

<b>APPLICATION NO</b>	<b>PA/2007/0828</b>
<b>APPLICANT</b>	Gallagher Estates Ltd
<b>DEVELOPMENT</b>	Outline planning permission for residential development, open space, primary school and associated access and landscaping (access not reserved for subsequent approval)
<b>LOCATION</b>	Land rear of Tesco, Doncaster Road, east of A1077, Flixborough/Gunness/Scunthorpe
<b>PARISH</b>	<b>FLIXBOROUGH, GUNNESS AND SCUNTHORPE</b>
<b>WARD</b>	Burton-upon-Stather & Winterton Burringham and Gunness Crosby & Park
<b>SUMMARY RECOMMENDATION</b>	<b>Subject to the completion of a Section 106 Agreement, grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Officer discretion – the time period for completion of the Section 106 agreement has now lapsed
<b>POLICIES</b>	<b><i>National</i></b>  <b>Planning Policy Statement 1 – Delivering Sustainable Development:</b> Issued in 2005, PPS1 sets out the Government's policies and the ways in which the planning system can contribute to the delivery of sustainable development. Local planning authorities are encouraged to facilitate and promote sustainable and inclusive patterns of development, both in urban and rural areas, by making suitable land available for development in line with economic, social and environmental objectives to improve people's quality of life. The plan-led system is emphasised, the aim being to ensure certainty and predictability is provided and plays a key role in integrating sustainable development objectives. PPS1 also sets out a series of issues for planning authorities to consider when preparing development plans, one of which is that a sufficient amount of land of suitable quality should be brought forward in appropriate locations to meet the expected need of housing, taking into account issues of accessibility, infrastructure and sustainable transport needs.

**Planning Policy Statement 1 – Planning and Climate Change, Supplement to Planning Policy Statement 1 (December 2007):** This supplement sets out how planning should contribute to reducing emissions and stabilising climate change and take into account the unavoidable consequences. Tackling climate change is a key Government priority for the planning system.

Planning authorities should adhere to the following principles in determining planning applications:

- controls under planning, building control and other regulatory regimes should complement, not duplicate, each other
- information sought from applicants should be proportionate to the scale of the proposed development and its likely impact on and vulnerability to climate change
- local planning authorities should have regard to the PPS as a material consideration which may supersede the policies in the development plan.

**Planning Policy Statement 3 – Housing:** PPS3 was developed as a Government response to the Barker review of housing supply which was produced in March 2004. PPS3 provides guidance and encourages a step change in housing delivery through a new, more responsive approach to land supply at the local level. Improving the affordability and supply of housing in all communities, both rural and urban, is also set out in this document. PPS3 replaces previous policy and guidance, in particular PPG3 – Housing and sets out the Government's policies to influence local planning authorities and regional planning bodies in the preparation of local development documents and regional spatial strategies (RSSs). Local planning authorities were not required to have regard to this statement as a material consideration when making decisions on planning applications until 1 April 2007.

**Planning Policy Statement 25 – Development and Flood Risk:** PPS25 replaces PPG25 published in 2001 and this document may be a material consideration to decisions by local planning authorities on individual planning applications. The Government recognises that although flooding cannot be wholly prevented, its impact can be avoided and reduced through good planning and management. The key planning objectives of PPS25 are to ensure that flood risk is taken into account at all stages

in the planning process to avoid inappropriate development in areas at risk of flooding and to direct development away from areas at highest risk. Local planning authorities are required to prepare and implement planning strategies that help to deliver sustainable development by:

- (1) appraising risk by the preparation of strategic flood risk assessments (SFRAs) as appropriate;
- (2) managing risk and only permitting development in areas of flood risk where there are no reasonably available sites in areas of lower flood risk;
- (3) reducing risk by using opportunities offered by new development to reduce the causes and impacts of flooding, eg surface water management plans and use of SUDS;
- (4) a partnership approach working effectively with the Environment Agency and other operating authorities to ensure best use is made of their expertise.

Flood risk should be considered alongside other spatial planning issues such as transport, housing, economic growth, natural resources, regeneration, biodiversity etc. Local planning authorities should apply the sequential approach as part of the identification of land for development in areas at risk of flooding by applying the sequential test to demonstrate that there are no reasonably available sites in areas with a lower probability of flooding that would be appropriate to the type of development or land use proposed.

**Planning Policy Statement 25 – Development and Flood Risk: Practice Guide (June 2008):** PPS 25 sets out the policy approach to flood risk management and the practice guide explains further how to implement the approach.

**Green Paper – Homes for the Future: More Affordable, More Sustainable by the Department of Communities and Local Government, July 2007:** This document outlines the Government’s vision for everyone to have access to a decent home at a price they can afford in a place where they want to live and work. It identifies the challenges that are ahead regarding increasing demand for homes to buy or rent, the growth of house prices faster than wages, the difficulties for young people to get on the housing ladder, coupled with

challenges of climate change, mean that there is a need to provide greener, better designed housing for the future. The Government has set the housing target for supply to a total of 3 million new homes by 2020, 2 million of them by 2016. Young families face problems finding affordable homes in every region, in urban and rural areas and therefore new housing is needed throughout the country, delivered in a way that is sensitive to local needs. New housing and planning delivery grant resources will be given to councils who have identified at least five years' worth of sites ready for development. Where councils have not identified enough land and do not grant sufficient planning permissions, planning inspectors will be more likely to overturn their decisions and give housing applications the go ahead at appeal stage.

The Government aims to publish its initial findings from the Government's review of the lessons learned from the 2007 floods. It will look at why flooding was so extensive and will establish whether the scale and impact of the flooding could have been predicted, prevented or mitigated and if so, how. Government already recognises that surface water flooding was a factor in the 2007 floods.

Other relevant Government guidance documents: PPG13 – Transport; PPG17 – Planning for Open Space, Sport and Recreation; PPG24 – Planning and Noise.

### ***Regional planning policy***

**Yorkshire and Humber Plan Regional Spatial Strategy to 2026 (adopted May 2008):** Policy H1 (Provision and Distribution of Housing) states that the region's housing stock should be improved and increased to provide appropriate accommodation for all households wanting homes, taking account of economic growth and regeneration and the need to place greater emphasis on meeting local needs in rural areas. Plans, strategies, programmes and investments should ensure the delivery of the average annual net additions to the dwelling stock (North Lincolnshire's target is 750).

Policy H2 (Managing and Stepping Up the Supply and Delivery of Housing) – to support the delivery of new homes required by policy H1 and requires local planning authorities to identify and release land to maintain the momentum of the urban transformation of the regional cities, sub-regional cities and principal towns.

Policy H4 (Provision of Affordable Housing) requires the region to increase its provision of affordable housing to address the needs of local communities. Local Development Frameworks should set targets. The provisional estimates of the proportion of new housing that may need to be affordable is set for North Lincolnshire at up to 30%.

Policy ENV1 (Development and Flood Risk) – the region will manage flood risk pro-actively by reducing the causes of flooding to existing and future development, especially in tidal areas, and avoid development in high flood risk areas where possible. The allocation of areas for development will follow a sequential approach and will be in the lowest risk sites appropriate for the development (identified by Strategic Flood Risk Assessments).

**North Lincolnshire Local Plan:** Policy ST2 (Settlement Hierarchy) – Scunthorpe and Bottesford urban area is at the top of the settlement hierarchy where the greatest amount of future growth within North Lincolnshire will occur.

Policy ST3 (Development Limits) – development outside development boundaries will be considered as development in the open countryside and will only be permitted if it is essential to the purposes of agriculture, forestry or to meet a special need associated with the countryside.

Policy H1 (Housing Development Hierarchy) – the primary focus for housing development will be in the Scunthorpe and Bottesford urban area and to a lesser extent the principal settlements of Barton-upon-Humber and Brigg.

Policy H2 (Proposed Housing Sites) – within the plan period of 2001 to December 2008 housing land requirement is for 5,349 dwellings (710 dwellings per annum). This site is allocated (H2-10), the net area being 38.7 hectares, the estimated number of dwellings being 1,000 and is 100% a greenfield site.

Policy H3 (Previously Used Land) – the development of previously used land and vacant buildings is preferred in sequence to the take-up of greenfield sites in a locality. Planning permission for sites not identified within the local plan will only be permitted sequentially.

Policy H4 (Phased Housing Sites) – this site is one of two strategic urban extensions within North Lincolnshire and

will only be released when the following criteria are met. The conclusions of the North Lincolnshire Local Plan monitor, manage, review reveal that actual completions of new or converted dwellings on committed, proposed and windfall sites are not meeting the annual housing requirements for North Lincolnshire, the development has been started or secured on previously developed sites listed in policy H2 and a development brief for this site has been agreed by North Lincolnshire Council.

Policy H5 (New Housing Development) requires all new housing developments to be well related to existing infrastructure; be in keeping with the scale and character of the settlement; not result in the loss of important open space; reasonably be expected to commence within the lifetime of the local plan; be appropriate in scale, layout, height, and materials of construction, which are compatible with the character and amenity of the immediate environment; have an appropriately designed access with adequate parking facilities; conserve and retain features of particular architectural, historic, archaeological, landscape or nature conservation importance; provide a sufficient amount of private amenity space unless the development is for flats; and not result in overlooking or loss of privacy of adjacent land uses.

Policy H8 (Housing Design and Housing Mix) requires new residential development to respect and reflect the form, scale, massing, design and detailing of the local environment; have a high standard of design and layout; protect existing natural and built features that contribute to the amenity of the area; prioritise the needs of pedestrian movement taking into account safety, health and the security of residents; and provide residents with a sense of identity and an appropriate mix of dwelling size and types.

Policy H9 – in the Scunthorpe and Bottesford urban area and principal growth settlements higher residential densities will be sought subject to satisfying the design criteria of policy H8. In all settlements densities of at least 30 dwellings per hectare will be sought unless there are overriding reasons why it should not.

Policy H10 (Public Open Space Provision in New Housing Development) – new developments on allocated and windfall sites of 0.5 hectares or more will be required to provide recreational, open space on a scale and in a form appropriate to serve the needs of residents or to provide

commuted sums for this provision to be made either on or off site.

Policy LC15 (Landscape Enhancement) – a strip of land inside the application site directly abutting the A1077 orbital road and a strip of land outside the application site directly abutting the northern boundary of this site are allocated in the North Lincolnshire Local Plan as a landscape enhancement scheme. These allocations are indicative and the actual schemes will be defined by a process of negotiation. Proposals for enhancement can result in the creation of new and informal landscape areas, wildlife habitats and improved surroundings. They are important in screening visually intrusive developments, particularly in the open countryside.

Policy T1 (Location of Development) – development proposals which generate significant volumes of traffic movement will be permitted provided they are located in the urban area of Scunthorpe and Bottesford, Barton-upon-Humber, Brigg and areas identified for development at the South Humber bank, Humberside International Airport and where there is good access to public transport and opportunities for foot and cycle facilities to be provided.

Policy T2 (Access to Development) – all development must be provided with a satisfactory access and larger developments should be served adequately by:

- a readily accessible choice of transport modes
- existing public transport services
- additions or extensions to such services and the existing highway network

Policy T4 (Development Contributions) – developers will be required to demonstrate that their development is adequately served by a variety of modes of transport and will not have an adverse effect on transport near the site. The council will require developers to contribute towards public transport and infrastructure, facilities for pedestrians and cyclists, on-street parking controls and traffic calming/reduction measures where the development will generate the requirement for additional public transport facilities to be provided or investment to be made in the local highway infrastructure.

Policy T8 (Cyclists and Development) – new development will be required to include cycle lanes within existing or

proposed routes and ensure the provision of cycle parking facilities are in accordance with standards set out.

Policy T19 (Car Parking Provision and Standards) – provision will be made for car parking where it would be essential to the viability of a new development, improve the environment or safety of streets, meet the needs of people with disabilities and be needed by visitors to the countryside.

Policy DS1 (General Requirements) requires a high standard of design in all developments and poorly designed developments will be refused. The following criteria will be used to assess each proposal:

- (i) the design and external appearance should reflect or enhance the character, appearance, and setting of the immediate area;
- (ii) the design and layout should respect and, where possible, retain or enhance the existing landform;
- (iii) no unacceptable loss of amenity to neighbouring land uses should result in terms of noise, smell, fumes, dust or other nuisance, including overlooking or overshadowing;
- (iv) amenity open space should be retained where possible;
- (v) no pollution of water, air or land should result.

Policy DS2 (Planning Benefits) – where the development is acceptable in principle under the policies of the North Lincolnshire Local Plan development proposals will be expected to have regard to existing levels of infrastructure, services and amenities. Planning obligations will be sought where they would enhance development proposals provided that they are necessary to the granting of planning permission.

Policy DS7 (Contaminated Land) – applicants will be required to demonstrate that the level of contamination within a site can be overcome by remedial measures or improvements.

Policy DS13 (Groundwater Protection and Land Drainage) – developments proposals must take account of the need to secure effective land drainage measures and groundwater protection in order to control the level of water in the land drainage system.

Policy DS16 (Flood Risk) – development will not be permitted within flood plains where it would increase the number of people or buildings at risk, impede the flow of flood water, impede access for the future maintenance of watercourses, reduce the storage capacity of the floodplain, increase the risk of flooding elsewhere or undermine the integrity of existing flood defences, unless adequate protection or mitigation measures are undertaken.

## **CONSULTATIONS**

**Highways:** Advise conditions.

**Environment Agency:** No objections on flood risk grounds subject to the imposition of conditions.

The EA objected to the proposal when they were first consulted regarding the application on the grounds that the local planning authority had not applied the flood risk sequential test to the proposal. This issue has now been clarified by the local planning authority resulting in the EA reassessing the sequential test information in relation to the site and to the North Lincolnshire Local Plan and the EA is now satisfied that the sequential test has been passed, consequently removing their objection on flood risk grounds. The issue regarding the potential for contamination to water has also been resolved subject to conditions.

**Education:** A commuted sum is required from the developer in order for the proposal to comply with SPG8.

**Leisure:** No objections subject to a commuted sum towards sport/recreation facilities.

**Neighbourhood Services:** No objections to the scheme, but recommend the provision of a NEAP (Neighbourhood Area of Play) setting out details of what that area should include, and two LEAPs (Local Areas of Play), again specifying the equipment that should be provided within those areas.

Additionally, Neighbourhood Services give details of commuted sum payments that are necessary in order for North Lincolnshire Council to have the financial resources to maintain these areas in perpetuity and take them over as adopted areas under their control.

**Sport England:** Recognises that the provision of off-site facilities through commuted sums is referred to in the development brief for this site with regard to playing fields. Developments of this scale do put significant

demand on built sports facilities such as playing pitches and other community facilities in the area without at present providing the adequate improvements to local facilities to compensate. Sport England don't consider the development to be in accordance with PPG17, PPS3 and other Sport England guidance, consequently the provision of a commuted sum is required in order to improve the existing facilities in the vicinity.

**Natural England:** Comment on survey work that has been carried out and reported in the Environmental Statement accompanying the application and recommended elements that require control by condition. These observations have been taken into account and relate to barn owls and bats, breeding birds, reptiles, great crested newts, water voles, crayfish, wintering birds and protected mammals. Natural England recommend mitigation and enhancement measures which can be controlled by ecological management plans which are contained within conditions recommended at the end of this report.

**Yorkshire and Humber Assembly:** Recognises the need to develop this site as a planned urban extension to Scunthorpe but the local planning authority should ensure that:

- there is a phasing of the development of at least a two-year period to reflect the 'plan, monitor, manage' approach to housing development in the district that needs to continue to identify opportunities for brownfield development, infill and increased densities of development;
- the proposed school and other related facilities are built in the early phases of the development;
- an appropriate mix of housing, including affordable housing, is secured on the site;
- maximum energy efficiency and passive heating as part of the development as required as any opportunity for combined heat and power requires at least 10% of the energy to be used in the development to come from on-site renewable energy sources;
- there is adequate public transport provision and provision for walking and cycling to meet the accessibility criteria of current and draft RSS;

- the traffic assessment for the development demonstrates that the development is in line with policy T1 of current and draft RSS;
- the current strategic road network is managed effectively.

**Scunthorpe Internal Drainage Board:** No objections subject to a condition requiring details of a surface water discharge scheme to be agreed by the Local Planning Authority.

**National Grid:** The risk is negligible – no objections.

**Lincolnshire Wildlife Trust:** Most ecological issues have been addressed within the Environmental Impact Statement. Pleasing to see that mitigation will include wetland and rough grassland creation, and the provision of bat and bird boxes around the development.

**CPRE:** Serious concerns are summarised as follows:

*Traffic generation*

- Traffic volumes are particularly bad at the retail park when Scunthorpe United are playing at home. It is calculated that an average family can generate 8 car trips a day. Even a small increase in traffic numbers will have a significant impact on the surrounding road network, potentially reducing air quality.
- The A1077 was built to serve the industrial areas of Foxhills, Skippingdale and the Trent wharves as well as new housing constructed in Flixborough parish, and to relieve congestion at the northern end of Scotter Road. Construction of a roundabout on the orbital road will potentially impede the free flow of traffic at either end and encourage shoppers to exit the retail park through the site. Congestion will increase as the number of vehicles increases.

*Air quality*

- There will be an increase in nitrogen dioxide resulting in poorer air quality.

*Flood risk*

- Given the unknown impact of climate change, the risks are significant. People will have to be told about

these as a 1 in 200 risk means it could happen tomorrow.

#### *Sustainable development*

- The EIA does not refer to the latest Government guidance with respect to the efficient use of resources required in PPS1 and a commitment towards increases in energy efficiency within the draft RSS, policy YH2A2.

#### *Affordable housing*

- Concerned that the site will be developed by different developers over a period of time and how the proportion of social housing will be implemented.

**Yorkshire Forward:** No comments.

**Humberside Police:** Welcome the applicants' response to the design policy objective stating that the final layout will be in accordance with the principles of 'secure by design'. Humberside Police look forward to jointly working with the applicants towards a successful security design with regard to the reserved matters application.

#### **EAST BUTTERWICK PARISH COUNCIL**

Object on the following grounds:

- Is it legal for the council to accept financial contributions towards highway improvements whilst the developers are attempting to gain planning permission for a large housing development?
- Are there any guarantees that the traffic congestion will be solved by the proposed alterations, bearing in mind that vehicle movements will increase by 3,000 per day based on 1.5 cars per household?
- Is it anticipated that congestion will be moved to the M181 roundabout?
- Traffic through the Trent villages – Gunness, Burringham and East Butterwick – will become more of a rat-run at peak times.
- Has North Lincolnshire Council considered other ways of reducing traffic flows at the Berkeley Circle, for instance another entrance onto the motorway?
- Development is on a floodplain which will raise the

water table, increase surface water drainage.

- The lake/balancing pond will be a safety hazard attracting children.
- An improved sewage treatment plant to serve Berkeley estate would be a better use of a section 106 agreement, particularly in view of problems with recent flooding and the inadequate system.

**BURRINGHAM PARISH  
COUNCIL**

Object on the following grounds:

- The parish council has concerns regarding the Berkeley Circle project due to the amount of traffic that will be attracted to the area and additional pressures it will put on traffic in Burringham village.
- Where will the traffic be diverted to during construction of this facility?
- The best method of improving the circle would be to take the traffic away from Berkeley Circle with the construction of a new access road to the M181 motorway.

The following questions have been raised:

- Is it legal to raise money for improvements to the Berkeley Circle through a section 106 agreement?
- Is a section 106 agreement intended to benefit the housing development and its potential residents, or a project a quarter of a mile away?
- Can it be guaranteed that the proposed alteration will solve the problem and not transfer it to the A18, A1077 and M181?
- Has the fact that alterations to the junction will not reduce the amount of traffic using it been taken into account?
- If it is believed the improvements will reduce the number of vehicles, could you explain how and by how many?
- Has consideration been given to the fact that a proposed housing development of 1,000+ houses would increase the number of cars in the area by up to 1,500, probably resulting in increased traffic

movements of up to 3,000 per day?

- Can the council justify the building of 1,000 houses on a floodplain, and in the event of the area flooding in the future, could the council be surcharged for any damage caused?
- Has any provision been made for a separate entrance and exit to Tesco?
- Can the council assure the residents that they will be able to obtain flood insurance cover and at an affordable cost?
- Has consideration been given to the fact that the number of vehicles is increasing due to the development of the industrial estate north of Scunthorpe?
- Have other ways of reducing the traffic flow at the Berkeley Circle been investigated, in particular a southern connection to the motorway?
- Has the matter of a southern connection been addressed with the Highways Agency?
- Has any consideration been given to the need to improve the road infrastructure in Burringham unless there is direct access onto the motorway?
- How much would the difference be between the Lakeside expenditure and the section 106 agreement?

**FLIXBOROUGH  
PARISH COUNCIL**

Raise serious concerns regarding the level of additional traffic on the A1077 orbital upon completion of the new development.

The parish council would like to see a speed limit on the A1077 of 40mph, road widening to accommodate filter lanes for the new roundabout and also a roundabout installed at the Ferry Road West junction.

There are several open spaces and the parish council would like to see at least one designated play area.

## **GUNNESS PARISH COUNCIL**

The following concerns have been raised:

- The amount of vehicle movements from the development on an already congested road system if all traffic is to leave the estate onto the A1077.
- The M181 roundabout becoming another Berkeley Circle with more vehicles rat-running through Gunness village to avoid queuing. This is particularly bad at present during peak periods.
- No access to be made onto Hilton Avenue which would effectively join up both estates.
- The lake/balancing pond on the opposite side of the A1077 is a safety issue as nothing attracts children more to water and having to cross this very busy road could prove a potential road safety hazard.
- Increase in traffic using the shopping facilities on the retail park – a modification needs to be carried out to the mini-roundabout guiding traffic onto Tesco's and the B & Q site which is congested with traffic exiting from Tesco's to the A18 blocking access to B & Q which itself causes congestion on the A18.

## **PUBLICITY**

Neighbouring residential and commercial properties directly adjacent to the application site have been notified and several site notices posted.

Twenty-six letters have been received raising objections and issues of concern which have been summarised as follows:

### *Flooding*

- Where will drainage/surface water go? Will it flood in garden areas as happened recently?
- Existing sewers are insufficient, particularly when there is a downpour.
- Is the manhole in Kingsway Gardens in the way of alterations at Berkeley Circle?
- The building of 1,000 houses on a floodplain is asking for problems.
- The main defence is the raised Trent river bank that the Environment Agency is responsible for. The Environment Agency has been involved at Alkborough

regarding climate change and they have surveyed the whole area.

- There is a risk for future residents from flooding.

#### *Traffic*

- There are already huge traffic problems at Tesco's mini-roundabout, particularly at weekends.
- Since the retail park opened it is difficult to leave Hilton Avenue.
- This development will mean that gridlock on the roads can be expected.
- The impact that additional traffic will have on the roundabout serving the retail park.
- Congestion and build-up at the mini-roundabout at the retail park may well have an adverse impact upon trade of the units of the retail park.

#### *Berkeley Circle Highway Improvement Scheme*

- Is the bus stop on the south side of Doncaster Road to be moved, leaving the other one 250m walk? This is particularly bad for pensioners and is unacceptable. This will probably result in people catching taxis as opposed to using public transport.
- The proposed gateway feature needs to be appropriate for its surroundings.
- Surely no plans to interfere with Kingsway Gardens? If so, any trees that are removed should be replanted.
- How is a reduction from four lanes down to one in a westerly direction an improvement? At least the roundabout keeps traffic moving in all five directions.
- Traffic lights means that there will be only two roads that will have moving traffic on all the time.
- A pedestrian crossing from concrete island to Doncaster Road North footpath with no traffic lights will be a death trap.
- Thirteen sets of lights will cause light pollution to residential properties nearest to these traffic lights' locations. Woodlands View and Collinson Avenue will

become even worse rat-runs but these could be blocked off!

- Curves in the road, concrete islands and queuing traffic will result in emergency vehicles being held up, probably causing several unnecessary deaths due to congestion.
- North Lincolnshire Council's congestion report (LTP 2006/11) contains figures which are ambiguous, therefore a new traffic count is needed.
- Berkeley Circle has been redesigned to increase queuing capacity yet the environmental impacts on local residents have not been properly accounted for.
- Air pollution will be spread over the town by winds and poor air quality affects quality of life.
- How will traffic coming down Kingsway to head up Doncaster Road actually get there? Will they have to go all the way to the M181 or Warren Lodge roundabout just to come back?

#### *Antisocial behaviour*

- Eight of the letters received refer to antisocial behaviour, disturbance and nuisance, particularly by youths who have congregated on a bank/mound that is located between the rear of the B & Q Warehouse on the Gallagher retail park and the rear garden areas of residential properties on Hilton Avenue, Fillingham Crescent, Warming Way and Glanford Way.
- There will be an increase in noise nuisance due to the main pedestrian access to the retail park from proposed housing that is to run unfenced next to the footpath.
- This bank needs to be fenced off and have CCTV cameras installed along the footpath. Bottles, stones, sticks and bricks have been thrown by children and youths into the garden areas of the nearest residential properties and catapults have been fired.
- The play area proposed is very close to existing houses and will cause nuisance and antisocial behaviour to the detriment of existing residents.

- Why can't the green area be extended to afford privacy to existing residents? Why are walkways through necessary?

*Consultation period*

- A larger version of the plans is needed, for instance a 1:1250 plan, not a 1:1000 plan.

*Other comments received*

- loss of view over the fields
- The land was previously of agricultural value.
- Why is there a need for such a large development? The roads are already full to capacity.
- This is a greenfield development contrary to Government advice, encouraging brownfield sites to be developed first.
- Residents moved to the outskirts of Scunthorpe so as not to be within a large residential area.
- Devaluation of property.
- There will be a serious pollution problem due to the construction traffic utilising the site.
- This development will attract crime to the area.
- No single-storey housing is proposed. Affordable bungalow-style dwellings are needed for disabled people to create a more inclusive society.
- The existing medium to heavy industrial operations to the east of the site use heavy mobile plant, machines and hand-held equipment in open and covered areas directly adjacent to the eastern boundary of the site. These operations take place between 6.00am and 10.00pm on weekdays, and occasionally on Sundays and nights. Over the last five years activity at Corus Cogifer has doubled and continues to increase. The boundary and internal areas are floodlight for security purposes. The building of residential properties adjacent to this western boundary of the site does not create acceptable living conditions, particularly due to noise and light pollution. If approved, the level of complaints to the council will increase and that could restrict future operations and viability of the business.

- Security issues, should the existing watercourse be culverted.

## **NEW BACKGROUND REPORT**

This application was approved at Planning Committee in August 2007 subject to the signing of the Section 106 agreement which required the provision of a green travel plan and commuted sums towards off-site highway works, sport and recreation facilities, a primary school, affordable housing and public open space provision. The Section 106 agreement was not signed within the specified timeframe owing mainly to the downturn in the UK housing market which caused uncertainty for landowners. The applicants have confirmed that they are now in a position to sign the agreement but given the length of time taken it is considered that a new committee resolution is now required to issue an approval of planning permission and complete the agreement.

Given the downturn in the housing market and the large size of the site, the applicants have requested a longer time to submit the reserved matters applications to be specified within the conditions. This request is considered to be reasonable and therefore recommended conditions 3 and 4 have been amended accordingly since the report was last presented to committee.

## **ORIGINAL ASSESSMENT**

Outline planning permission is sought on 44.3 hectares of land that lies on the edge of north-west Scunthorpe for residential development, open space, a primary school and landscaping. Access to the site is not reserved for subsequent approval and therefore requires consideration at this stage. A drainage balancing pond is also proposed within the site and is located just west of the A1077 orbital road. The site is allocated within the North Lincolnshire Local Plan for residential development (policy H2-10) and will provide approximately 1200 dwellings on the site. The area designated for housing within this irregular shaped site is bounded by the A1077 orbital road to the west, the Gallagher retail park and an existing residential area accessed by Hilton Avenue to the south. Directly abutting the eastern boundary are premises on the Hebden Road industrial estate, and to the north of the site is open agricultural land. This allocated housing site, within the development boundary of the Scunthorpe and Bottesford urban area, is one of only two strategic urban extension sites within the North Lincolnshire Local Plan and will contribute a significant percentage of new dwellings towards the council's housing targets set by central and regional government. The site is classed as greenfield, however the

requirement for a greenfield development to be determined by the Secretary of State no longer exists. Furthermore, the greenfield/brownfield argument has been thoroughly assessed throughout the early stages of housing allocations within the North Lincolnshire Local Plan formulation. In March 2004 the Barker review established that more land should be allocated for development in a sustainable manner. Central Government's response was the publication of PPS3 – Housing – December 2005 which required local planning authorities to provide a five-year supply of housing. It is this national planning policy context that has influenced the planned release of land for housing and the subsequent stages through which the North Lincolnshire Local Plan has progressed from 1999. It is important that this national planning policy context should be considered in the determination of this proposal. The potential impact of an additional 1200 dwellings and the associated traffic movements generated by a development of this scale upon the existing highway network has resulted in the preparation of traffic studies surveys and analysis by both the applicants and the council as a means of identifying what off-site highway improvements would be required. The Berkeley Circle project involves significant alterations to the road layout at the Berkeley Circle roundabout. This project and other off-site highway works are required and whilst not forming part of this planning application, are directly linked. The applicants of this planning application accept that these off-site highway works, including the Berkeley Circle project, require a significant financial contribution via a Section 106 Agreement that is being prepared. The Berkeley Circle project will require the submission of a separate planning application, however this is some way off. The other off-site highway works, that include:

- (i) the relocation of a pedestrian crossing;
- (ii) the construction of cycleways to the rear of B & Q and on the A18; and
- (iii) road widening and other highway works to the A18;

shall be controlled and funded by Gallaghers via a Section 278 Agreement under the Highways Act. Negotiations with regard to the total cost to the applicants are progressing, however the costings of the works were not available at the time of writing this report.

**The key issues in determining this proposal are:**

- **the impact that the development would have upon the flow of traffic on the surrounding highway network, including at Berkeley Circle;**
- **whether the development would be prone to flooding or would increase the risk of flooding to other areas;**
- **whether the proposal would adversely affect commercial interests from premises on the retail park due to congestion or from existing industrial interests on the Hebden Road estate to the east by virtue of the introduction of sensitive receptors close to industrial processes; and**
- **whether the amenity and environmental quality of this part of Scunthorpe would be adversely affected.**

### ***Traffic***

A traffic impact assessment has been produced by the applicants and assessed by the council's highways department. Highways raise no objections to the scheme subject to the imposition of conditions and a Section 278 Agreement under the Highways Act that requires the developer to undertake improvements to the highway network as previously stated.

Additionally, the developer is required to fund the Berkeley Circle project that is to be controlled via a Section 106 Agreement should planning permission be granted. A significant amount of survey work has been undertaken and this data has been analysed. A series of consultation events and procedures have involved the public in the progression through different stages to reach a finalised design for the improvement works. Private highway consultants have also been involved in the process and therefore it is felt that the potential for impacts upon the existing highway network and the related issues that have been raised have been given a thorough consideration and do not justify a reason for refusal.

### ***Flood risk***

The events in June and July 2007 resulted in wide-scale flooding throughout England and raised the issue of flooding and the consequences of flooding to the forefront of public debate. Flooding comes in many different forms and predicting its occurrence and location has proved to

be extremely difficult. Whilst this site is located within the floodplain as shown on the Environment Agency's flood risk maps, both Central Government guidance and advice from the Environment Agency does not preclude development within floodplains providing that correct procedures and mitigation measures are included in the process. The Environment Agency, who is the regulatory body for flood risk, has been consulted through every stage of the planning process, from formulation of the North Lincolnshire Local Plan and the allocation of housing sites within it through to the production of the development brief for the site and the flood risk assessment that was produced by the applicants. The Environment Agency have no objection to the proposal on flood risk grounds. This is because the sequential approach to the location of housing development has been undertaken and adopted throughout the North Lincolnshire Local Plan housing allocation process. This approach has also been undertaken by the applicants in producing the flood risk assessment. Consequently the proposal is considered to be compliant with the provisions of PPS25.

The development of this site has been assessed within the context of the Strategic Flood Risk Assessment that covers North Lincolnshire and North East Lincolnshire, and was approved by the Environment Agency in August 2006. Consequently objections relating to flood risk do not justify a reason for refusal. The Scunthorpe Internal Drainage Board has been working with the applicants to establish what improvements to the existing infrastructure are needed to deal with surface water disposal from the site. Agreements have been reached between the applicants and the SIDB regarding the balancing pond that is to be located on the western side of the A1077, the details of this water management facility can be controlled by the imposition of planning conditions. Issues have been raised regarding the safety, particularly for children, with the existence of a water body within the site. Details concerning safety regulations of this water body are to be required by planning condition.

### ***Impact upon existing infrastructure and services***

With regard to the Sport England objection concerning the potential impact upon existing sport and recreation facilities, the applicants have agreed to provide a commuted sum towards the provision of sport and recreation facilities within the Scunthorpe area. The sum to be provided is being negotiated with the Council's

Leisure Services department, as are the details of what facilities the sum will contribute towards.

As part of the proposal a primary school on a 2ha site is to be provided by the developers via a commuted sum towards primary education.

### ***Antisocial behaviour***

Several letters of objection have been received solely concerning the potential for antisocial behaviour that has occurred in the past on a raised area ('the mound') to the rear of the B & Q retail warehouse and residential properties on the Hilton Avenue estate. This area is actually outside the planning application boundary and therefore cannot be addressed through the imposition of planning conditions. Discussions have taken place between council officers and the applicants and proposals to address this problem will result in the submission of a planning application when Gallaghers have consulted local residents affected by these problems.

### ***Other objections received***

The objection regarding the attraction of crime to the area is not considered to outweigh the merits of the proposal and should planning permission be granted, subsequent applications that contain the detailed development of the site shall need to incorporate measures to minimise crime.

One objection has been received regarding the lack of provision of single-storey dwellings on the site and similarly this should be noted by the developers during the formulation of more detailed plans at full or reserved matters application stage should planning permission be granted.

With regard to objections received from existing industrial premises to the east of the site whose chief concern is the potential for future noise and disturbance complaints that could potentially affect the activities of the company, this issue has been given thorough consideration during the production of the housing allocations in the North Lincolnshire Local Plan and also in the production of the Master Plan which followed the Development Brief of this site. A landscaped buffer zone is to be provided adjacent to the eastern boundary of the site and details of this will be required by planning condition to be submitted at a later stage. This landscaped buffer zone will assist in preventing a conflict of interests with respect to noise and

disturbance likely to be created by industrial activities and the residential amenity afforded to the occupants of the proposed dwellings. A recent appeal decision in this part of Scunthorpe has allowed residential development directly adjacent to this existing commercial premises. Consequently the distances between the proposed dwellings and the existing businesses are unlikely to result in a justified reason for refusal, however when detailed plans are submitted of the site layout this issue will be looked at thoroughly by council officers.

Several objections received refer to a loss of view and a devaluation of property. Neither of these are material planning considerations.

The submission of this planning application has raised many issues that require consideration by the different council departments and external bodies during the consultation process. None of the issues raised either as objections or concerns or points of planning policy adequately justify withholding consent for this development. The submission of this application is one of the later stages in the development process when considering the phased release of land for housing and this site's allocation within the North Lincolnshire Local Plan that was first published in 1999 and then adopted in 2003. The planning application includes a Traffic Impact Assessment, an Environmental Impact Assessment and a Flood Risk Assessment to address the issues that surround a development of this size. A Section 106 Agreement is being prepared and includes financial contributions by the developer to education facilities, sport and leisure facilities, off-site highway works, the maintenance of public open space within the site, and a Green Travel Plan to account for the calculated impacts that this development will have.

## **RECOMMENDATION**

**Subject to the completion of a formal agreement under Section 106 of the Town and Country Planning Act 1990 providing for the submission of a Green Travel Plan and commuted sums towards off-site highway works, sport and recreation facilities, a primary school, the provision of affordable housing, and the provision of one neighbourhood area of play and two local areas of play, the committee resolves:**

- (i) it is mindful to grant permission for the development;**

- (ii) the decision be delegated to the Head of Planning upon completion of the obligation;**
- (iii) the permission so granted be subject to the following conditions; and**
- (iv) if the obligation is not completed by 8 January 2009 the Head of Planning be authorised to refuse the application on grounds of non-compliance with policies in the North Lincolnshire Local Plan requiring financial contributions and the provision of affordable housing and open spaces:**

1.

Prior to the commencement of any development upon the site, details of the proposed phasing of the development shall be submitted to and agreed in writing by the Local Planning Authority.

Reason

To ensure that the site is developed in a logical way and reduces impacts upon residential amenity and highway safety in accordance with policies DS2 and T1 of the North Lincolnshire Local Plan.

2.

No work shall commence upon any phase of the development until approval of all the reserved matters (details of the layout, scale and appearance of the buildings, and the landscaping of the site) relating to that phase has been obtained in writing from the Local Planning Authority. The development shall be carried out as approved.

Reason

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

3.

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

Reason

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

4.

The development hereby permitted shall be begun either before the expiration of nine years from the date of this permission, or within 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 provision of Section 92 of the Town and Country Planning Act 1990.

5.

Prior to any work commencing on site, details of the following shall be submitted for approval:

- (a) the provision of a combined footway/cycleway along the north side of Doncaster Road between the Tesco roundabout and the Berkeley Circle improvement scheme;
- (b) the provision of a combined footway/cycleway between Doncaster Road and the site along the eastern boundary of the Gallagher retail park;
- (c) the relocation eastwards of the existing signal controlled pedestrian crossing on Doncaster Road, subject to the results of the traffic assessment;
- (d) the proposed widening of Doncaster Road between the Tesco roundabout and Berkeley Circle;
- (e) all alterations to existing signing and lining on Doncaster Road between Frodingham Grange roundabout and Berkeley Circle;
- (f) all alterations (if any), including signing and lining to the small roundabout at the entrance to Tesco's/Gallagher retail park.

Reason

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

6.

All details submitted for approval under condition 5 above shall comprise full engineering drawings that have been subjected to a Stage 2 Safety Audit.

Reason

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

7.

All works approved under condition 5 shall be completed prior to the occupation of any dwelling on the site.

Reason

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

8.

Prior to any work commencing on the site, details of the following shall be submitted for approval:

- (a) the proposed new roundabout on the A1077;
- (b) the major internal development roads for the site as defined in the Design Code;
- (c) the major drainage infrastructure;
- (d) the location of the proposed school in relation to the road infrastructure;
- (e) the location of the major open spaces/play areas as defined in the Design Code in relation to the road infrastructure;
- (f) the proposed development timetable and phasing;
- (g) the routing of all primary footway/cycleway infrastructures and their links with adjacent areas.

Reason

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

9.

All works submitted for approval under condition 8(a) - (c) & (g) shall comprise full engineering drawings that have been subjected to a Stage 2 Safety Audit.

Reason

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

10.

The site will be laid out in such a way so that no construction traffic or private traffic related to the

construction will gain access to the site from Doncaster Road via the existing road serving Tesco and the retail park for the duration of the development.

Reason

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

11.

Not more than 100 dwellings shall be occupied prior to the completion of the Berkeley Circle improvement scheme (or other such number as may be agreed in writing by the Local Planning Authority) and none shall be occupied until the works approved under condition 5 above have been completed.

Reason

The highway network at Berkeley Circle is currently approaching capacity and is congested, particularly during peak traffic flows during the day. Allowing the development of this site to continue without the off-site highway works being completed will result in unacceptable levels of traffic congestion to the detriment of highway safety and the free flow of traffic on the adjoining highway network in accordance with policies T2 and T19 of the North Lincolnshire Local Plan.

12.

No development work shall commence on the site until the proposed new roundabout on the A1077 has been completed unless some other construction access arrangement has been previously agreed in writing.

Reason

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

13.

Following occupation of the first 100 dwellings on the site measures shall be taken on site, in accordance with details to be agreed in writing before any work commences on site, to ensure that all residents can achieve a safe vehicular, pedestrian and cycle access to all links between the site and the adjacent highway network.

Reason

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

14.

In respect of all non-major development roads and associated residential areas, ie those not approved under condition 9(b) the following standard highway conditions will apply to each separate phase:

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

level from the junction with the adjacent highway to the access to the dwelling.

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

Reason

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

15.

No work shall commence on the school until full details showing the following have been submitted for approval. The works thus approved shall be completed before the school is made operational:

- (a) the means of vehicular and pedestrian access;
- (b) the pedestrian and cycle links to the remainder of the development and the surrounding area;
- (c) the within-site parking and servicing areas which, once completed, shall thereafter be so retained;
- (d) a School Travel Plan.

Reason

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

16.

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

Reason

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

17.

All roads, footways, cycle ways, vehicular accesses and parking provision shall comply with the Design Code.

Reason

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

18.

The major highway infrastructure approved under condition 8 shall be completed to adoption level in accordance with an approved timetable which shall be agreed prior to works commencing but also subject to any variation as may be agreed in writing.

Reason

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

19.

Prior to the commencement of development, details of the following shall be submitted for approval and once approved shall be implemented for the duration of the works unless a variation has been agreed in writing:

- (a) wheel cleaning facilities;
- (b) construction of staff car parking;
- (c) an advanced direction signing programme for the site on the adjacent highway network;
- (d) measures to be taken to ensure access to the site by all construction-related traffic and staff does not take place from Doncaster Road and the retail park access road.

Reason

To prevent material being deposited on the highway and creating unsafe road conditions.

20.

No work shall be commenced on the site until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. Such statement shall include details relating to:

- (i) mitigation measures in accordance with paragraphs 7.109 to 7.110 of the submitted Environmental Statement;

- (ii) measures to avoid impacts upon nesting birds;
- (iii) procedures to update badger surveys and carry out any badger mitigation works necessary in the event of badger field signs being found;
- (iv) measures to avoid impacts upon bats in accordance with paragraph 7.125 of the submitted Environmental Statement.

All works shall be carried out in accordance with the approved details.

Reason

To conserve protected species in accordance with policy LC5 of the North Lincolnshire Local Plan.

21.

No work shall be commenced on the site until an Ecological Management Plan has been submitted to and approved in writing by the Local Planning Authority. Such plan shall include details relating to:

- (i) measures in accordance with paragraphs 7.111 to 7.129 of the submitted Environmental Statement;
- (ii) roosting and nesting structures to be installed in the school, other buildings and landscaped areas for bats and birds;
- (iii) details of wildlife habitats to be created in the school grounds and public open spaces, along with ongoing management actions required to maintain those habitats;
- (iv) details and provenance of plant species, including trees and shrubs, to be used for planting and sowing;
- (v) details of monitoring studies to be carried out for habitats and species, along with any remedial actions that may be triggered by monitoring.

All works shall be carried out in accordance with the approved details.

Reason

To conserve important habitats and protected species in accordance with policies LC5 and LC6 of the North Lincolnshire Local Plan.

22.

No work shall be commenced on the site until a Landscaping Plan has been submitted to and approved in writing by the Local Planning Authority. Such plan shall include details relating to:

- (i) habitat creation, wildlife corridors, buffer planting and planting within the site;
- (ii) details and provenance of plant species, including trees and shrubs, to be used for planting and sowing;
- (iii) measures to be carried out in accordance with the Development Brief and adopted landscape assessment and guidelines.

All works shall be carried out in accordance with the approved details.

Reason

To enhance the landscape and minimise visual impacts in accordance with policies LC15 and LC6 of the North Lincolnshire Local Plan.

23.

The site shall be developed to a minimum net density of 30 dwellings per hectare.

Reason

To ensure that the development complies with policy H9 of the North Lincolnshire Local Plan.

24.

When application is made for matters reserved for subsequent approval, specifications shall be given for each phase of the development relating to:

- (a) the location and size of temporary construction compounds;
- (b) the location and size and means of access for vehicles to car parking areas required by construction staff;

- (c) the location and size of unloading and loading areas;
- (d) the range of proposed working hours;
- (e) details of any temporary works on structures of plant;
- (f) measures for the suppression of dust created by construction activity;
- (g) location, height and luminance levels of any floodlighting;
- (h) a programme for the removal of temporary structures/buildings and a remediation strategy for the site.

**Reason**

To ensure that the construction phase of the development does not unduly impact on adjacent land uses.

**25.**

The details submitted in pursuance of the outline planning permission shall be accompanied or preceded by the submission to the Local Planning Authority of a scheme of archaeological investigation which shall be approved by the Local Planning Authority in writing before any development authorised by this permission shall commence. The scheme shall provide for:

- (i) the proper identification and evaluation of the extent, character and significance of archaeological remains within the application area;
- (ii) an assessment of the impact of the proposed development on the archaeological remains;
- (iii) proposals for the preservation in situ, or for the investigation, recording and recovery of archaeological remains and the publishing of the findings, it being understood that there shall be a presumption in favour of their preservation in situ wherever feasible;
- (iv) sufficient notification and allowance of time to archaeological contractors nominated by the developer to ensure that archaeological fieldwork as proposed in pursuance of (i) and (iii) above is completed prior to the commencement of

permitted development in the area of archaeological interest; and

- (v) notification in writing to the North Lincolnshire Sites and Monuments Record Office of the commencement of archaeological works and the opportunity to monitor such works.

Reason

To comply with policy HE9 of the North Lincolnshire Local Plan as the site is potentially of archaeological importance.

26.

No development shall take place until a scheme for the disposal of foul and surface water has been agreed in writing by the Local Planning Authority, in consultation with the Scunthorpe Internal Drainage Board, and none of the dwellings shall be occupied until it is connected to the approved drainage system.

Reason

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

27.

Remediation of the site shall be carried out in accordance with the approved remediation strategy contained within Section 13.0 of the Environmental Impact Assessment submitted with the application. No deviation shall be made from this scheme without the express written agreement of the Local Planning Authority.

Reason

To address potential hazards from the former use of the site in terms of land contamination and to ensure appropriate measures are undertaken as part of the development in accordance with policy DS7 of the North Lincolnshire Local Plan.

28.

On completion of remediation, two copies of a closure report shall be submitted to the Local Planning Authority. The report shall provide validation and certification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the closure report.

Reason

To address potential hazards from the former use of the site in terms of land contamination and to ensure appropriate measures are undertaken as part of the development in accordance with policy DS7 of the North Lincolnshire Local Plan.

29.

If during development, contamination not previously considered is identified then the Local Planning Authority shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the Local Planning Authority.

Reason

To address potential hazards from the former use of the site in terms of land contamination and to ensure appropriate measures are undertaken as part of the development in accordance with policy DS7 of the North Lincolnshire Local Plan.

30.

Prior to the commencement of development, details shall be submitted to and approved in writing by the Local Planning Authority of a scheme for managing the public safety of the area located to the west of the A1077 orbital road containing the drainage balancing pond. Details shall include the following:

- (i) the method of ensuring restricted access to this part of the site;
- (ii) safety precautions and means of minimising risk;
- (iii) details of any signage.

Reason

To ensure that the danger posed to human safety by the presence of a significant water body on site is minimised and all reasonable precautions to reduce risk are implemented.

31.

There shall be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct or via soakaways.

Reason

To prevent pollution of the water environment, given the site's location within a groundwater vulnerability zone.

32.

No development approved by this permission shall be commenced until a scheme for the provision and implementation of surface water run-off limitation has been submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency. The scheme shall not result in an increase in the rate of surface water discharge to the local land drainage system and the drainage works shall be completed in accordance with the details and a timetable to be agreed as part of the scheme.

Reason

To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

33.

Development shall proceed fully in accordance with the flood risk mitigation measures (recommended in sub-sections i), iii) and iv) of Section 9.141) set out in the approved EIA Volume 2 Assessment, and the applicant shall confirm completion of the approved scheme in writing within one month thereafter.

Reason

To reduce the risk and impact of flooding.

34.

Prior to the commencement of any development, details of a scheme to prevent reverse flood flows entering the site through openings in the A1077 road embankments shall be submitted to and approved by the Local Planning Authority.

Reason

To reduce flood risk to the site in the event of a breach in the River Trent flood defences, in accordance with policy DS16 and paragraph 6.39 of the adopted North Lincolnshire Council Strategic Flood Risk Assessment.

35.

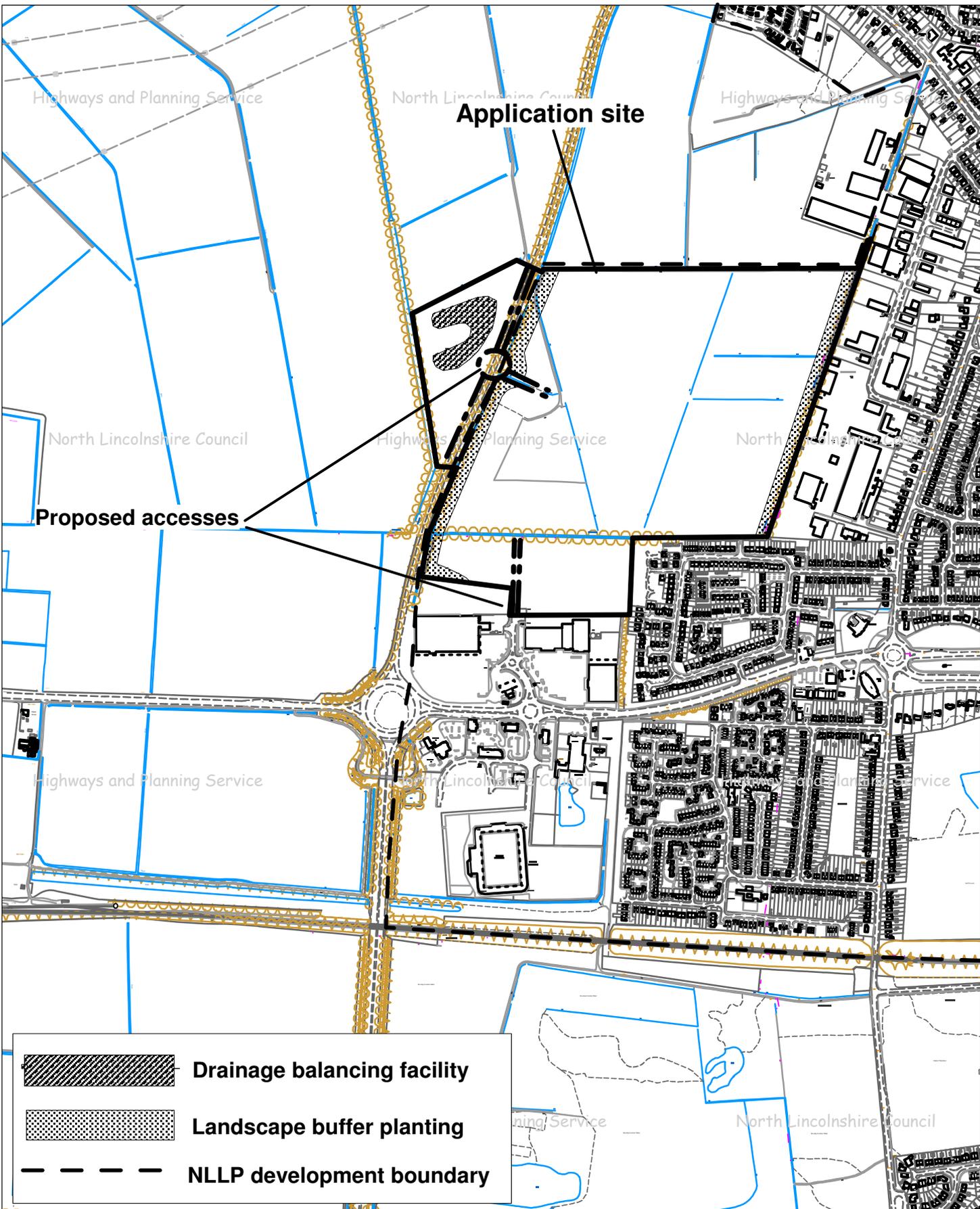
Prior to the submission of any application for approval of reserved matters on any part of the site, a Design Code shall be submitted to and approved in writing by the Local Planning Authority. The Design Code shall include detailed plans, statements and design specifications that

relate to the whole of the site and will incorporate the following elements relating to:

- (i) security standards - secure by design;
- (ii) construction materials and profiles of window designs/systems;
- (iii) individual buildings at prominent locations as shown on the Master Plan;
- (iv) design and layout of the urban squares;
- (v) a programme of measures designed to maximise usage of renewable forms of energy and minimise carbon footprints of buildings, including homes;
- (vi) details of all street types;
- (vii) details and layout of all highway infrastructure, including specifications, choice of surfacing materials, footways and cycleways, streetlighting and street furniture;
- (viii) details of trees and planting within the highway;
- (ix) layout of individual vehicular accesses and parking provision.

#### Reason

To ensure that the development complies with the aims of sustainable development in accordance with policy ST1 of the North Lincolnshire Local Plan and to ensure the highest standards of design and efficiency possible are achieved and are consistent throughout the entire site.



Drawing Title: 2007/0828

OS Grid Ref: SE86831102

Drawn by: KC

Scale: 1:10,000

Date: 01/08/2007



Based upon the Ordnance Survey mapping with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office. © Crown Copyright.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

NORTH LINCOLNSHIRE COUNCIL 100013349 2007



Highways and Planning Service

Head of Service,  
G Popple