

<b>APPLICATION NO</b>	<b>PA/2015/0025</b>
<b>APPLICANT</b>	Scunthorpe United Football Club
<b>DEVELOPMENT</b>	Hybrid planning permission for 12,000 capacity football stadium (Class D2); café/bar (A3/A4); offices (Class B1); 94-bed hotel (Class C1); gymnasium (Class D2); crèche (Class D1); launderette (Sui Generis); show venue (Sui Generis); outdoor training football pitch (Class D2); site access, car parking and associated infrastructure, landscaping and drainage. Outline planning application for multi-use arena (Class D2) and outdoor football pitches (Class D2), with all matters reserved save for access.
<b>LOCATION</b>	Land north of Brumby Common Lane, Burringham
<b>PARISH</b>	<b>BURRINGHAM</b>
<b>WARD</b>	Burringham and Gunness
<b>CASE OFFICER</b>	David Wordsworth
<b>SUMMARY RECOMMENDATION</b>	<b>Minded to approve</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Direction from Highways England & Holding Objection from Environment Agency

#### **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 20 - To help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century.

Paragraph 24 – Local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date local plan. They should require applications for main town centre uses to be located in town centres, then in edge-of-centre locations and only if suitable sites are not available should out-of-centre sites be considered. When considering

edge-of-centre and out-of-centre proposals, preference should be given to accessible sites that are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale.

Paragraph 26 – When assessing applications for retail, leisure and office development outside of town centres, which are not in accordance with an up-to-date local plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floor space threshold (if there is no locally set threshold, the default threshold is 2,500 square metres). This should include assessment of:

the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and

the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made. For major schemes where the full impact will not be realised in five years, the impact should also be assessed up to ten years from the time the application is made.

Paragraph 27 – Where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the above factors, it should be refused.

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 34 – Plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. However this needs to take account of policies set out elsewhere in the NPPF, particularly in rural areas.

Paragraph 36 – A key tool to facilitate this will be a travel plan. All developments which generate significant amounts of movement should be required to provide a travel plan.

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 70 – To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;

guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;

ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community; and

ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.

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 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.

Paragraphs 109 – The planning system should contribute to and enhance the natural and local environment by:

protecting and enhancing valued landscapes, geological conservation interests and soils;

recognising the wider benefits of ecosystem services;

minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;

preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and

remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

Paragraph 128 – In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to

include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

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 S8, S9, IN3, T2, T6, T8, T9, T14, T15, T18, T19, R5, R13, R14, C3, LC1, LC2, LC4, LC5, LC6, LC7, LC12, HE9, DS1, DS3, DS7, DS11, DS12, DS13, DS14, DS15 and W10.

**North Lincolnshire Core Strategy:** Policies CS1, CS2, CS3, CS4, CS5, CS6, CS7, CS11, CS14, CS15, CS16, CS17, CS18, CS19, CS22, CS23, CS25 and CS27.

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

The emerging Lincolnshire Lakes AAP has been produced for the Lincolnshire Lakes 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 document has proceeded through two rounds of consultation and has been submitted to the

Planning Inspectorate for Examination in Public. The preferred option includes a 23 hectare commercial park adjacent to the existing M181 within a lakeside setting. This is the site of the proposed football stadium.

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

## **CONSULTATIONS**

**Environment Agency:** Object on the following grounds:

The flood risk assessment (FRA) does not adequately assess flood risks of the site using the most up-to-date information available on flood risk.

The hydraulic modelling prepared by the applicants required updating with the most up-to-date interim water levels for the Humber that were produced by the EA following the 2013 tidal surge.

The FRA makes reference to passive breach arresters (PBAs) whereas it was agreed in the processing of the Lucent application that strengthening of the River Trent flood defences would be through continuous sheet piling in addition to the raising of ground levels.

**Highways:** No objections subject to the imposition of conditions.

**Environmental Protection:** Recommend conditions regarding contaminated land, the control of operational noise, floodlighting and the control of operations throughout the construction phase.

**Historic Environment Record:** Originally raised an objection to the proposal as further information was required following a heritage desk-based assessment and archaeological field evaluation to inform the mitigation proposals. The impact of the development on all heritage assets is a material consideration and the NPPF includes policies to guide the determination of applications relating to designated and non-designated heritage assets.

In order to progress the outstanding work required a stand-alone framework document is to be prepared by the applicants incorporating a project design and method statement for the auger survey. Details of this work will be required prior to the survey commencing. At the time of writing it is expected that planning conditions will be attached which will ensure that a programme of archaeological works is undertaken and completed ahead of construction.

**Lincolnshire Wildlife Trust:**

A previous application on this site (PA/2013/1003) submitted by Lucent indicated a large lake identified for water vole mitigation. This application doesn't include the same provision, only a series of smaller water bodies that will not provide the same level of habitat or act as a water vole receptor site.

The Environmental Statement suggests an updated water vole survey will be carried out in spring 2015, however this information should be used to inform the new mitigation strategy.

The Earl Beauchamp's Warring Drain was identified as supporting a large population of water voles. The development will impact upon this drain through additional culverts and other engineering works causing disturbance.

More detail is required of how these impacts will be mitigated to ensure water voles are protected.

Mitigation plans should be submitted for reptiles such as lizards.

The development does not make enough contribution towards achieving a net gain for biodiversity on the site.

Species-rich grassland areas are very limited and are surrounded by larger areas of low-maintenance amenity grass. Consideration should be given to replacing some or all of the low-maintenance grass with additional species-rich areas.

The southern part of the site should provide full details of landscaping and other schemes to be implemented, for example new and re-configured water bodies that are to be designed with a 1 metre wide shelf are not included on the cross-section drainage plans.

Information should be submitted relating to lighting to ensure that dark corridors are retained suitable for bat foraging.

#### **Public Health:**

No objections to the application and welcome the benefits the proposal will bring in terms of playing pitch facilities and opportunities for local residents to engage in sport.

No reference is made to cycle parking.

It is not clear what public transport provision will be included.

At present the application appears to favour car and coach travel.

It is hoped that this development will bring a positive impact upon lack of physical activity and obesity within North Lincolnshire.

#### **Natural England:**

The proposal is unlikely to have a significant effect on any European site and can therefore be screened out from any requirement for further assessment. Bird species which are interest features of the Humber Estuary Special Protection Area (SPA) have not been found on the site in significant numbers and the site does not represent a significant habitat resource for SPA birds.

Natural England have not assessed this application for impacts on protected species.

Natural England notes this application is being made prior to the adoption of the Lincolnshire Lakes Area Action Plan (AAP) and has concerns that the delivery of green infrastructure within the AAP could be harmed by a site-based approach which doesn't fully take into account environmental connectivity across the whole area.

Consideration needs to be given to measures for securing the enhancement of biodiversity on the site.

**Humberside Fire and Rescue Service:** Make comments regarding the provision of water supplies for fire-fighting. (This can be attached to any grant of permission as an informative.)

**National Planning Casework Unit:** No comments.

**Highways England:** Have imposed a holding direction whereby planning permission cannot be granted for three months from the date of the direction (6 February 2015) to allow time for the Transport Assessment to be fully reviewed and any issues resolved.

**Sport England:**

As part of the consultation, Sport England contacted the Football Association who commented that *the club has been discussing the plans with the FA and Football Stadia Improvement Fund (FSIF) for some time. As such the existing design reflects these discussions. It is hoped that as the project progresses the FA, Lincolnshire FA and FSIF reps will be consulted to ensure the development is fully compliant with 'The Green Guide'.*

Sport England is satisfied the stadium and training pitch will meet FA specifications.

It is considered that the proposal is consistent with the following policy objective: (3) to ensure that new sports facilities are planned for and provided in a positive and integrated way and that opportunities for new facilities are identified to meet current and future demands for sporting participation. No objections.

**Environment Team (Public Rights of Way):** No comments.

**Environment Team (Ecology):**

The submitted Environmental Statement reveals the proposal could affect ditches, water voles, reptiles, nesting birds and bats.

Planning conditions are advised to minimise harm to protected and priority species and habitats, and to seek biodiversity enhancements in accordance with the National Planning Policy Framework.

**Environment Team (Trees):** Originally raised concerns regarding details for the tree pits but subsequently removed the objection subject to conditions regarding details of the tree pits and requiring a five-year maintenance plan

**PARISH COUNCILS**

**Gunness Parish Council:** Makes the following comments:

Access to the site from the M181 (supposedly being de-trunked) to A-road status requires completion prior to construction work on the new stadium. This decision is the remit of the highways authority and was to be part of Lucent's Lincolnshire Lakes development.

Gunness Parish Council appreciates being consulted as a neighbouring parish because the development could have an effect on parts of Gunness.

**Burringham Parish Council:** Makes the following comments:

The proposed development is on a flood plain.

What flood defence measures will be taken?

## **PUBLICITY**

The proposal has been advertised in the press and by site notices. At the time of writing 22 letters have been received, 21 of which are in support. The comments received are summarised as follows:

The proposal will ease traffic around the Berkeley Circle area.

The proposal shows ambition and investment in Scunthorpe as a town.

Reservations are expressed about only 900 car parking spaces being provided which equates to just 3,600 supporters, even if each car only had 4 occupants.

If the club is to be sustainable it would require an average attendance of 7,500 which is 4,000 supporters over and above the maximum catered for in the car parks, so how are these people expected to get to the stadium?

It is unacceptable to use the residential streets of new housing development as overspill parking.

The plans include too much landscaping and not enough parking spaces. An additional 2,000 spaces are needed.

The committee is urged to grant permission but reserve the matter of parking until additional spaces are provided.

This proposal may encourage people to stop over rather than returning to their homes outside North Lincolnshire.

The proposal would result in an increase in local business.

The development would be a great asset to the town and the Lincolnshire Lakes project.

This proposal would increase facilities for the general public as well.

The proposal would provide better options for visitors to the town, including football supporters, for eating, drinking and accommodation.

The development would relieve pressure on the roads in and around Glanford Park.

The football stadium would help improve the perception of Scunthorpe as well as the football club.

The proposal would improve current facilities, and enhance the area and the image of the town.

This development would be a catalyst for further investment and economic development, and also provide a superb facility for the community.

The proposal would complement the recent retail developments and help invigorate the whole town.

This is a state-of-the-art stadium capable not only of hosting football but other events, as well as an integral hotel – a very big positive on the whole.

## **BACKGROUND**

Scunthorpe United currently play their League 1 home games at Glanford Park, close to the M181 motorway, which opened in 1988 and has a current capacity of just over 9,000. However, the applicants state that the club's aspirations are no longer met by the existing stadium and they wish to realise their ambitions of playing in a higher division. The football club's aspirations for relocation are outlined in the planning statement as:

the provision of a sustainable future

the Stadium will be in keeping with "Championship" level football

alleviate existing traffic-related issues with Glanford Park

allow the Academy to grow

the provision of a stadium that the town and the club can be proud of

the provision of facilities for the local community.

In October 2014 four applications were presented to the Planning Committee which represented the first phase of the Lincolnshire Lakes development. The Planning Committee was minded to approve the applications subject to details regarding the affordable housing element in application 1 being referred back to the committee. Also during 2014 Scunthorpe United Football Club commenced discussions with council officers and announced its intentions for relocating to a new stadium.

The application site was selected because it has the benefit of the site being included within the Lincolnshire Lakes Area Action Plan and the Planning Committee resolution to grant planning permission for a mixed use development for the following commercial uses:

A1 (Food)

A2 (Financial and Professional Services)

A3 (Food and Drink)

A4 (Drinking Establishment)

A5 (Hot Food Takeaway)

B1 (Business)

C1 (Hotels)

D2 (Assembly and Leisure).

The site is located centrally within the group of Lucent applications that sit within the northern part of the Lincolnshire Lakes Area Action Plan which is planned to be developed out between the period from 2015 to 2028. The Lincolnshire Lakes project aims to deliver approximately 6,000 houses with access to new employment retail and leisure facilities within a modern campus environment, thereby providing an exciting new gateway with a waterside setting. Policy CS1 of the Core Strategy refers to the Lincolnshire Lakes project as a major flagship urban renaissance project which will be delivered to enhance the town and its image. Paragraph 1.4 of the Core Strategy summarises the importance of the Lincolnshire Lakes and states:

*'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 and the potential for a dynamic new football stadium being developed at the heart of the new development was conceived.

## **ASSESSMENT**

This application is a hybrid planning application for a proposed mixed use sports development for Scunthorpe United Football Club on land to the north of Brumby Common Lane, to the west of Scunthorpe. The application was submitted with the following documents:

Environmental Impact Assessment

Design and Access Statement

Flood Risk Assessment

Planning Statement

Energy and Sustainability Statement

Transport Assessment

Statement of Community Involvement

Surface Drainage and Strategy Report

Geo Environmental Desktop Study.

The site is rectangular in shape and consists of 23 hectares, with precisely the same boundary as application 3 that was submitted by Lucent for the commercial park at Lincolnshire Lakes (PA/2013/1003). The site is dissected by the Earl Beauchamp's Warping Drain; the southern part of the site will form the site of the full planning application for a 12,000 capacity football stadium, with a number of other ancillary uses including offices,

hotel, gymnasium, site access, car parking and associated infrastructure/landscaping and drainage. The complete list of proposed uses within this part of the proposal is shown in the table attached below. The part of the site that lies to the north of the Warping Drain is the outline planning application with all matters reserved for subsequent approval other than the access. The uses proposed in this element are a multi-use arena and outdoor football pitches which both fall within Use Class D2 (Assembly and Leisure).

**Table 1**

**Full planning application:**

Use	Use Class	GEA (sq.m.)
12,000 capacity football stadium	D2	16,050
Café / Bar	A3 or A4	985
Offices	B1	5,018
Hotel (94 bedrooms)	C1	5,227
Gymnasium	D2	1,553
Crèche	D1	81
Launderette	Sui Generis	161
Show Venue	Sui Generis	941
Outdoor football training pitch	D2	-
Site access, car parking and associated infrastructure, landscaping and drainage	-	-

**Outline planning application (all matters reserved save for access):**

Use	Use Class	GEA (sq.m.)
Multi-use arena	D2	-
Outdoor football pitches	D2	-

**The key issues to be considered in the determination of this planning application are whether the principle of development is acceptable, whether the access and transportation issues surrounding access to the site and parking have been adequately addressed, and whether the drainage and flood risk mitigation proposals are acceptable.**

**Principle of development**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. In this instance the development plan consists of the North Lincolnshire Local Plan (NLLP) which was adopted in May 2003 and the North Lincolnshire Core Strategy (NLCS) which was adopted in June 2011. Material considerations exist in the form of the National Planning Policy Framework (NPPF) and the suite of documents comprising the National Planning Practice Guidance (NPPG), the emerging Lincolnshire Lakes Area Action Plan and the motion carried by Planning Committee in October 2014 in favour of the granting of planning permission for the first phase of the Lincolnshire Lakes development being delegated to the Head of Development Management.

In terms of the development plan, the Core Strategy has embedded the Lincolnshire Lakes development within the key policies set to deliver spatial strategy for North Lincolnshire, such as policy CS1. Similarly, the Lincolnshire Lakes development is included within policy CS4 (creating a renaissance in North Lincolnshire by the delivery of several major transformational projects).

In assessing the principle of development, in addition to the site being incorporated into the strategic policies of the development plan, additional weight can be attributed to the emergence of the Lincolnshire Lakes Area Action Plan (AAP) that has proceeded through two rounds of consultation and is to be assessed at the forthcoming examination in public (EIP). The AAP gives a formal layer of detail to the strategic policy background and as the AAP progresses towards adoption this framework subsequently gathers more weight in terms of the decision-making context.

The emerging AAP suggests this site will be devoted to a mix of uses, including a sports stadium (Use Class D2 – Assembly and Leisure). The proposal is thus compliant with the AAP and, with the variety of uses proposed in this application, an alternative site for the commercial park will not be required.

Finally, given the motion carried at the October 2014 Planning Committee that enables planning permission to be granted by the Head of Development Management for the first phase of the Lincolnshire Lakes Development, this is considered to establish the principle of development for the following uses within that application:

Class A1 (Food) – maximum GEA 5,575 square metres

Class A3 (Restaurants) – maximum GEA 800 square metres

Class A5 (Hot Food Takeaways)

Class D2 (Sports, Health and Leisure Facility) – maximum GEA 4,000 square metres

Class C1/A4 (Hotel and Public House) – maximum GEA 6,500 square metres

Class B1 (Business Park/Offices) – maximum GEA 6,860 square metres.

Given the significant reduction in the town centre type uses within the commercial park planning application, to those within this application (shown within Table 1), it is felt that any potential adverse impacts upon Scunthorpe town centre will be significantly reduced from those already considered as part of the commercial park.

For the reasons outlined above it is considered that the principle of development is acceptable, particularly having regard to the planning policy context.

### **Community involvement**

The applicants' agents commenced discussions with officers of North Lincolnshire Council in 2014. Scunthorpe United Football Club engaged with supporters of the club, local residents and local councillors to inform them of the proposed development. Additionally three presentations and open public exhibitions were held in April, August and December 2014 at the club's current ground, Glanford Park. Prior to the December exhibition a nearly 5,000 leaflet drop was conducted in the locality in addition to social media announcements. The exhibition was attended by over 100 people and verbal and written feedback was

recorded. A summary of comments is included within the Statement of Community Involvement (SCI) submitted with the application. Comments were directed to the applicants' consultants and architect to inform the proposal.

### **Environmental Impact Assessment (EIA)**

Included within the Environmental Impact Assessment the following areas were assessed:

traffic and transportation

noise and vibration

air quality, dust and odour

landscape and visual impact

archaeology and cultural heritage

biodiversity

agricultural land

lighting

hydrology, water resources and flood risk

ground conditions and contamination

socio-economics

waste

cumulative effects.

The EIA has been assessed by council officers resulting in the internal consultation responses summarised above.

### **Access and transportation issues**

Vehicular access into the site is proposed to be served from two access points to the eastern boundary of the application site. Firstly, access from the western arm of the northern junction (as shown within the Lincolnshire Lakes Area Action Plan) that is to be provided as part of the Lincolnshire Lakes development (subject to planning application PA/2013/1002) which will connect to Brumby Common Lane to the east. (This junction is likely to be constructed once the terminating or southern junction is under construction.) Secondly, access from a link road that connects with a signalised junction to be provided to the north of the northern junction, also as part of the Lincolnshire Lakes development.

Highways England (formerly the Highways Agency) registered a holding objection for a three-month period to allow time for the transport assessment (TA) to be fully reviewed and any issues resolved. The response was dated 6 February 2015. The Highways Agency raised the following concerns:

The Highways Agency has concerns regarding the suggested access points because the TA relies on improvements that have not yet been implemented and therefore clarification is needed on access arrangements during the construction and operation phases of the proposed development.

Clarification was also required on spectator trips to the stadium.

Further information was required regarding pedestrian movement to and from the site.

Parking and traffic management was a concern on match days which would adversely impact on traffic flows and unacceptable parking may impact on the network.

With regard to the local highway authority, whilst concerns were raised regarding similar issues as Highways England, these matters have now been addressed and the Highways department now recommends conditions. It should also be noted that the application for de-trunking of the M181 motorway and creation of the northern junction (PA/2013/1002) was also subject to an initial holding direction by Highways England, which they removed subject to conditions. The concerns surrounding gaining access to the site are considered to be addressed because 'grampian' type conditions are attached requiring details to be submitted and the timing of the commencement of the development and occupation of the facilities.

### **Flood risk mitigation and drainage issues**

The Environment Agency (EA) originally objected to the proposal for the following reasons:

The flood risk assessment (FRA) does not adequately assess flood risks of the site because it does not fully assess the risk of overtopping and breach from the River Trent using the most up-to-date information available on flood risk.

The hydraulic modelling prepared by the applicants required updating with the most up-to-date interim water levels for the Humber that were produced by the EA following the 2013 tidal surge.

The FRA made reference to passive breach arresters (PBAs) whereas it was agreed in the processing of the Lucent application that strengthening of the River Trent flood defences would be through continuous sheet piling in addition to the raising of ground levels.

The applicants were requested by the EA to submit additional modelling to update the FRA with the new available data regarding river levels and includes climate change.

The applicants subsequently undertook the required re-modelling work and submitted this for assessment. The Technical Note accompanying the revisions recognises that the current levels for the proposed development are still sufficient following the most recent data from 2013 floods following the implementation of the piling along the River Trent. As such, no changes are anticipated to floor levels to that submitted, however the FRA and Surface Drainage Strategy have been updated accordingly.

The conclusions of the updated Flood Risk Assessment are summarised below:

Existing levels of the site range from 2.1 to 2.6 metres AOD. The site levels are to be raised as part of the proposed development to a minimum level of 2.6 metres AOD which equates to the 1 in 1000 year breach flood level.

The overall risk of flooding to the site has been assessed as low, taking account of the existing mitigation measures, specifically the river flood defences and a managed drainage network.

Providing appropriate drainage design measures are implemented, there will be no adverse flood risk to areas in the vicinity of the site.

It is considered that the proposed development will not increase the likelihood of flooding on site or in the surrounding area provided that the criteria set out above are applied to the design.

At the time of writing the report a revised consultation response from the Environment Agency is awaited.

## **Archaeology**

The councils' Historic Environment Record (HER) officer originally objected to the application because there was insufficient information available to adequately assess the nature, depth, extent and significance of the archaeological and palaeo-environmental resource within the application site. Any archaeological remains present within the site are likely to be destroyed or substantially adversely affected by the extensive groundwork associated with the proposed development across the entire site. The applicants were consequently requested to provide an archaeological field evaluation.

Consequently a standalone framework document for the application was requested that should incorporate a project design and method statement for the auger survey to be undertaken by a specialist and include a timetable for undertaking the trenching and any appropriate pre-commencement mitigation programme of work.

At the time of writing a field walking report and draft framework for archaeological investigation and mitigation has been submitted to the council for consideration. The following information is required to complete the assessment:

undertaking of the auger survey

completion of the geophysical survey and report

submission of an agreed framework for archaeological mitigation for the proposed application that includes a detailed programme of further survey and pre-commencement recording.

On submission of this information it is likely that conditions can be attached to secure the implementation of the required mitigation.

## **Design**

Prior to the applicants securing agreement with the current site owners the football club considered various other sites and design options available. One option was to redevelop the stadium on the Glanford Park site but issues such as size of pitch, format of existing buildings, and current and future access were all constraints that would cause significant problems. Another option was to relocate the football club on a new site to the west of the existing M181 motorway and north of the Lucent planning applications. This site was large enough to accommodate the stadium and ancillary facilities but had potential access issues.

Issues such as land use, impact upon ecology and trees were broadly comparable to the application site. The planning implications of the alternative site were deemed to be more significant as the site did not have any previous permissions for development whereas the Lincolnshire Lakes site was allocated within the emerging Lincolnshire Lakes Area Action Plan and a planning application on the site was progressing through the system.

A number of potential site layouts were considered based on the club's criteria. One such criteria for the stadium is to produce a landmark building that demonstrates a high standard of design.

The final design that evolved produced a building of steel-frame construction with concrete terrace units to the pitch-side seating areas, utilising a mix of materials including cladding, glazed curtain walling and render.

The sweeping curve on the main stand was designed to provide an eye catching feature and it is felt that overall the design of the stadium does achieve a high standard of design quality. The stadium building has been designed to incorporate a range of other facilities such as hotel, office and gymnasium which, in terms of usage, viability and operation will provide footfall, activity and interest beyond the operation of the stadium.

With regard to the remainder of the southern part of the site, the majority of the site surrounding the stadium incorporates car parking areas for both the stadium and the hotel, within a well landscaped area with water attenuation features. The outdoor football pitch adjacent to the stadium is for the training purposes of the football club.

### **Other matters**

No precise details have been provided for the future of the current stadium site which, in planning terms, will be a previously developed site within the development boundary. With regard to the comments and concerns of the Lincolnshire Wildlife Trust, these matters are dealt with by conditions recommended by the council's ecologist. With regard to use of the show venue, there are no details regarding its operation at this time, however it is anticipated to be used on matchdays as an entertainment area and could be managed independently of the football club. Details can be controlled by condition.

### **Community use**

With regard to the football stadium, other outdoor sports pitches and multi-use arena, these elements are within the northern (outline planning application) area and therefore no detailed designs have been provided at this stage. This area will be made available for community use when not used by the football club's academy. The applicants state that the pitches and facilities will be designed to a high standard and will encourage participation in football and other sports among local communities. The details of usage can be provided in the reserved matters application and this matter can be dealt with by a planning condition.

## **RECOMMENDATION**

### **Minded to approve subject to:**

- (i) the Direction from Highways England being removed;**
- (ii) the objection from the Environment Agency being removed; and**

**(iii) confirmation of completion of the archaeological assessment and the objection from HER being removed subject to conditions;**

**with issuing the decision being delegated to the Head of Development Management subject to the following conditions and any further conditions that are deemed necessary:**

**Full planning permission:**

1.

The development must be begun before the expiration of three years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.

The development hereby permitted shall be carried out in accordance with the approved plans listed on the attached schedule.

Reason

For the avoidance of doubt and in the interests of proper planning.

3.

The development hereby permitted shall not be occupied until a scheme which includes the following measures has been submitted to and approved in writing 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:

- (i) 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 local 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 local planning authority without delay upon completion.
- (ii) 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

In the interests of public safety.

4.

Prior to commencement of the development, a noise impact assessment report for the development shall be 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, the prevention of unacceptable adverse noise impact at community facilities, and to ensure suitability for the hotel site in accordance with policies DS1 and DS11 of the North Lincolnshire Local Plan.

#### 5.

Construction operations shall be limited to the following hours unless otherwise agreed in writing by the local planning authority:

- 7am to 7pm Monday to Friday

- 7am to 1pm on Saturdays.

No construction operations shall take place on Sundays or public/bank 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, in accordance with policy DS1 of the North Lincolnshire Local Plan.

#### 6.

Prior to the commencement of development for each phase or sub-phase, a construction environmental management plan (CEMP) shall be submitted to and approved in writing by the local planning authority. No variation from the agreed CEMP shall be permitted without prior written approval from the local planning authority. The CEMP shall include the following:

- (a) details of measures and sensitive working practices to be taken to avoid harm to protected or otherwise notable wildlife, particularly reptiles, water voles, bats, hedgehogs, nesting birds and uncommon aquatic plants during site clearance and construction
- (b) details of bat foraging corridors to be retained and protected during construction
- (c) a detailed water vole mitigation and enhancement plan to include:
  - measures to be implemented before construction to displace, translocate or exclude water voles from the construction working areas;

- measures to be implemented during construction to avoid killing or injuring water voles within retained habitats;
  - establishment of receptor sites and enhancement areas;
  - consideration of appropriate phasing of construction and creation of required receptor sites, enhancement areas and ditches to ensure appropriate levels of (adequately mature) habitat provision at appropriate times;
  - long term monitoring of water vole populations;
- (d) proposed timings for the above works
- (e) restrictions on external lighting to avoid impacts on bat foraging areas and sensitive habitats
- (f) appropriate phasing mechanisms to ensure that significant areas of habitat are created and are becoming properly established before each phase of construction
- (g) measures to avoid light, noise and water pollution, fly-tipping and other factors that would harm habitats and species
- (h) noise and vibration. The CEMP shall set out the particulars of:
- the works, and the method by which they are to be carried out;
  - the noise and vibration attenuation measures to be taken to minimise noise and vibration resulting from the works, including any noise limits; and
  - 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
- (i) light. The CEMP shall set out the particulars of:
- specified locations for contractors' compounds and materials storage areas;
  - areas where lighting will be required for health and safety purposes;
  - location of potential temporary floodlights;
  - identification of sensitive receptors likely to be impacted upon by light nuisance;
  - proposed methods of mitigation against potential light nuisance, including potential glare and light spill, on sensitive receptors;
- (j) air quality and dust.

#### Reason

For the protection of residential amenity and to prevent adverse environmental impact in accordance with policies CS1 and CS17 of the North Lincolnshire Core Strategy.

7.

The approved CEMP must be complied with during construction of the relevant phase 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 policies CS1 and CS17 of the North Lincolnshire Core Strategy.

8.

No phase or sub-phase of development shall take place until the results of up-to-date protected species surveys, (ie no more than three years old), which shall include details or protection and/or mitigation as required, 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 implemented in accordance with the approved details.

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 and policy CS17 of the North Lincolnshire Core Strategy.

9.

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 and implemented in accordance with the approved details. These details shall include:

- (i) proposed finished levels or contours;
- (ii) means of enclosure;
- (iii) car parking layouts;
- (iv) water features;
- (v) other vehicle and pedestrian access and circulation areas;
- (vi) hard surfacing materials;
- (vii) minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting, etc);
- (viii) existing vegetation and landscape features retained;
- (ix) 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 shall be carried out in accordance with the approved details.

Reason

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

10.

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.

11.

No development shall take place on any phase or sub-phase of the development until a light impact assessment has been carried out, 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; and
- 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 and/or mitigation measure shall be implemented prior to the first occupation of development of the phase or sub-phase and retained thereafter. 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.

12.

The development shall not commence until a landscape and biodiversity management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas, 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:

- details of the extent and type of new native planting and habitat creation
- details of the extent and type of retained habitats and features
- details of the key landscape and biodiversity functions of landscape components
- details of management objectives

- details of maintenance regimes
- details of treatment of site boundaries and/or buffers around water bodies (including ditches/drains)
- details of management responsibilities (for the duration of the project and once complete)
- details of long-term monitoring of:
  - success of mitigation and enhancement measures for protected/notable species;
  - success of habitat creation, enhancement and management.

The plan shall include:

- (a) prescriptions for habitat enhancements for reptiles, water voles, invertebrates, aquatic plants and foraging bats;
- (b) prescriptions for the installation and retention of woodcrete bat boxes, bat bricks or bat access points in 10% of new buildings concentrated near woodland and water;
- (c) prescriptions for the installation of swift boxes and sparrow terraces on buildings;
- (d) prescriptions for the installation of a variety of bat boxes and nest boxes in trees and tern rafts in the proposed lake;
- (e) prescriptions for the retention, creation, enhancement and ongoing management of wet ditches, ponds and other wetlands;
- (f) 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;
- (g) appropriate phasing mechanisms to ensure that significant areas of habitat are created and are becoming properly established before each phase of construction;
- (h) procedures for monitoring, wardening, control of access and ongoing management of created habitats;
- (i) measures to avoid light, noise and water pollution, flytipping and other factors that would harm habitats and species.

#### Reasons

To protect features of recognised nature conservation importance in accordance with policies CS5 and CS17 of the North Lincolnshire Core Strategy and to ensure that the proposed mitigation and enhancement measures are developed and located in a way that contributes to the nature conservation value of the site in accordance with the National Planning Policy Framework, paragraphs 109 and 118.

13.

Once agreed in writing, 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.

14.

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 lakes and tree planting areas shown on submitted drawing number 759\_00\_00\_066 revision 2A 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 North Lincolnshire Core Strategy.

15.

Any tree pits constructed in accordance with tree planting scheme (to be submitted in relation to condition 10) shall be constructed in accordance with plans 10791/L05 Rev A, L06 Rev A and L07 Rev A.

Reason

In order to secure the timely completion and successful establishment of the approved scheme of landscaping for the site.

16.

All works indicated by the approved scheme of landscaping shall be carried out within the first planting season (1 October to 31 March) and seeding season (the month of September or April) following the granting of the permission or within such extended time period as may be agreed in writing by the local planning authority. Any trees or plants which within a period of 5 years from the completion of the landscaping die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species to those originally required to be planted unless the local planning authority have given written consent to any variation.

Reason

In order to secure the timely completion and successful establishment of the approved scheme of landscaping for the site.

17.

Prior to the commencement of development, details shall be submitted to the local planning authority to show the incorporation within the scheme of renewable energy to provide at least 20% of the proposed building's total predicted energy requirements. Such equipment as approved in writing by the local planning authority shall be fully installed and in operation prior to the commencement of use of any part of the building hereby permitted.

Reason

To ensure compliance with policy CS18 of the North Lincolnshire Core Strategy relating to climate change and in order to reduce carbon emissions.

18.

Prior to the commencement of use and operation of the football stadium development, details shall be submitted to and agreed in writing by the local planning authority of the operation/use of the non-football uses within the stadium (offices, hotel, gymnasium, crèche, launderette and show venue) hereby granted, and the approved details shall be complied with in their entirety. Details for submission shall include, but not be limited to, hours of operation, ventilation, lighting, deliveries and customer parking provision.

Reason

To ensure that the operation and use does not adversely affect future occupants of the nearest residential properties that may be built on the surrounding sites, in accordance with policy DS1 and DS11 of the North Lincolnshire Local Plan.

**Highway conditions (subject to amendment)**

19.

No development shall take place until details of the method of accessing the site from the M(A)181, including the proposed roundabout junction, signalised junction, connecting roads and means of pedestrian access, have been submitted to and approved in writing by the local planning authority. Such details shall accord with planning permission PA/2013/1002 unless a variation is agreed in writing by the local planning authority.

Reason

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

20.

Prior to the commencement of any development on site the details of the following shall be submitted for approval:

- (a) (i) the number, location and layout of vehicular accesses to the site
- (ii) the number, location and layout of vehicle parking spaces, including access aisles, surface markings and turning facilities

- (iii) the location and layout of vehicle loading, off-loading and turning facilities for delivery vehicles
  - (iv) the pedestrian means of access to all buildings
  - (v) adequate cycle parking
- (b) the major (primary and secondary) internal development roads for the site
  - (c) the major drainage infrastructure (including SUDS)
  - (d) the location and layout of the proposed commercial units
  - (e) proposed bus strategy, including bus routes and bus stop locations/infrastructure
  - (h) the routing of all other primary footway/cycleway infrastructures and their links with adjacent areas
  - (i) provision of street lighting, street furniture and signage
  - (j) a suitable development timetable and phasing plan.

**Reason**

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

**21.**

All works submitted for approval shall comprise full engineering drawings that have been the subject of a stage 2 safety audit and all works needed to facilitate any individual unit shall be completed in accordance with the approved details prior to that unit being brought into use.

**Reason**

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

**22.**

Neither the football stadium nor any other individual unit on the site shall be brought into use until:

- (a) the access roads to the service and customer parking area;
- (b) the loading, off-loading and turning areas for all vehicles; and
- (c) the parking spaces and access aisles (including surface markings);

serving them have been provided in accordance with the approved details and all these facilities shall thereafter be so retained.

**Reason**

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

23.

A travel plan for the entire site shall be provided and approved in writing by the local planning authority prior to occupation. Once operational, the travel plan shall be implemented, reviewed, updated and amended as necessary for the first five years of operation for each development. The travel plan shall include details of:

- (a) the travel plan co-ordinator, including name, contact details, job description, working hours, annual budget for promotion, publicity and monitoring;
- (b) how sustainable transport, such as walking, cycling and public transport, will be promoted;
- (c) a monitoring strategy.

Reason

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

24.

No occupation shall take place until an updated car park plan (including any interim overspill provision) serving the stadium capable of catering for matchday traffic has been submitted to and approved in writing by the local planning authority.

Reason

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

25.

The development shall not be occupied until details of direction signs, both pedestrian and vehicular, to be erected at locations around the town, have been submitted to and approved in writing by the local planning authority and the approved details shall be implemented before the development is brought into use.

Reason

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

26.

Before the development is brought into use an event management plan shall be submitted to and approved in writing by the local planning authority. This plan shall include measures to manage traffic within the site and the surrounding highway network, supported if required by Traffic Regulation Orders. This plan shall also include co-operation with and the involvement of the Police for off-site traffic management. The approved plan shall be implemented on event/matchdays. The details to be submitted shall include a timetable of monitoring/updating the plan. The development shall be carried out in accordance with the approved event management plan and the timetable for its monitoring/updating.

Reason

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

27.

No development shall take place until a detailed construction phase traffic management plan showing:

- (a) the means of access to the site for construction traffic and any off-site highway works necessary to facilitate it;
- (b) the routing of all delivery vehicles and staff/construction movements;
- (c) any abnormal load movements;
- (d) contractor parking and welfare facilities;
- (e) storage of materials;
- (f) traffic management requirements on the adjacent highway;
- (g) detailed route/condition assessments;
- (h) wheel cleaning facilities;

has been submitted to and approved in writing by the local planning authority. Once approved the plan shall be implemented, reviewed and updated as necessary throughout the construction period.

Reason

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

28.

At no time shall Farmers Lane (also known as Brumby Common Lane and Nuddocks Lane) be used to service the site for construction purposes or operational use of the football stadium or ancillary uses.

Reason

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

### **(Archaeology conditions to be advised)**

#### **Informative**

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.

## Drawings schedule

5197/A0/1 Rev H1	- Ground Level (0) Plan
5197/A0/2 Rev H1	- Level 1 Plan
5197/A0/3 Rev H1	- Level 2 Plan
5197/A0/4 Rev H1	- Level 3 Plan
5197/A0/5	- Longitudinal Section / Elevation 'A-A'
5197/A0/6	- Cross Section / Elevation 'B-B'
5197/A0/7	- South Elevation
5197/A0/8	- West Elevation
5197/A0/9	- North Elevation
5197/A0/10	- East Elevation
5197/A0/11 Rev A1	- Roof Plan
5197/A0/12	- Site Boundary Plan
5197/A0/13	- Detailed / Outline Application Boundary Plan
5197/A0/14	- Detailed Site Masterplan
5197/A0/15 Rev H1	- Level 4 Plan
5197/A0/16 Rev S1	- Site Masterplan with Lucent Development
5197/A0/17	- Existing Site Plan 1 of 2
5197/A0/18	- Existing Site Plan 2 of 2
5197/CGI/01	- 3D Visualisation
5197/CGI/02	- 3D Visualisation
5197/CGI/03	- 3D Visualisation
5197/CGI/04	- 3D Visualisation
6695-D400	- Site Layout – Drainage Plan and Details
6695-E501	- Site Layout – Proposed Levels

## Landscape plans

10791/L01	- General Arrangement Plan – Area 1
10791/L02	- General Arrangement Plan – Area 2
10791/L03	- Planting Plan – Area 1
10791/L04	- Planting Plan – Area 2
10791/L05 Rev A	- Tree Pit Detail for Car Park
10791/L06 Rev A	- Tree Pit Detail for Hard Standing Areas
10791/L07 Rev A	- Tree Pit Detail for Soft Areas

## **Outline planning permission:**

1.

Approval of the details of the layout, scale and appearance of the building(s), and the landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the local planning authority in writing before any development is commenced.

### **Reason**

The application has been made under Article 3(1) of the Town & Country Planning (General Development Procedure) Order 1995.

2.

Plans and particulars of the reserved matters referred to in condition 1 above, relating to the layout, scale and appearance of any buildings to be erected, and the landscaping of the site, shall be submitted in writing to the local planning authority and shall be carried out as approved.

### **Reason**

The application has been made under Article 3(1) of the Town & Country Planning (General Development Procedure) Order 1995.

3.

Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

### **Reason**

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

4.

The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

### **Reason**

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

5.

When details of reserved matters are submitted to the local planning authority they shall be accompanied by the following:

- 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.

7.

Construction operations shall be limited to the following hours unless otherwise agreed in writing by the local planning authority:

- 7am to 7pm Monday to Friday
- 7am to 1pm on Saturdays.

No construction operations shall take place on Sundays or public/bank 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, in accordance with policy DS1 of the North Lincolnshire Local Plan.

8.

Prior to the commencement of development for each phase or sub-phase, a construction environmental management plan (CEMP) shall be submitted to and approved in writing by the local planning authority. No variation from the agreed CEMP shall be permitted without prior written approval from the local planning authority. The CEMP shall include the following:

- (a) details of measures and sensitive working practices to be taken to avoid harm to protected or otherwise notable wildlife, particularly reptiles, water voles, bats, hedgehogs, nesting birds and uncommon aquatic plants during site clearance and construction
- (b) details of bat foraging corridors to be retained and protected during construction
- (c) a detailed water vole mitigation and enhancement plan to include:
  - measures to be implemented before construction to displace, translocate or exclude water voles from the construction working areas;
  - measures to be implemented during construction to avoid killing or injuring water voles within retained habitats;
  - establishment of receptor sites and enhancement areas;
  - consideration of appropriate phasing of construction and creation of required receptor sites, enhancement areas and ditches to ensure appropriate levels of (adequately mature) habitat provision at appropriate times;
  - long term monitoring of water vole populations;

- (d) proposed timings for the above works
- (e) restrictions on external lighting to avoid impacts on bat foraging areas and sensitive habitats
- (f) appropriate phasing mechanisms to ensure that significant areas of habitat are created and are becoming properly established before each phase of construction
- (g) measures to avoid light, noise and water pollution, fly-tipping and other factors that would harm habitats and species
- (h) noise and vibration. The CEMP shall set out the particulars of:
  - the works, and the method by which they are to be carried out;
  - the noise and vibration attenuation measures to be taken to minimise noise and vibration resulting from the works, including any noise limits; and
  - 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
- (i) light. The CEMP shall set out the particulars of:
  - specified locations for contractors' compounds and materials storage areas;
  - areas where lighting will be required for health and safety purposes;
  - location of potential temporary floodlights;
  - identification of sensitive receptors likely to be impacted upon by light nuisance;
  - proposed methods of mitigation against potential light nuisance, including potential glare and light spill, on sensitive receptors;
- (j) air quality and dust.

#### Reason

For the protection of residential amenity and to prevent adverse environmental impact in accordance with policies CS1 and CS17 of the North Lincolnshire Core Strategy.

9.

The approved CEMP must be complied with during construction of the relevant phase 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 policies CS1 and CS17 of the North Lincolnshire Core Strategy.

10.

No phase or sub-phase of development shall take place until the results of up-to-date protected species surveys, (ie no more than three years old), which shall include details or protection and/or mitigation as required, 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 implemented in accordance with the approved details.

#### 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 and policy CS17 of the North Lincolnshire Core Strategy.

#### 11.

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 and implemented in accordance with the approved details. These details shall include:

- (i) proposed finished levels or contours;
- (ii) means of enclosure;
- (iii) car parking layouts;
- (iv) water features;
- (v) other vehicle and pedestrian access and circulation areas;
- (vi) hard surfacing materials;
- (vii) minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting, etc);
- (viii) existing vegetation and landscape features retained;
- (ix) 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 shall be carried out in accordance with the approved details.

#### Reason

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

#### 12.

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.

13.

No development shall take place on any phase or sub-phase of the development until a light impact assessment has been carried out, 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; and
- 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 and/or mitigation measure shall be implemented prior to the first occupation of development of the phase or sub-phase and retained thereafter. 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.

14.

The development shall not commence until a landscape and biodiversity management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas, 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:

- details of the extent and type of new native planting and habitat creation
- details of the extent and type of retained habitats and features
- details of the key landscape and biodiversity functions of landscape components
- details of management objectives
- details of maintenance regimes
- details of treatment of site boundaries and/or buffers around water bodies (including ditches/drains)
- details of management responsibilities (for the duration of the project and once complete)
- details of long-term monitoring of:

- success of mitigation and enhancement measures for protected/notable species;
- success of habitat creation, enhancement and management.

The plan shall include:

- (a) prescriptions for habitat enhancements for reptiles, water voles, invertebrates, aquatic plants and foraging bats;
- (b) prescriptions for the installation and retention of woodcrete bat boxes, bat bricks or bat access points in 10% of new buildings concentrated near woodland and water;
- (c) prescriptions for the installation of swift boxes and sparrow terraces on buildings;
- (d) prescriptions for the installation of a variety of bat boxes and nest boxes in trees and tern rafts in the proposed lake;
- (e) prescriptions for the retention, creation, enhancement and ongoing management of wet ditches, ponds and other wetlands;
- (f) 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;
- (g) appropriate phasing mechanisms to ensure that significant areas of habitat are created and are becoming properly established before each phase of construction;
- (h) procedures for monitoring, wardening, control of access and ongoing management of created habitats;
- (i) measures to avoid light, noise and water pollution, flytipping and other factors that would harm habitats and species.

#### Reasons

To protect features of recognised nature conservation importance in accordance with policies CS5 and CS17 of the North Lincolnshire Core Strategy and to ensure that the proposed mitigation and enhancement measures are developed and located in a way that contributes to the nature conservation value of the site in accordance with the National Planning Policy Framework, paragraphs 109 and 118.

15.

Once agreed in writing, 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.

16.

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 lakes and tree planting areas shown on submitted drawing number 759\_00\_00\_066 revision 2A 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 North Lincolnshire Core Strategy.

#### 17.

Any tree pits constructed in accordance with tree planting scheme (to be submitted in relation to condition 12) shall be constructed in accordance with plans 10791/L05 Rev A, L06 Rev A and L07 Rev A.

#### Reason

In order to secure the timely completion and successful establishment of the approved scheme of landscaping for the site.

#### 18.

All works indicated by the approved scheme of landscaping shall be carried out within the first planting season (1 October to 31 March) and seeding season (the month of September or April) following the granting of the permission or within such extended time period as may be agreed in writing by the local planning authority. Any trees or plants which within a period of 5 years from the completion of the landscaping die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species to those originally required to be planted unless the local planning authority have given written consent to any variation.

#### Reason

In order to secure the timely completion and successful establishment of the approved scheme of landscaping for the site.

#### 19.

Prior to the commencement of development, details shall be submitted to the local planning authority to show the incorporation within the scheme of renewable energy to provide at least 20% of the proposed building's total predicted energy requirements. Such equipment

as approved in writing by the local planning authority shall be fully installed and in operation prior to the commencement of use of any part of the building hereby permitted.

**Reason**

To ensure compliance with policy CS18 of the North Lincolnshire Core Strategy relating to climate change and in order to reduce carbon emissions.

20.

Upon submission of matters reserved for subsequent approval, details shall be submitted to and approved in writing of the means by which the sports pitches and multi-use arena will be available for use by the community, and the approved details shall be complied with in their entirety. Details to be submitted shall include, but not be limited to:

- hours of operation;
- means of ensuring community programmes have regular access;
- a method of ensuring security; and
- access for emergency vehicles.

**Reason**

To ensure satisfactory arrangements are in place to allow community use of the facilities to be provided.

**Highway conditions (subject to amendment)**

21.

No development shall take place until details of the method of accessing the site from the M(A)181, including the proposed roundabout junction, signalised junction, connecting roads and means of pedestrian access, have been submitted to and approved in writing by the local planning authority. Such details shall accord with planning permission PA/2013/1002 unless a variation is agreed in writing by the local planning authority.

**Reason**

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

22.

Prior to the commencement of any development on site the details of the following shall be submitted for approval:

- (a) (i) the number, location and layout of vehicular accesses to the site
- (ii) the number, location and layout of vehicle parking spaces, including access aisles, surface markings and turning facilities
- (iii) the location and layout of vehicle loading, off-loading and turning facilities for delivery vehicles
- (iv) the pedestrian means of access to all buildings

- (v) adequate cycle parking
- (b) the major (primary and secondary) internal development roads for the site
- (c) the major drainage infrastructure (including SUDS)
- (d) the location and layout of the proposed commercial units
- (e) proposed bus strategy, including bus routes and bus stop locations/infrastructure
- (h) the routing of all other primary footway/cycleway infrastructures and their links with adjacent areas
- (i) provision of street lighting, street furniture and signage
- (j) a suitable development timetable and phasing plan.

Reason

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

23.

All works submitted for approval shall comprise full engineering drawings that have been the subject of a stage 2 safety audit and all works needed to facilitate any individual unit shall be completed in accordance with the approved details prior to that unit being brought into use.

Reason

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

24.

Neither the football stadium nor any other individual unit on the site shall be brought into use until:

- (a) the access roads to the service and customer parking area;
- (b) the loading, off-loading and turning areas for all vehicles; and
- (c) the parking spaces and access aisles (including surface markings);

serving them have been provided in accordance with the approved details and all these facilities shall thereafter be so retained.

Reason

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

25.

A travel plan for the entire site shall be provided and approved in writing by the local planning authority prior to occupation. Once operational, the travel plan shall be implemented, reviewed, updated and amended as necessary for the first five years of operation for each development. The travel plan shall include details of:

- (a) the travel plan co-ordinator, including name, contact details, job description, working hours, annual budget for promotion, publicity and monitoring;
- (b) how sustainable transport, such as walking, cycling and public transport, will be promoted;
- (c) a monitoring strategy.

Reason

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

26.

No occupation shall take place until an updated car park plan (including any interim overspill provision) serving the stadium capable of catering for matchday traffic has been submitted to and approved in writing by the local planning authority.

Reason

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

27.

The development shall not be occupied until details of direction signs, both pedestrian and vehicular, to be erected at locations around the town, have been submitted to and approved in writing by the local planning authority and the approved details shall be implemented before the development is brought into use.

Reason

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

28.

Before the development is brought into use an event management plan shall be submitted to and approved in writing by the local planning authority. This plan shall include measures to manage traffic within the site and the surrounding highway network, supported if required by Traffic Regulation Orders. This plan shall also include co-operation with and the involvement of the Police for off-site traffic management. The approved plan shall be implemented on event/matchdays. The details to be submitted shall include a timetable of monitoring/updating the plan. The development shall be carried out in accordance with the approved event management plan and the timetable for its monitoring/updating.

Reason

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

29.

No development shall take place until a detailed construction phase traffic management plan showing:

- (a) the means of access to the site for construction traffic and any off-site highway works necessary to facilitate it;
- (b) the routing of all delivery vehicles and staff/construction movements;
- (c) any abnormal load movements;
- (d) contractor parking and welfare facilities;
- (e) storage of materials;
- (f) traffic management requirements on the adjacent highway;
- (g) detailed route/condition assessments;
- (h) wheel cleaning facilities;

has been submitted to and approved in writing by the local planning authority. Once approved the plan shall be implemented, reviewed and updated as necessary throughout the construction period.

#### Reason

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

30.

At no time shall Farmers Lane (also known as Brumby Common Lane and Nuddocks Lane) be used to service the site for construction purposes or operational use of the football stadium or ancillary uses.

#### Reason

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

### **(Archaeology conditions to be advised)**

#### **Informative**

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.



PA/2015/0025 Proposed layout - Not to scale

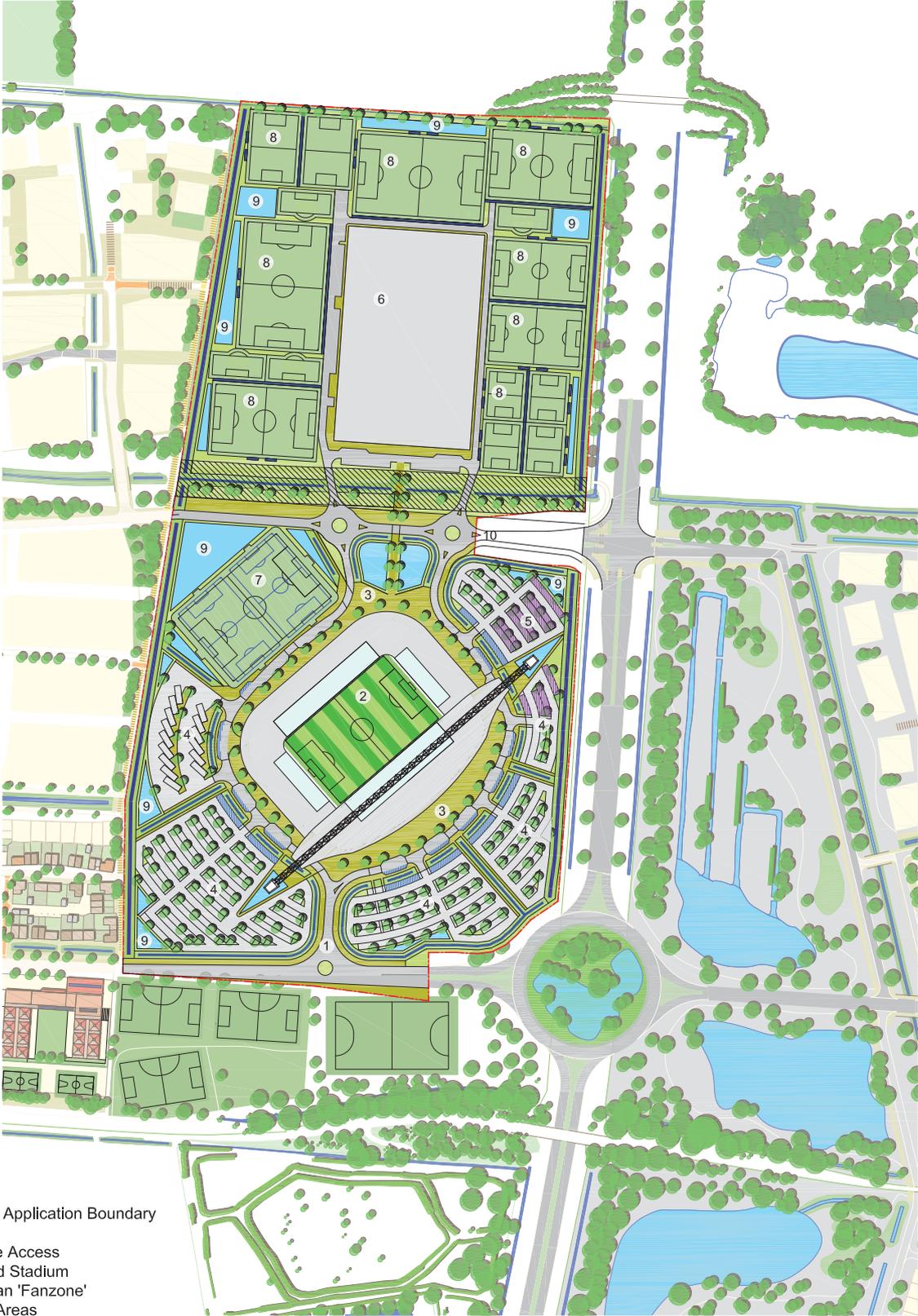




PA/2015/0025 Proposed Visualisation -Not to scale



PA/2015/0025 Proposed Visualisation- Not to scale



KEY

- Planning Application Boundary
- 1 Main Site Access
- 2 Proposed Stadium
- 3 Pedestrian 'Fanzone'
- 4 Parking Areas
- 5 Hotel Parking
- 6 Multi-use Indoor Area
- 7 Artificial Football Pitch
- 8 Grass Football Pitches
- 9 Water Attenuation / Reflection Pools
- 10 Secondary Site Access

Note: All areas shown outside the Planning Application Boundary to be provided by Lucent Development.