Lincolnshire Core Strategy);**
  - **provision of educational facilities (policy C1 of the North Lincolnshire Local Plan);**
  - **highway infrastructure and highway safety (policies T2, T4 and T19 of the North Lincolnshire Local Plan);**

- **provision of flood risk mitigation measures (policy CS19 of the North Lincolnshire Core Strategy);**
- **provision of public open space/recreation (policy H10 of the North Lincolnshire Local Plan and SPG10):**

1.

The development hereby permitted shall be carried out in accordance with the Design and Access Statement (August 2013) and the Supplementary Planning and Design Statement (August 2014), and the following approved plans:

Cross-boundary

0787-GA-004 (rev F): East/West Link Road and Junction Highway Layout

0787-RP-001 (rev C): East/West Link Road and Junction Highway Longsections

0787-SD-001 (rev B): East/West Link Road, Typical Highway cross-sections

0787-SD-002 (rev A): East/West Link Road and Junction standard construction details

Application 4

759\_04\_07\_113 (PL2): Proposed Land Use

759\_04\_07\_114 (PL2): Proposed Densities

759\_04\_07\_116 (PL2): Building Heights

759\_04\_07\_117 (PL2): Proposed Access and Circulation (primary routes and access points only)

759\_04\_07\_120 (PL1): Tree and Hedgerow Retention and Removal

759\_00\_00\_066 Rev 2A: Illustrative Masterplan

Reason

To ensure the approved development is carried out in accordance with the approved plans and reflects the scale and nature of development assessed in the Environmental Impact Assessment.

2.

The development hereby permitted shall be begun either before the expiration of 8 years from the date of this permission or 3 years from the date of the first reserved matters being discharged.

Reason

To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

3.

The first application for approval of reserved matters shall be made to the local planning authority before the expiration of 5 years from the date of this permission. All subsequent reserved matters applications are to be made within a period of 20 years from the date of this permission.

Reason

To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

4.

No work shall commence (unless agreed to be enabling works) upon any phase or sub-phase of development until approval of all the reserved matters (details of the layout, scale

and appearance of the buildings and landscaping of the site) relating to that phase has been obtained in writing from the local planning authority. The development shall be carried out as approved.

#### Reason

The application is expressed in outline only and to comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

#### 5.

Prior to the submission of any application for approval of reserved matters on any part of the site, a Design Guide shall be submitted to and approved in writing by the local planning authority. The applicant shall prepare a Design Guide for the area to which the reserved matters relate and demonstrate how the guidance is integrated with the principles in the Design and Access Statement. The scope of the Design Guide will be agreed with the council depending on the timing and scale of the reserved matters application(s), and relationships with adjacent areas. In that context, any Design Guide could relate to specific geographical areas, phases or sub-phases of development to be agreed with the local planning authority.

The Design Guide will be developed in broad accordance with illustrative principles as defined in Part E of the Design and Access Statement (August 2013) and the Supplementary Planning and Design Statement (SPDS, 2014).

#### **Design Guide - scope**

The scope of the Design Guide will be agreed with the Council. It will include specific guidance, statements and design specifications and is likely to incorporate the following elements:

##### 1. Integration with the Masterplan:

- Design objectives
- Masterplan framework
- Movement and public realm
- Use, density and height
- Landscape strategy and structure

##### 2. Space typologies and public realm:

- Streets (east-west link road, key junctions, main streets, local streets, shared surface streets)
- Village structure (morphology, frontage conditions, parking arrangements, character and materiality)
- Village Spaces (village centres, village greens, local squares, Brumby Common, Brumby Grove, Eastern village parklands, Western village parklands and wetlands, Warping drain)



- Commercial Park (design objectives, layout principles, character and appearance)

### 3. Landscape:

- Landscape setting;
- Landscape edges;
- Green corridors;
- Lakes and wetlands;
- Ditches and swales;
- Attenuation areas;
- General planting, feature trees, street trees, hedgerows;
- Woodlands

A statement shall be submitted with each reserved matters application for any phase or sub phase, setting out how the application proposals comply with the Design Guide and the masterplan Design and Access Statement and the principles and parameters described and referred to in condition 8 above.

#### Reason

To ensure that the details of the development are satisfactory to the local planning authority in view of the nature and scale of the development proposed, and to ensure high standards of urban design, a comprehensively planned development and accordance with paragraphs 56 to 63 of the National Planning Policy Framework.

### 6.

A Site Wide Phasing Programme shall be submitted to the Local Planning Authority for approval in writing prior to or no later than concurrent with the submission of the first Reserved Matters application submitted for the site.

The Phasing Programme shall include a Phasing Plan and details of the proposed sequence of development across the entire illustrative masterplan area (i.e. land encompassed by the red line application areas of planning permissions PA/2013/1000, PA/2013/1001, PA/2013/1002 and PA/2013/1003), the extent and location of individual development phases or sub phases, including reference to the type and extent of any development envisaged in each phase, and a description of that development.

The Phasing Programme shall state when each of the following will be delivered:

- (a) Major access infrastructure including roads, footpaths and cycle ways;
- (b) Public open space areas including informal open spaces, recreation and sports areas, allotments, equipped play areas and ecological areas and habitats;
- (c) All structural and site wide landscaping and any additional green infrastructure, and;

(d) All strategic drainage and SUDS infrastructure.

No development shall commence until the Phasing Programme has been approved in writing by the Local Planning Authority and thereafter each reserved matters application for any phase or part of a phase submitted pursuant to 4 above (standard reserved matters condition) shall be accompanied by an updated phasing plan for the approval of the Local Planning Authority. The development shall then be carried out in accordance with the Phasing Programme as approved and updated.

Reason

To ensure that the development is delivered in a structured way in accordance with the approved parameter plans and in accordance with the emerging AAP and policies CS1 and CS4 of the North Lincolnshire Core Strategy.

7.

The development hereby approved shall not exceed the following maximum levels of development:

- 2,550 residential units (Use Class C3/C2)
- 3 form of entry Primary School (Use Class D1)
- 3,800 sq.m. Village Centre (Use Class A1, A2, A3, A4, A5, B1)
- 1,700 sq.m. Community Facilities (Use Class D1)

Reason

To define the terms of the permission and to ensure the appropriate density across the site.

8.

A statement shall be submitted with each reserved matters application for any phase or sub-phase setting out how the application proposals comply with the Design and Access Statement and the principles and parameters and the overall design guide as specified in condition 5.

Reason

To ensure that the details of the development are satisfactory to the local planning authority in view of the nature and scale of the development proposed.

9.

Prior to their implementation a description and programme of proposed enabling works is to be submitted to and approved by the Local Planning Authority. The approved enabling works shall not constitute the commencement of development hereby approved by this planning permission.

Reason

To define the terms of the permission and for the avoidance of doubt.

10.

Prior to the commencement of development a scheme for the annual monitoring of the following highway junctions is to be submitted to and approved by the Local Planning Authority:

1. Berkeley Circle
2. Existing M181 / Doncaster Road roundabout
3. Scotter Road / Brumby Wood Lane
4. Scotter Road / Burringham Road
5. Ashby Road / West Common Lane / Old Brumby Street

#### Reason

In the interests of highway safety in accordance with policy T2 of the North Lincolnshire Local Plan.

#### 11.

In respect of all non-major development roads and associated residential areas, i.e. those not approved under condition 10, the following standard highway conditions will apply to each separate phase of development:

- (a) No development shall take place (unless agreed to be enabling works) until details showing an effective method of preventing surface water run-off from hard paved areas within the site onto the highway have been approved in writing by the Local Planning Authority. These facilities shall be implemented prior to the access and parking facilities to which they apply being brought into use.
- (b) No loose material shall be placed on any driveway or parking area within 10 metres of the adopted highway unless measures are taken in accordance with details to be submitted and approved in writing by the Local Planning Authority. These facilities shall be implemented prior to the access and parking facilities being brought into use.
- (c) No dwelling on site shall be occupied until the vehicular access to it and the vehicular parking spaces serving it have been completed and, once provided, the vehicle parking space shall be retained.
- (d) No development shall begin until details of:
  - (i) The layout, drainage, construction, services and lighting of the proposed access road, including the junction with the adjacent highway; and
  - (ii) The number and location of vehicle parking space(s) on the site have been submitted to and approved in writing by the Local Planning Authority.
- (e) No dwelling on the site shall be occupied until the access road has been completed to at least base course level and adequately lit from the junction with the adjacent highway up the access to the dwelling.

- (f) No dwelling on the site shall be occupied until the footway has been constructed up to base course level from the junction with the adjacent highway to the access to the dwelling.
- (g) No works shall be commenced on the penultimate dwelling on the site until the access road has been completed.
- (h) No development, whether permitted by the Town and Country Planning General (Permitted Development) Order or not, shall take place within any service strip adjacent to any Shared Surface Road, and any planting or landscaping within this service strip shall be of species which shall be agreed in writing with the Local Planning Authority prior to planting.

The development should be carried out in accordance with the approved details.

#### Reason

In the interests of highway safety in accordance with policy T2 of the North Lincolnshire Local Plan.

#### 12.

All public open spaces/playing fields shall not be brought into use until an adequate and safe vehicular, pedestrian and cycle access has been completed to serve them.

#### Reason

In the interests of highway safety in accordance with policy T2 of the North Lincolnshire Local Plan.

#### 13.

Prior to the commencement of each phase or sub-phase of development (unless agreed to be enabling works), details of the following shall be submitted for approval and once approved shall be implemented for the duration of any construction works:

- (a) The location and size of temporary construction compounds;
- (b) The location, size and means of access for vehicles to car parking areas required by construction staff;
- (c) The location and size of unloading and loading areas;
- (d) The range of proposed working hours;
- (e) Wheel cleaning facilities;
- (f) Construction staff car parking;
- (g) An advanced direction signage programme for the site on and adjacent highway network;
- (h) Measures for the suppression of dust created by construction activity;
- (i) Location, height and luminance levels of any floodlighting;

- (j) A programme for the removal of temporary structures/buildings and a remediation strategy for the site.

The development should be carried out in accordance with the approved details.

Reason

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

14.

Prior to the commencement of each phase or sub-phase of development (unless agreed to be enabling works), a construction traffic management plan is to be submitted to and agreed in writing by the Local Planning Authority. The construction traffic management plan shall include details showing how construction traffic will avoid the use of the A18 through Althorpe or provide mitigation measures to allow the safe movement of goods along Station Road, Althorpe at Bridge DOW/37.

The development should be carried out in accordance with the approved details.

Reason

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

15.

No site preparation, earthworks and construction phase work shall be carried out until a formal Construction Environmental Management Plan (CEMP) is submitted to and approved in writing by the local planning authority. The approved CEMP must be implemented before and maintained during construction and maintenance of the relevant stage of the authorised development. No variation from the agreed CEMP shall be permitted without prior written approval from the Local Planning Authority. The CEMP shall include the following:

- Details of measures to be taken to avoid harm to reptiles, bats, nesting birds and water voles during site clearance and construction;
- Details of bat foraging corridors to be retained and protected during construction;
- Proposed timings for above works;
- Restrictions on external lighting to avoid impacts on bat foraging areas and sensitive habitats;
- Details of measures to minimise disturbance to the Primary Green Corridors proposed in the submitted Biodiversity Strategy;
- Sensitive working practices to avoid harm to reptiles, water voles, bats and nesting birds;
- Appropriate phasing mechanisms to ensure that significant areas of habitat are created and are becoming properly established before each phase of construction;

- Measures to avoid light, noise and water pollution, fly-tipping and other factors that would harm habitats and species;
- Formation and operation of an Environmental Steering Group, comprising the developer, the Council and other invited parties, to ensure implementation of environmental works; and
- Details of persons responsible for:
  - Compliance with legal consents relating to nature conservation;
  - Compliance with planning conditions relating to nature conservation;
  - Installation of physical protection measures during construction;
  - Implementation of sensitive working practices during construction;
  - Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction.

#### Reason

To ensure the construction of the development does not have an adverse impact upon ecology, in accordance with policies LC5 of the North Lincolnshire Local Plan and CS17 of the North Lincolnshire Core Strategy.

16.

No phase or sub-phase of development shall take place until the results of up-to-date protected species surveys, (i.e. no more than 3 years old) have been submitted to and approved in writing by the Local Planning Authority. Surveys shall be carried out by a suitably qualified ecologist at an appropriate time of the year and should include details of protection and/or mitigation, as appropriate.

#### Reason

To ensure the construction of the development does not have an adverse impact upon ecology, in accordance with policy LC5 of the North Lincolnshire Local Plan.

17.

No phase or sub-phase of development (as specified under the details submitted in condition 6) shall take place until a landscape and biodiversity management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), has been submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority. The Plan shall include the following elements:

- a) Details of the extent and type of new native planting and habitat creation;
- b) Details of the extent and type of retained habitats and features;
- c) Details of the key landscape and biodiversity functions of landscape components;
- d) Details of management objectives;

- e) Details of maintenance regimes;
- f) Details of treatment of site boundaries and/or buffers around water bodies (including ditches/drains);
- g) Details of management responsibilities (for the duration of the project and once complete);
- h) details of long-term monitoring of:
  - success of mitigation and enhancement measures for protected / notable species;
  - success of habitat creation, enhancement and management;
- i) Details of sensitive working practices to avoid harm to reptiles, water voles, bats, hedgehogs and nesting birds.
- j) Prescriptions for habitat enhancements for reptiles, water voles, invertebrates and foraging bats.
- k) Prescriptions for the creation and retention of at least ten bat lofts, with bat access points, in the roof voids of buildings near woodlands and wetlands.
- l) Prescriptions for the installation and retention of woodcrete bat boxes, bat bricks or bat access points in 10% of new dwellings concentrated near woodland and water.
- m) Prescriptions for the installation of swift boxes and sparrow terraces on houses.
- n) Prescriptions for the installation of a variety of bat boxes and nest boxes in retained woodland and otter holts in secluded wetlands.
- o) Prescriptions for biodiversity enhancements on the school buildings and school grounds.
- p) Prescriptions for the retention, creation, enhancement and on-going management of wet ditches, ponds and other wetlands.
- q) Prescriptions for the retention, creation, enhancement and on-going management of lowland dry acid grassland and mixed woodland.
- r) Prescriptions for landscaping using trees, shrubs and hedge plants of high biodiversity value- with a requirement for locally native species at the edge of the village and in natural habitat.
- s) Appropriate phasing mechanisms to ensure that significant areas of habitat are created and are becoming properly established before each phase of construction.
- t) Procedures for monitoring, wardening, control of access and on-going management of created habitats.
- u) Measures to avoid light, noise and water pollution, fly-tipping and other factors that would harm habitats and species.

#### Reason

To protect features of recognised nature conservation importance in accordance with policies CS5 and CS17 of the North Lincolnshire Core Strategy.

18.

Prior to the introduction of landscaping for each phase or sub-phase of development (as specified under the details submitted in condition 6), a schedule of landscape and biodiversity maintenance for a minimum period of five years shall be submitted to and approved by the Local Planning Authority and shall include details of the arrangement for its implementation.

The Landscape and Biodiversity Management Plan shall be carried out in accordance with the approved details and timings, and the approved features shall be retained thereafter, unless otherwise approved in writing by the local planning authority.

#### Reason

To protect features of recognised nature conservation importance in accordance with policies CS5 and CS17 of the North Lincolnshire Core Strategy.

19.

Prior to the commencement of development, the applicant or their successors in title shall agree in writing with the local planning authority the terms of reference for an environmental steering group to oversee implementation of ecological mitigation measures and sensitive working practices. The steering group shall comprise suitably experienced representatives of the applicant or their successor, the local planning authority and other appropriate organisations by agreement. The steering group shall meet at least annually from the commencement of development to at least five years after the completion of works on the open spaces shown on submitted drawing number 759\_04\_07\_118 Revision PL2 for an annual monitoring review, unless otherwise agreed in writing with the local planning authority. Prior to the meeting, an environmental report, completed to an agreed standard, shall be provided by the applicant or their successor in title to all steering group members. Environmental actions agreed by the environmental steering group shall be implemented in full in accordance with agreed timescales.

Each year within the above period, the applicant or their successor in title shall provide the local planning authority with 21 days' notice of an intended annual monitoring review and use reasonable endeavours to agree a mutually acceptable date for the annual monitoring review with the local planning authority.

#### Reason

To provide environmental controls in accordance with policies CS5 and CS17 of the Core Strategy.

20.

All existing trees within the site shall be retained, unless shown on the approved landscape drawings as being removed. All trees on and immediately adjoining the site shall be protected from damage as a result of works on the site, to the satisfaction of the Local Planning Authority in accordance with BS5837:2012, for the duration of the works on site. In the event that trees become damaged or otherwise defective during such period, the Local Planning Authority shall be notified as soon as reasonably practicable and remedial action agreed and implemented. In the event that any tree dies or is removed without the prior



consent of the Local Planning Authority, it shall be replaced as soon as is reasonably practicable and, in any case, by not later than the end of the first available planting season, with trees of such size, species and in such number and position as may be agreed with the Local Planning Authority.

#### Reason

In order to protect the existing trees on the site in accordance with policy CS16 of the North Lincolnshire Core Strategy.

#### 21.

All existing trees, shrubs and other natural features not scheduled for removal shall be fully safeguarded during the course of the site works and building operations. No work on any phase or sub-phase shall commence on site until all trees, shrubs or features to be protected are fenced along a line to be agreed with the Local Planning Authority with:

- (a) 1.2m minimum height chestnut paling to BS 1722 Part 4 standard securely mounted on 1.2m minimum height timber posts driven firmly into the ground; or
- (b) 2.4m minimum height heavy duty hoardings securely mounted on scaffold poles; or
- (c) A suitable alternative that is agreed in writing with the local planning authority.

Such fencing shall be maintained during the course of the works on site. No unauthorised access or placement of goods, fuels or chemicals, soils or other materials shall take place inside the fenced area.

#### Reason

In order to protect the existing trees on the site.

#### 22.

All existing hedges or hedgerows shall be retained, unless shown on the approved drawings as being removed. All hedges and hedgerows on and immediately adjoining the site shall be protected from damage for the duration of works on the site. This shall be to the satisfaction of the Local Planning Authority in accordance with relevant British Standards (BS 5837:2012). Any parts of hedges or hedgerows removed without the Local Planning Authority's consent or which die or become, in the opinion of the Local Planning Authority, seriously diseased or otherwise damaged within five years following contractual practical completion of the approved development shall be replaced as soon as is reasonably practicable and, in any case, by not later than the end of the first available planting season, with plants of such size and species and in such positions as may be agreed with the Authority.

#### Reason

In order to protect the existing hedgerows on the site in accordance with policy CS16 of the North Lincolnshire Core Strategy.

#### 23.

No development shall take place within any phase or sub-phase until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

- (a) Proposed finished levels or contours;

- (b) Means of enclosure;
- (c) Car parking layouts;
- (d) Water features;
- (e) Other vehicle and pedestrian access and circulation areas;
- (f) Hard surfacing materials;
- (g) Minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting, etc.)
- (h) Existing vegetation and landscape features retained;
- (i) Proposed soft landscape elements (planting and seeding) including 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; and, implementation programme.

The development should be carried out in accordance with the approved details.

**Reason**

To ensure the development complies with policy CS17 of the North Lincolnshire Core Strategy.

**24.**

All hard and soft landscape works shall be carried out in accordance with the approved details for each phase or sub-phase of development in accordance with a programme agreed with the local planning authority. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

**Reason**

To ensure the implementation and maintenance of the submitted scheme of landscaping for the proposed development.

**25.**

Prior to the introduction of landscaping for each phase or sub-phase of development a schedule of landscape and biodiversity maintenance for a minimum period of five years shall be submitted to and approved by the Local Planning Authority and shall include details of the arrangement for its implementation.

**Reason**

To ensure the implementation and maintenance of the submitted scheme of landscaping for the proposed development.

**26.**

Prior to submission of the details in pursuance of the outline permission, the applicant or their agents or successors in title shall complete the archaeological evaluation in

accordance with the Written Scheme of Investigation Lincolnshire Lakes Project: Framework For Archaeological Investigation and Mitigation Strategies, AC Archaeology, dated June 2014, rev October) and shall submit reports to the Planning Authority. The archaeological evaluation will include the:

- Fieldwalking survey
- Geophysical survey
- Geoarchaeology/palaeo-environmental assessment
- Trial trenching

Reason

To comply with policy HE9 of the North Lincolnshire Local Plan because the site lies in an area of archaeological interest.

27.

The details submitted in pursuance of the outline permission shall be accompanied or preceded by the submission to the Planning Authority of an Archaeological Impact Assessment Report and Mitigation Strategy providing proposals for preservation in situ, or for the investigation, recording and recovery of archaeological remains and the publishing and archiving of results, including plans defining the areas for archaeological mitigation, which shall be subject to the approval in writing of the Planning Authority.

Reason

To comply with policy HE9 of the North Lincolnshire Local Plan because the site lies in an area of archaeological interest.

28.

No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of the programme of archaeological work set out in the approved Archaeological Mitigation Strategy, and until detailed project designs for site and post-excavation assessment works have been submitted to, and approved in writing by, the Planning Authority including:

- i. A timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the strategy.
- ii. Monitoring arrangements, including the notification in writing to the North Lincolnshire Historic Environment Record of the commencement of archaeological works and the opportunity to monitor such works.
- iii. A list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications.

Reason

To comply with policy HE9 of the North Lincolnshire Local Plan because the site lies in an area of archaeological interest.

29.

The archaeological evaluation and mitigation strategies shall be carried out in accordance with the approved details and timings, subject to any variations agreed in writing by the local planning authority.

Reason

To comply with policy HE9 of the North Lincolnshire Local Plan because the site lies in an area of archaeological interest.

30.

The final phase of the development hereby approved by this permission shall not be occupied or brought into use until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Archaeological Mitigation Strategy and until the applicant, or their agents or successors in title, has secured the implementation of an updated project design providing for the analysis, publication and dissemination of results and archive deposition that has been submitted to, and approved in writing by, the Planning Authority.

Reason

To comply with policy HE9 of the North Lincolnshire Local Plan because the site lies in an area of archaeological interest.

31.

A copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at the North Lincolnshire Historic Environment Record within one year of the date of completion of the development hereby approved by this permission or such other period as may be agreed in writing by the local planning authority.

Reason

To comply with policy HE9 of the North Lincolnshire Local Plan because the site lies in an area of archaeological interest.

32.

Prior to the commencement of each phase of development an updated Flood Risk Assessment (FRA) shall be submitted to and agreed in writing by the local planning authority in accordance with the scope for the FRA that shall previously have been submitted to and approved in writing by the Environment Agency.

The FRA shall be undertaken in accordance with the requirements of the National Planning Policy Framework (NPPF) and associated guidance and make use of the best available information on flood risk.

The scope of the updated FRA which shall previously have been agreed by the EA shall also include, but not be limited to, the following:

- An assessment of the impact of ground water levels on flood risk and on the proposed mitigation measures;
- Specify the required finished floor levels which shall be in accordance with the standards of protection set out in section 6.1 of the Peter Brett Associates FRA (project reference 25561/008 Rev AA August 2013); and

- Provide details of the appropriate flood risk mitigation, including piling design and extent of works, and safe access and egress for existing properties.
- An assessment of the ongoing maintenance requirements of the mitigation proposed, once the scheme has been completed, including details of how and by whom these will be managed over the lifetime of the development, to be agreed in writing by the local planning authority.

Development shall proceed in accordance with the updated and approved FRA.

Reason

To reduce the potential impact of flooding in accordance with policies DS16 of the North Lincolnshire Local Plan and CS19 of the North Lincolnshire Core Strategy.

33.

Prior to the commencement of each phase of the development a detailed surface water drainage scheme for the site shall be submitted to and approved in writing by the local planning authority. The scheme shall be based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development.

The drainage scheme shall demonstrate that surface water run-off generated up to and including the 100 years critical storm (including an allowance for climate change) will not exceed the run-off from the undeveloped site. It shall also include details of how the resulting completed scheme is to be maintained and managed so that flood risk, both on and off the site is not increased.

The drainage scheme shall be consistent with any existing broader strategy proposed for the Lincolnshire Area Action Plan (AAP) and shall be implemented in accordance with the timetable agreed therein.

The scheme shall subsequently be implemented in accordance with the approved details prior to the occupation of any dwellings constructed within that phase.

Reason

To reduce the potential impact of flooding in accordance with policies DS16 of the North Lincolnshire Local Plan and CS19 of the North Lincolnshire Core Strategy.

34.

Prior the commencement of each phase of the development a scheme to strengthen the existing flood defences (in the area of river frontage shown to be within the redline boundary of application 4 on drawing number 759\_00\_07111. Rev PL1) shall be submitted to and approved in writing by the local planning authority. The scheme detail to be approved shall be for a length of continuous piling which shall be in accordance with the Environment Agency design standards for stand-alone defences. The scheme shall demonstrate that there is an appropriate method of construction which takes account of land ownership issues and all relevant consents. The scheme shall proceed in full accordance with the approved details prior to the occupation of any dwellings constructed within that phase.

#### Reason

To reduce the potential impact of flooding in accordance with policies DS16 of the North Lincolnshire Local Plan and CS19 of the North Lincolnshire Core Strategy.

35.

Prior to the commencement of each phase of development a scheme for the construction of the proposed lakes shall be submitted to and agreed in writing by the local planning authority. The primary function of the proposed lakes will comply with section 5 of the Lincolnshire Lakes AAP. Details of the lakes shall include but shall not be limited to the following:

- Sectional scaled drawings of the lakes showing depth, gradient and water levels;
- Method of construction including timescale/use of machinery and plant;
- Water management strategy;
- Details of geology, substrates and any artificial liners;
- Biodiversity features to be incorporated into each lake; and
- Details of any plants and animals including fish to be introduced or encouraged.

#### Reason

To reduce the potential impact of flooding in accordance with policies DS16 of the North Lincolnshire Local Plan and CS19 of the North Lincolnshire Core Strategy.

36.

No building works comprising the erection of a building required to be served by water services shall be undertaken until details of a scheme, including phasing, for main sewerage and off-site sewage treatment has been submitted to and approved in writing by the local planning authority. The works shall be implemented in full prior to the occupation of any buildings within the relevant phase(s) of the development.

#### Reason

To ensure satisfactory drainage is provided in accordance with policy DS14 of the North Lincolnshire Local Plan.

37.

Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts 1 to 4 below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning authority in writing until part 4 has been complied with in relation to that contamination.

#### **Part 1: Site Characteristics**

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning

Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
  - human health,
  - property (existing or proposed) including buildings, crops, livestock, pets,
  - woodland and service lines and pipes,
  - adjoining land,
  - groundwaters and surface waters,
  - ecological systems,
  - archaeological sites and ancient monuments;
- (iv) an appraisal of remedial options, and a proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the management of Land Contamination, CLR 11'.

### **Part 2: Submission of Remediation Scheme**

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

### **Part 3: Implementation of Approved Remediation Scheme**

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

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

#### **Part 4: Reporting of Unexpected Contamination**

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Part 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Part 2, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with Part 3.

##### **Reason**

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy DS7 of the North Lincolnshire Local Plan.

38.

The development hereby permitted shall not be occupied until a scheme which includes the following measures has been submitted to and approved by the Local Planning Authority. The scheme shall be submitted in full unless the Local Planning Authority dispenses with any such requirement specifically and in writing:

1. A comprehensive site survey by a competent person shall determine the existence, extent and concentrations of any landfill gas with the potential to reach the application site. The requirements of the Planning Authority shall be fully established before the site survey is commenced. Two full copies of the survey, findings and conclusions shall be submitted to the Planning Authority without delay upon completion.
2. A written scheme to be implemented and completed by a competent person detailing measures to contain, manage and/or monitor any landfill gas with the potential to reach the application site shall be submitted to the Local Planning Authority. The scheme shall be agreed in writing with the Local Planning Authority prior to the commencement of development and implemented prior to occupation of the development. No deviation shall be made from this scheme without the express written agreement of the Local Planning Authority.

##### **Reason**

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy DS7 of the North Lincolnshire Local Plan.

39.

No development (unless agreed to be enabling works) shall take place until a Noise Impact Assessment has been submitted to and approved in writing by the Local Planning Authority. The Noise Impact Assessment report shall provide details of existing background noise levels, existing noise sources likely to impact upon the proposed development, new noise sources likely to impact upon any sensitive locations, mitigation methods to be employed



and the resulting predicted levels of noise at sensitive locations. Any approved mitigation measures shall be carried out in their entirety before the use of the site commences and shall be retained thereafter.

#### Reason

For the protection of residential amenity and prevention of unacceptable adverse noise impact at community facilities in accordance with policy DS1 of the North Lincolnshire Local Plan.

40.

No development shall commence until an assessment of the potential for light impact has been undertaken, submitted to and approved in writing by the Local Planning Authority. The assessment shall include:

- Identification of sensitive receptors likely to be impacted upon by light nuisance,
- A lighting scheme which proposes methods of mitigation against potential light nuisance, including potential glare and light spill, on sensitive receptors.

Once approved the agreed lighting scheme shall be implemented and permanently retained. Any deviation from the agreed lighting scheme shall require approval in writing by the Local Planning Authority.

#### Reason

For the protection of residential amenity and to prevent adverse environmental impact, in accordance with policy DS1 of the North Lincolnshire Local Plan.

41.

Construction operations shall be limited to the following hours unless otherwise agreed in writing by the Local Planning Authority:

07:00 to 19:00hrs Monday to Friday.

07:00 to 13:00hrs Saturday.

No construction operations on Sundays or public holidays.

HGV movements shall not be permitted outside these hours during the construction phase without prior written approval from the Local Planning Authority.

Installation of equipment on site shall not be permitted outside these hours without prior written approval from the Local Planning Authority.

#### Reason

For the protection of residential amenity and to prevent adverse environmental impact, in accordance with policy DS1 of the North Lincolnshire Local Plan.

42.

No stage of the development hereby permitted shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following:

- (1) Noise and vibration: The CEMP shall set out the particulars of:
- a) the works, and the method by which they are to be carried out;
  - b) the noise and vibration attenuation measures to be taken to minimise noise and vibration resulting from the works, including any noise limits; and
  - c) a scheme for monitoring the noise and vibration during the works to ensure compliance with the noise limits and the effectiveness of the attenuation measures
- (2) Light: The CEMP shall set out the particulars of:
- a) Specified locations for contractors' compounds and materials storage areas,
  - b) Areas where lighting will be required for health and safety purposes,
  - c) Location of potential temporary floodlights,
  - d) Identification of sensitive receptors likely to be impacted upon by light nuisance,
  - e) Proposed methods of mitigation against potential light nuisance, including potential glare and light spill, on sensitive receptors.
- (3) Air Quality and Dust.

The approved CEMP must be implemented before and maintained during construction and maintenance of the relevant stage of the authorised development. No variation from the agreed CEMP shall be permitted without prior written approval from the Local Planning Authority.

#### Reason

For the protection of residential amenity and to prevent adverse environmental impact, in accordance with policy DS1 of the North Lincolnshire Local Plan.

43.

Each reserved matters application shall contain details of the proposed open space, allotments and play provision including proposed quantum, type and location.

#### Reason

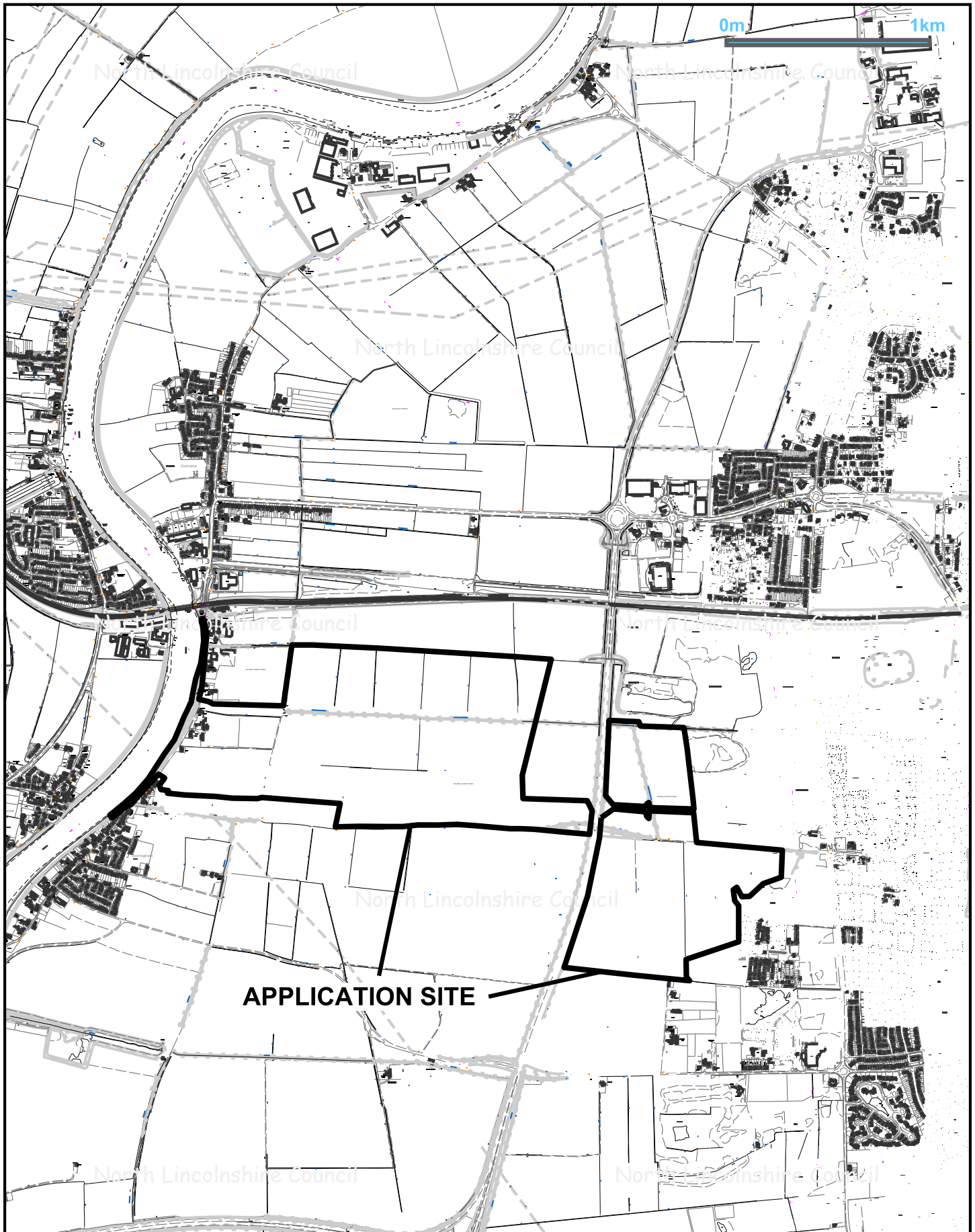
To ensure that the development complies with policy H10 of the North Lincolnshire Local Plan, SPG10 and policy CS5 of the North Lincolnshire Core Strategy.

#### **Informative 1**

This application must be read in conjunction with the relevant Section 106 Agreement.

#### **Informative 2**

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



**APPLICATION SITE**

Title: PA/2014/1000

Drawn by: Sue Barden

Date: 08/10/2014

Scale 1:25000



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Ordnance Survey 0100023560



Director of Places  
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