

APPLICATION NO	PA/2017/1386
APPLICANT	Mr Sujad Hussain, Highways England
DEVELOPMENT	Planning permission for highway works to deliver a new terminating junction to the M181 motorway comprising a new at-grade roundabout to access the B1450 Burringham Road from the M181, new B1450 side roads and realignment of the existing B1450, two new additional roundabouts on the realigned B1450, drainage ponds and outfalls, landscaping and associated re-profiling and ancillary works
LOCATION	Lincolnshire Lakes, M181/B1450 Burringham Road, Burringham
PARISH	Burringham
WARD	Burringham and Gunness
CASE OFFICER	Andrew Willerton
SUMMARY RECOMMENDATION	Subject to resolution of outstanding issues, grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objections by Ashby Parkland and Burringham Parish Councils

POLICIES

National Planning Policy Framework: Paragraph 2 states that planning law requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Framework must be taken into account and is a material consideration in planning decisions.

Paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

Paragraph 11 sets out the presumption in favour of sustainable development. For decision taking this means approving development proposals which accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or where relevant policies are out of date, granting planning permission unless policies of the Framework protect an area or assets of particular importance that provide a clear reason for refusing the development or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

Paragraph 54 states that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

Paragraph 55 states that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

Paragraph 108 states that safe and suitable access to the site should be achieved for all users with any significant impacts from the development being cost effectively mitigated to an acceptable degree.

Paragraph 109 states that development should only be prevented or refused on highway grounds where there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.

Paragraph 163 states that when determining planning applications, local planning authorities should ensure that flood risk is not increased elsewhere and sustainable drainage systems should be incorporated unless there is clear evidence that this would be inappropriate.

Paragraph 170 states that planning decisions should contribute to and enhance the natural environment by minimising impacts on and providing net gains for biodiversity.

Paragraph 175 states that when determining planning applications, local planning authorities should only refuse development where significant harm to biodiversity cannot be avoided through alternative sites, mitigation, or as a last resort, compensation.

Paragraph 178 states that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from contamination. This includes proposals for mitigation, including land remediation, as well as any impacts on the natural environment arising from that remediation.

Paragraph 179 states that where a site is affected by contamination, responsibility for securing safe development rests with the developer and/or landowner.

Paragraph 180 states that planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment.

Paragraph 189 states that 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.

Paragraph 192 states that in determining applications, local planning authorities should take account of: the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities, including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 193 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Paragraph 194 states that any harm to, or total loss of, their significance of a designated heritage asset should require clear and convincing justification.

Paragraph 195 states that where a proposed development will lead to substantial harm of a designated heritage asset, local planning authorities should refuse consent unless it can be

demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm.

Paragraph 196 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use.

Core Strategy:

CS1 (Spatial Strategy for North Lincolnshire)

CS2 (Delivering More Sustainable Development)

CS3 (Development Limits)

CS4 (Creating a Renaissance in North Lincolnshire)

CS5 (Delivering Quality Design in North Lincolnshire)

CS6 (Historic Environment)

CS16 (North Lincolnshire's Landscape, Greenscape and Waterscape)

CS17 (Biodiversity)

CS18 (Sustainable Resource Use and Climate Change)

CS19 (Flood Risk)

CS25 (Promoting Sustainable Transport)

CS26 (Strategic Transport Proposals)

Housing and Employment Land Allocations DPD:

Inset Map for Scunthorpe, Burringham

PS1 (Presumption in Favour of Sustainable Development)

Lincolnshire Lakes Area Action Plan:

SS1 (Delivering the Presumption in Favour of Sustainable Development)

SS2 (Spatial Concept and Place Making)

SS3 (Strategic Development Requirements)

SS4 (Development Limits)

T1 (Strategic Highway Network South)

T3 (De-trunked M181 Junction South)

T5 (Strategic Route)

T6 (Primary Route)

T9 (Pedestrian, Cycleway and Bridleways Network)
T10 (Strategic Crossing Points)
T11 (Travel Planning)
T12 (Off-site Transport Improvements)
F1 (Strategic Flood Mitigation Strategy)
L2 (Strategic Drainage Strategy)
G1 (Natural and Semi-natural Green Space)
G3 (Strategic Green Linkages)
G4 (Ecological Enhancement and New Habitat Creation)
G5 (Landscape Strategy)
SSA2 (Villages 1 and 2 and Lake 1)
SSA3 (Villages 3 and 4 and Lakes 2)
SSA4 (Lakes 5 and Surrounding Area)
SSA6 (Village 6 and Lake 4)
D1 (Strategic Infrastructure and Development Phasing)
D2 (Delivery and Funding Mechanisms)
D3 (Strategic Design Code)
D4 (Area Masterplanning)

Lincolnshire Lakes Strategic Design Guide

North Lincolnshire Local Plan:

RD2 (Development in the Open Countryside)
T1 (Location of Development)
T2 (Access to Development)
T6 (Pedestrian Routes and Footpaths)
T15 (Highway Improvements and New Highway Construction)
T18 (Traffic Management)
LC5 (Species Protection)
LC6 (Habitat Creation)

HE9 (Archaeological Evaluation)

DS1 (General Requirements)

DS13 (Groundwater Protection and Land Drainage)

DS14 (Foul Sewerage and Surface Water Drainage)

CONSULTATIONS

Highways: Advises conditions to secure further detailed information regarding the scheme.

Drainage: Originally advised no objection provided that the scheme ties into the overarching drainage strategy for Lincolnshire Lakes which can be secured by condition. Following amendment further details are sought in relation to drainage calculations.

Environmental Health: No objection subject to conditions relating to both the construction and operational phases of development. Seeks planning obligations to contribute to air quality monitoring.

Strategic Housing: No comments received.

Spatial Planning: No comments received.

S106: No comments received.

Archaeology: Maintains the holding objection as submitted to the initial scheme due to a lack of archaeological fieldwork at the site.

Trees: No comments received.

Ecology: Advises conditions.

Environment Agency: No objection to the scheme but raises concerns in relation to the submitted flood risk assessment not utilising the best available flood risk data. Makes comments in relation to ground water contamination, the need to protect water vole and their habitat, and water abstraction.

Highways England: Had no objection subject to conditions regarding the initial scheme; now has no objection.

Humberside Fire: Advises of building regulations.

Humberside Police: No comments received.

National Grid: No comments received.

Natural England: No objection and welcomes the provisions for biodiversity enhancement.

National Planning Casework Unit: No comments received.

Internal Drainage Board: Provides standing information with regard to surface water drainage and where the board's consent will be required.

NHS: No comments received.

Scunthorpe Town Team: No comments received.

PARISH/TOWN COUNCILS

Gunness Parish Council: Had no objection to the original scheme which would take traffic off Berkeley Circle, but commented that this should be carried out before building takes place to allow HGVs travelling to the site to have easy access to the development without causing congestion. Following amendment, no further comments have been received.

Ashby Parkland Parish Council: Objected to the original scheme as it is considered that:

- a bypass for Burringham should be provided prior to completion of the road works;
- a traffic management plan must be produced with regard to all the extra traffic which will use Burringham Road to ensure the safety of all road users and pedestrians;
- a 7.5 tonne weight limit should be retained to ensure HGV traffic is not permitted to use the B1405.

Following amendment, the parish council maintains its objection due to the increase in traffic, particularly HGVs, and the southern loop road to circulate the golf course should be made a condition of any approval to alleviate some of the traffic concerns.

Burringham Parish Council: Commented on the original scheme that a condition should be imposed to secure the Burringham bypass prior to completion of the works. Following amendment, the parish council now objects to the proposal until more information has been obtained in relation to the Burringham bypass that is required to be in place before or concurrent with the proposed works.

Bottesford Town Council: Had no objection to the original scheme. Following amendment, the town council still has no objection.

PUBLICITY

The application has been advertised by site notice and within the local press for a period of not less than 21 days prior to writing this report. At the time of the initial submission two letters were received. One supported the proposal as it would reduce traffic at Berkeley Circle. A second letter was received from Warp Farm which raised concerns over highway safety with regard to the access spur adjacent to the eastern roundabout. Alternative options for access to the farm were put forward.

Following amendment of the scheme in 2018, the application was re-advertised. During this consultation 10 letters have been received. One letter supports the scheme highlighting that it would improve current traffic issues at Berkeley Circle. A second letter comments that the traffic using the B1450 into Burringham should be prohibited until such a time as the bypass is completed or that the bypass open concurrently with the proposed junction. The letters continue to state that without the bypass there will be an increase in traffic within Burringham which would pose highway safety concerns at a busy junction. A third letter of comment queries the existing speed limits on Burringham Road and the existing 7.5 tonne limit and whether these will remain. The further seven letters object to the proposal for the following reasons:

- increase in traffic, including HGVs, to Burringham Road
- increase in traffic to the already congested Asda roundabout junction of Scotter Road and Burringham Road
- highway safety concerns on Burringham Road
- concerns to pedestrian safety on narrow footways adjacent to Burringham Road
- concerns regarding future parking restrictions on Burringham Road
- increase in traffic, including HGVs, within Burringham
- the development should not be permitted to be operational until the Burringham bypass is opened
- noise and disturbance caused by the increase in traffic, particularly HGVs
- impact on air quality
- property devaluation.

STATEMENT OF COMMUNITY INVOLVEMENT

None provided.

ASSESSMENT

The application site forms the overbridge crossing of the B1450 Burringham Road above the M181 motorway and land to the immediate north. Land adjacent to Burringham Road and the M181 is in agricultural use. Planning permission is sought for highway works to deliver a new terminating junction to the M181 motorway comprising a new at-grade roundabout to access the B1450 Burringham Road from the M181, new B1450 side roads and realignment of the existing B1450, two new additional roundabouts on the realigned B1450, drainage ponds and outfalls, landscaping and associated re-profiling and ancillary works.

It is proposed that the B1450 deviate from its current route northwards with terminating roundabout junction to the M181. Roundabouts are proposed to the east and west of this junction which will provide access into the greater Lincolnshire Lakes development. It was originally proposed to retain the Burringham Road overbridge for vehicular through traffic. This has now been omitted from the scheme through an amendment with the bridge being retained but for non-motorised users only.

The proposed junction of different arrangement was subject to PA/2018/0627. In July 2016 members of the Planning Committee resolved to grant permission on that application subject to conditions and the completion of a Section 106 Agreement.

The main issues for consideration with regard to the determination of this application are whether the principle of development accords with locally adopted planning policy and whether the proposed development would adversely affect the safe operation of the highway, increase the risk of flooding, or result in significant harm to residential amenity.

Policy context

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

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states "if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise". The development plan for North Lincolnshire comprises the North Lincolnshire Core Strategy Local Plan (adopted June 2011) and those policies in the North Lincolnshire Local Plan (adopted May 2003) which were saved by the direction of the Secretary of State (September 2007) and which have not been superseded by the Core Strategy. The Lincolnshire Lakes Area Action Plan (LLAAP) was adopted on 10 May 2016 and forms part of the development plan for North Lincolnshire, sitting alongside the North Lincolnshire Core Strategy and North Lincolnshire Local Plan.

The Lincolnshire Lakes project is referred to within policy CS1 of the Core Strategy (Spatial Strategy for North Lincolnshire) as a major flagship urban renaissance project that will be located to the west of the town creating a major new sustainable waterside setting that will soften the edge and provide an impressive gateway. Policy CS4 (Creating a renaissance in North Lincolnshire) states that the council will work with its partners to promote and secure area-wide renaissance in North Lincolnshire. Lincolnshire Lakes will be delivered through the creation of a master plan as part of the development of an Area Action Plan (AAP).

Principle

Permission is sought for highway works to deliver the terminating junction to the M181 to the north of the B1450 Burringham Road overbridge. It is proposed to divert the B1450 northwards from both the east and west to form a new roundabout with the M181. The existing overbridge is to be retained to form a non-motorised user (NMU) route. Two further roundabouts are proposed to the east and west of the new terminating junction in preparation for future development on adjacent sites.

The development for the purposes of planning is within the open countryside as it is outside of any development limit as defined by the HELA DPD. NLCS policies CS1, CS2, CS3 and NLLP policy RD2 govern development in such a location. Together these policies generally restrict development in the open countryside to that which is essential for the efficient operation of agriculture or forestry. Other development is permitted in the open countryside provided it is justified for an essential need that cannot be met elsewhere.

The application site is within land subject to the Lincolnshire Lakes Area Action Plan. This plan sets out a vision for transformation of substantial change. Lincolnshire Lakes is

identified within the NLCS as part of the renaissance of North Lincolnshire with the aim of redefining North Lincolnshire as the best place to live, work and invest. The project specifically involves the creation of six new villages within a waterside setting.

In this case the proposal is for highway works to deliver a new motorway junction. The Movement Plan within the LLAAP illustrates the requirement of two new junctions to the existing M181 known as the northern and southern junction. The junction subject to this application corresponds with the location of the southern junction as shown on this plan. Policies T1, T3 and T5 are relevant to this application as they set out the need for motorway de-trunking, the southern junction and upgrade of the strategic route (Burringham Road) respectively. The junction is deemed as essential infrastructure by the LLAAP in order to deliver the southern series of villages and lakes proposed. It is therefore considered the proposed highways are considered to meet a justified essential need that cannot be met elsewhere. The works accord in principle with locally adopted planning policy and relate to critical highway infrastructure identified within the LLAAP itself and the principle of development of the terminating junction is acceptable.

Highways and transport

Paragraph 111 of the National Planning Policy Framework requires that developments which will generate significant transport movements should be accompanied by a Transport Assessment. This paragraph continues to state that safe suitable access should be achieved for all. Local plan policy T2 requires safe access to development to be delivered and policy T12 of the LLAAP allows for off-site highway transport improvement infrastructure. Policies T1, T6, T7 and T11 are also relevant.

The proposed development comprises the creation of a roundabout terminating junction to the M181 motorway allowing access from the B1450 Burringham Road. A number of objections and concerns have been raised in relation to the potential for an increase in traffic using the B1450 both east and west of the proposed junction. To the west, objections have been received from residents of Burringham and parish councils raising the issue of increased traffic through Burringham where there are existing traffic issues. A number of parties have called for a bypass for Burringham to be developed prior to or concurrent with the proposed junction. To the east, objections have also been raised in relation to an increase in traffic along Burringham Road and its impact on the operation of existing accesses in addition to the Asda roundabout junction of the B1450 and Scotter Road.

The application was accompanied by a Transport Assessment. This document considers the impact of the creation of the motorway junction upon the existing highway network. The assessment concludes that the existing highway network does have the capacity to cater for additional flow generated by the development. It is noted that the Transport Assessment associated with PA/2015/0627 found that improvements were required to the existing network and obligations were sought for off-site improvements. However, it is important to consider that the aforementioned application was considered in conjunction with PA/2015/0628 and PA/2015/0396 which together sought consent for the development of 2,500 dwellings and the development of lakes. The development of the 2,500 dwellings generates the significant increase in traffic rather than the junction alone which is the subject of this application.

The council's highways team has raised no objection to the proposal, but has raised some minor concerns with the submitted scheme relating to its detailed design and the connectivity of the NMU route; however, considers these matters can be conditioned to

obtain further details that are to be the subject of road safety audits. A letter of comment has been received from the owner/occupier of Warp Farm raising concerns in relation to the access arrangements proposed with the eastern roundabout. The highways team has raised similar concerns in relation to potential conflicts but has not advised that this issue is sufficient to refuse the proposal. It has, however, advised that the proposed access arrangement be subject to further detailed road safety audits. It is advised that the conditions proposed by the highways team be amended to require the implementation of any further works found to be necessary by the road safety audits.

The proposed junction will form the terminating roundabout to the M181 motorway which forms part of the strategic road network (SRN). The SRN is the responsibility of Highways England, an agency of the Secretary of State for Transport. Extensive pre-application consultation has taken place with Highways England on the Lincolnshire Lakes proposal from its earliest stage. Whilst Highways England is the applicant for this application, the agency has also been consulted on the proposal. Highways England has advised it has no objection to the scheme. It will be necessary, however, to further work with Highways England to obtain the legal orders for de-classification of the motorway to an 'A' road and the de-trunking of road from the SRN to the local highway authority. These matters are highlighted to all parties involved in delivery of the project but are independent from the planning process.

Flood risk and drainage

The application site is within flood zone 2/3a of the Northern Lincolnshire Strategic Flood Risk Assessment (SFRA). The proposed development forms a new terminating motorway junction. It is considered that the junction forms essential transport infrastructure that would require to be in operation during a possible flood event as defined by planning practice guidance. The guidance also permits the development of such infrastructure in flood zone 2 and requires the application of the exceptions test in flood zone 3a. The application of the exceptions test is twofold: firstly, that the development is safe from flood risk for its lifetime; and secondly, the development has wider community sustainability benefits that outweigh the flood risk issue.

As the site is within an area that is at risk of flooding and is low-lying, it is important to ensure that the development would not itself be at risk of flooding. It is also a requirement of planning policy for development not to increase the risk of flooding elsewhere. This forms a major consideration for any development within the Lincolnshire Lakes site because the site is within flood zone 2/3a, but it has permission and is allocated for the development of thousands of homes within the site which will introduce a significant number of more vulnerable uses into the area. The council has worked extensively with the Environment Agency to produce the Lincolnshire Lakes Integrated Flood Risk and Drainage Strategy (LLIFRDS) which will act as an overarching FRA for the entire site and sets out the parameters and principles for all developers in the site to adhere to. This strategy will ensure that an integrated comprehensive solution is found for the entire site without piecemeal solutions provided for by individual developers which may prejudice other areas of allocated developable land within the site.

The Environment Agency does not object to the proposal on flood risk grounds. The agency has reviewed the submitted FRA and notes it recommends setting the new junction and associated link roads no lower than 3.6 metres above Ordnance Datum (AOD). This level is the same as the existing M181 motorway and meets the 1 in 100 year requirement plus climate change event overtopping level. Whilst the agency considers that the level of

3.6 metres AOD is sufficient, it has not confirmed this by means of condition. The agency raises some concerns with the submitted FRA as it has not used up-to-date modelling data and climate change information. The latest available information is within that used to formulate the LLFRDS. However, the agency highlights that the LLFRDS has not yet been adopted by the council and the agency. Extensive work has taken place between the council and the agency to inform the LLFRDS and the agency is comfortable with the level of 3.6 metres AOD based on its informal review of the LLFRDS, yet advises that this document is formally reviewed and the FRA updated. It is therefore recommended that conditions be applied requiring the applicant to update the FRA to take into consideration the LLFRDS once completed and adopted by the council following agreement with the agency.

In terms of the second part of the exceptions test, the development would create a new access onto the SRN. Through the preparation of the LLAAP and its evidence base, it is apparent that the junction is necessary in order to deliver the transformational benefits of the Lincolnshire Lakes inclusive of the area-wide renaissance and the development of lakes for tourism, leisure and flood alleviation, in addition to the delivery of substantial levels of housing. As the junction forms critical infrastructure to achieve these aspirations, it is considered that it passes the exceptions test as it would enable the delivery of other schemes that would provide for substantial wider sustainable community benefit.

It is proposed to create surface water attenuation ponds within the two triangles of land bound by the existing Burringham Road, the diverted Burringham Road and the M181. The council's drainage team has been consulted on the proposal and originally raised no objection subject to conditions. The purpose of the conditions was to secure further information in respect of the proposed surface water drainage strategy in terms of its connectivity to the wider drainage network at Lincolnshire Lakes following future publication of the LLFRDS. The drainage team has since withdrawn this stance and clarification is sought as to whether the development, in terms of its infrastructure, is to be integrated into the wider network or is to function independently. If the drainage infrastructure is to function independently, further information is required to demonstrate it will be able to deal with anticipated water flows during extreme weather events. At the time of writing, no such information has been received and the issue of surface water drainage has yet to be resolved.

Residential amenity

The impacts of the proposal upon the residential amenity of nearby and proposed dwellings forms a material consideration for the purposes of planning. Impacts on residential amenity are likely to result from both the construction and operational phases of the development. The development of large-scale highway infrastructure is likely to result in some impact on amenity whilst it is under construction. Due to development timescales, this phase is likely to impact existing dwellings in the locality only.

The applicant has submitted a construction environment management plan (CEMP) which describes the mitigation measures proposed to minimise noise and other disturbance as much as possible during development. This has been reviewed by the council's environmental health team which notes the aspiration to mitigate noise and vibration that could occur during construction. However, the CEMP only gives limited information in relation to mitigation methods to be employed and does not detail how noise levels will be monitored to ensure there is no adverse impact. In order to monitor noise levels through the construction period, it will be necessary to determine ambient noise levels at the site to

establish a baseline for subsequent monitoring. Accordingly, the environmental health team has advised conditions to secure a noise impact assessment and subsequent mitigation where necessary.

The environmental health team has found the measures described within the CEMP to be satisfactory in relation to light but considers further information is required to appropriately mitigate dust from construction activities. It is advised that conditions be imposed requiring the CEMP to be updated in this regard. The team has also advised conditions restricting construction hours, and associated HGV movements and plant installation, to protect the residential amenity of nearby properties, which is considered reasonable.

The operational phase of development, once construction is complete, also requires consideration with regard to the potential for noise and disturbance. This applies to both existing properties within the locality of the site and the proposed dwellings that are the subject of PA/2015/0396. Further residential development is proposed by the LLAAP to the south-east of the application site where no formal planning application has currently been made.

The environmental health team has commented that there is potential for an increase in noise and disturbance associated with vehicular traffic re-routing along Burringham Road following completion of the junction. The team notes that no information has been provided to demonstrate that no adverse effect will result or to determine if any mitigation is required. The team does not object to the proposal, however, and has advised a condition to secure a noise impact assessment and any subsequent mitigation if deemed necessary.

Other matters

The application is accompanied by a preliminary ecological appraisal of the site which has been reviewed by the council's ecologist and the Environment Agency. It is noted that Natural England has no objection to the proposal. The submitted ecology report indicates that the on-site habitats are not likely to support bat roosts but may be used by foraging bats. The ecologist considers that mitigation and enhancement measures will be required, including the maintenance of foraging habitat connectivity for bats. It is stated that the proposal will affect breeding birds of farmland, woodland and scrub habitats that will be developed as a result of the junction's creation. Sensitive working methods will be required to avoid harm to nesting birds, and landscaping proposals should seek to replicate existing habitat to provide a continuity of breeding habitat for priority species. The most recent surveys of the site have not found evidence of reptiles or water vole within the site but it is acknowledged that reptile and water vole activity within the site has been evident historically. The Environment Agency highlights the potential for impacts to water vole within the site and notes the submitted report recommends additional surveys should take place if no works have commenced within one year of the previous survey which was in 2016. The agency states that further consideration should be given to the landscaping design to prevent isolated habitat from being created to serve the water vole population in the greater Lincolnshire Lakes area.

Accordingly, sensitive construction practices will need to take place to prevent harm, with landscaping being designed to promote habitat creation to secure appropriate mitigation in addition to enhancement. The ecologist and Environment Agency have reviewed the submitted CEMP. The Environment Agency support the ecologist's view in that further work is required to the CEMP to ensure sensitive construction practices are employed at the site. It is also recommended that further information be provided to demonstrate how the

proposed ecology and landscaping plan would integrate into the wider habitat strategy at Lincolnshire Lakes. At the time of writing, conditions have not been drafted with regard to this issue. However, both the ecologist and Environment Agency are satisfied that conditions could be applied to secure further detailed information and subsequent implementation.

The application is accompanied by a phase 1 land contamination assessment which has been reviewed by the council's environmental health team and the Environment Agency. The submitted reports finds that the site is unlikely to be contaminated to the extent that human health would be at risk. Both the environmental health team and the Environment Agency concur with this view and recommend conditions to secure remediation in the event that unexpected contamination is found. The environmental health team has advised a further condition to secure a soil verification plan to demonstrate that any imported material to the site is safe.

The environmental health team has also requested obligations be sought in relation to the provision of an air quality monitoring station. The consultation response refers to documentation included within the previous application at the site (PA/2015/0627) which found that the increase in vehicular traffic has the potential to affect air quality with possible exceedances in nitrogen dioxide occurring at several locations within the site. It is important to note that there is a fundamental difference between the application this report is considering and the former PA/2015/0627, this difference being that the 2015 application was determined in conjunction with other applications for the development of up to 2,500 dwellings, whereas the application being considered here is for the development of the motorway junction alone. It is not considered that this application would increase traffic to such an extent to be harmful to air quality but re-distributes existing traffic along different routes. It is therefore not considered reasonable or proportionate to request such an obligation be made.

The council's archaeologist considers that insufficient information has been submitted to determine the archaeological potential of the site. A desk-based assessment has been submitted but the archaeologist concludes that ground intrusive field work, comprising trial trenching, should take place prior to determination of the application. The archaeologist has prepared conditions should the local planning authority be minded to approve the application without such fieldwork taking place. From review of the previous decision of the scheme, under PA/2015/0627, conditions were applied. To aid the consistency of decision-making, it is proposed to include the conditions prepared by the archaeologist and not require the information to be provided prior to determination.

RECOMMENDATION

Subject to the resolution of the outstanding issues in relation to flood risk, drainage and ecology, the committee resolves:

- (i) it is mindful to grant permission for the development;**
- (ii) the decision be delegated to the Group Manager – Development Management and Building Control;**
- (iii) if the outstanding issues are not resolved by 3 April 2019 the Group Manager – Development Management and Building Control be authorised to refuse the**

application on grounds of non-compliance with policies CS18 and CS19 of the North Lincolnshire Core Strategy, policies DS14 and DS16 of the North Lincolnshire Local Plan, and policies F1 and L2 of the Lincolnshire Lakes Area Action Plan;

(iv) the permission so granted be subject to the following conditions:

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 in schedule of drawings 221018.

Reason

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

3.

Prior to the commencement of development, the Flood Risk Assessment (FRA) submitted with this planning application shall be updated, and submitted to and agreed in writing by the local planning authority and the Environment Agency. The updated FRA shall be in accordance with the approved North Lincolnshire Council Lincolnshire Lakes Integrated Flood Risk and Drainage Strategy which shall have previously been agreed in writing with the Environment Agency. Any updated FRA shall be undertaken in accordance with the requirements of national planning policy and associated guidance and make use of the best available information on flood risk. The updated FRA shall set the approved terminating junction and associated link roads to no lower than 3.6 metres above Ordnance Datum (AOD) unless proven otherwise as a result of updating the FRA, making use of the best available information on flood risk and the conclusions of the North Lincolnshire Council Lincolnshire Lakes Integrated Flood Risk and Drainage Strategy.

Reason

To reduce the risk of flooding to the proposed development and future users, in accordance with policy CS19 of the North Lincolnshire Core Strategy and policy F1 of the Lincolnshire Lakes Area Action Plan.

4.

The flood mitigation measures set out within the updated FRA approved pursuant to condition 3 shall be fully implemented in accordance with the approved timescales or within any other period as may be subsequently agreed in writing by the local planning authority and the Environment Agency. Once constructed the flood mitigation measures shall be retained and maintained thereafter in accordance with the approved FRA.

Reason

To reduce the risk of flooding to the proposed development and future users, in accordance with policy CS19 of the North Lincolnshire Core Strategy and policy F1 of the Lincolnshire Lakes Area Action Plan.

5.

No development shall take place until all details relating to:

- (a) the drainage, construction, services and lighting of the proposed scheme, including the tie-ins with the new highway, motorway junction and localised connections to adjacent land and residential properties;
- (b) appropriate measures, both temporary and permanent, to prevent unauthorised access to the proposed NMU route;
- (c) the proposed amendments to the Burringham Road overbridge and approaches to form the NMU route;
- (d) appropriate measures to prevent unauthorised use of the maintenance access on each radiating arm to the drainage facilities;
- (e) a comprehensive signing scheme covering both signage to the immediate works and consideration of the requirement to amend local advanced direction signs;

have been submitted and approved in writing by the local planning authority.

Reason

To ensure that the junction is safe and designed to the appropriate standards to ensure the continued safe and efficient operation of the M181 and M180 as directed by the Secretary of State for Transport and to ensure that satisfactory details of key highway features are agreed prior to any works on infrastructure commencing in accordance with policies CS25 and CS26 of the North Lincolnshire Core Strategy and policies T2 and T4 of the Lincolnshire Lakes Area Action Plan.

6.

All aspects of the above works and amended general arrangements approved pursuant to condition 5 shall be the subject of a Stage 1/2 Safety Audit. The approved works and amended general arrangements shall then be implemented in accordance with the approved details inclusive of any recommendations made as a result of the Safety Audit.

Reason

To ensure that key highway features are implemented in accordance with the agreed details in a timely fashion, in accordance with policies CS25 and CS26 of the North Lincolnshire Core Strategy and policies T2 and T4 of the Lincolnshire Lakes Area Action Plan.

7.

The proposed access points to the drainage facilities from both the eastern and western connecting arms between the roundabouts shall at no point be used to serve any other purpose than a maintenance access point.

Reason

The approved works and amended general arrangements shall then be implemented in accordance with the approved details inclusive of any recommendations.

8.

The proposed connection to the motorway junction, including eastern and western roundabouts, shall not be brought into use until all works required by condition 5 above, including all appropriate signage, have been completed in accordance with the approved details.

Reason

To ensure that the junction is safe and designed to the appropriate standards to ensure the continued safe and efficient operation of the M181 and M180 as directed by the Secretary of State for Transport and to ensure that satisfactory details of key highway features are agreed prior to any works on infrastructure commencing in accordance with policies CS25 and CS26 of the North Lincolnshire Core Strategy and policies T2 and T4 of the Lincolnshire Lakes Area Action Plan.

9.

Within three months of the motorway junction being brought into use, all other works, including:

- (a) the completion of the NMU route (including appropriate measures to prevent unauthorised access);
- (b) all pedestrian connections;
- (c) all access points to adjacent land and residential properties;
- (d) all required amendments to local road network advanced directional signage;

have been completed in accordance with the submitted details.

Reason

To ensure that the junction is safe and designed to the appropriate standards to ensure the continued safe and efficient operation of the M181 and M180 as directed by the Secretary of State for Transport and to ensure that satisfactory details of key highway features are agreed prior to any works on infrastructure commencing in accordance with policies CS25 and CS26 of the North Lincolnshire Core Strategy and policies T2 and T4 of the Lincolnshire Lakes Area Action Plan.

10.

All of the above construction works shall be the subject of a Stage 3 Safety Audit. The approved construction works shall then be implemented in accordance with the approved details, inclusive of any recommendations made as a result of the Safety Audit.

Reason

To ensure that key highway features are implemented in accordance with the agreed details in a timely fashion, in accordance with policies CS25 and CS26 of the North Lincolnshire Core Strategy and policies T2 and T4 of the Lincolnshire Lakes Area Action Plan.

11.

No development shall take place until a construction phase traffic management plan showing details of all associated traffic movements, including delivery vehicles and

staff/construction movements, any abnormal load movements, contractor parking and welfare facilities, storage of materials and traffic management requirements on the adjacent highway, has been submitted to and approved in writing by the local planning authority. Once approved the plan shall be implemented, 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.

12.

No development shall commence until a noise impact assessment has been submitted to and approved in writing by the local planning authority. The noise impact assessment report shall provide details of existing background noise levels, existing noise sources likely to impact upon the proposed development, new noise sources likely to impact upon any sensitive locations, mitigation methods to be employed and the resulting predicted levels of noise at sensitive locations.

Reason

To ensure the mitigation measures are implemented for the protection of residential amenity and the prevention of unacceptable adverse noise impact in accordance with policies DS1 and DS11 of the North Lincolnshire Local Plan and CS5 of the North Lincolnshire Core Strategy.

13.

The approved mitigation measures required by condition 12 shall be carried out in accordance with the approved details and shall be retained thereafter unless otherwise agreed in writing with the local planning authority.

Reason

To ensure the approved mitigation measures are implemented for the protection of residential amenity and the prevention of unacceptable adverse noise impact in accordance with policies DS1 and DS11 of the North Lincolnshire Local Plan and CS5 of the North Lincolnshire Core Strategy.

14.

The construction hours of the development hereby permitted shall be restricted to:

- 8am to 5pm Monday to Friday

- 9am to 12.30pm on Saturdays.

No construction works shall take place on Sundays or public/bank holidays.

In the event that (emergency) works are required outside the above hours, works will only be permitted with the written consent of the local planning authority.

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

To protect residential amenity in accordance with policy DS1 of the North Lincolnshire Local Plan.

15.

No development shall take place until an updated construction environment management plan (CEMP) has been submitted to and approved in writing by the local planning authority to include the following:

- (a) site dust monitoring, recording and complaint investigation procedures
- (b) identification of receptors and the related risk of dust impact at all phases of the development, including when buildings and properties start to be occupied
- (c) provision of water to the site
- (d) dust mitigation techniques at all stages of development
- (e) prevention of dust trackout
- (f) communication with residents and other receptors
- (g) a commitment to cease the relevant operation if dust emissions are identified either by regular site monitoring or by the local authority
- (h) a 'no burning of waste' policy.

Reason

To prevent adverse environmental impact in accordance with policies DS1 and DS11 of the North Lincolnshire Local Plan.

16.

The approved mitigation measures set out within the updated construction environment management plan shall be implemented in their entirety throughout the construction phase of development.

Reason

To prevent adverse environmental impact in accordance with policies DS1 and DS11 of the North Lincolnshire Local Plan.

17.

Prior to the importation of top/sub soil onto the site there shall be submitted to and approved in writing by the local planning authority a soil verification plan. The verification plan shall ensure that imported or site derived soils are safe and suitable for use on the approved development. The use hereby permitted shall not be commenced until the verification plan has been complied with in full and subsequently approved in writing by the local planning authority. No deviation from the approved plan shall be permitted unless

agreed in writing with the local planning authority. The scheme shall be retained for the duration of the development.

Reason

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

18.

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and written approval obtained from the local planning authority. The remediation strategy shall be implemented as approved.

Reason

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

19.

Lighting for the proposed scheme shall be installed in accordance with the Road Lighting Drawing 60495832-M181-DRG-001300.

Reason

To prevent adverse environmental impact in accordance with policy DS1 of the North Lincolnshire Local Plan.

20.

No development shall take place until a noise impact assessment has been submitted to and approved in writing by the local planning authority. The noise impact assessment shall be carried out with reference to:

- the National Planning Policy Framework (2012)
- National Planning Practice Guidance (2014)
- ProPG: Planning & Noise, New Residential Development (2017)
- BS 4142:2014 Methods for rating and assessing industrial and commercial sound
- World Health Organisation Guidelines for Community Noise (1999)
- World Health Organisation Night Noise Guidelines for Europe (2009)
- BS8233:2014 Guidance on sound insulation and noise reduction for buildings

- BS5228-1:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites. Noise.
- BS5228-2:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites. Vibration.
- BS7445-2:1991, ISO1996-2:1987 Description of environmental noise. Part 2: Guide to acquisition of data pertinent to land use.

The noise impact assessment report shall provide details of existing background noise levels, likely noise sources which will impact upon the proposed development, mitigation methods to be employed and the resulting predicted level 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

To ensure the approved mitigation measures are implemented for the protection of residential amenity and the prevention of unacceptable adverse noise impact in accordance with policies DS1 and DS11 of the North Lincolnshire Local Plan and CS5 of the North Lincolnshire Core Strategy.

21.

No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of an archaeological strategy for pre-commencement evaluation and mitigation, to be defined in a written scheme of investigation that has been submitted to and approved in writing by the local planning authority. The strategy shall include details of the following:

- (i) the proper identification and evaluation of the extent, character and significance of archaeological remains and palaeoenvironmental deposits within the application area in accordance with the brief provided by the North Lincolnshire Historic Environment Record (19/11/2018)
- (ii) an assessment of the impact of the proposed development on the archaeological remains and palaeoenvironmental deposits
- (iii) the submission of an updated written scheme of investigation for the approval in writing of the planning authority setting out mitigation proposals that include the following:
 - (iv) measures to ensure the preservation in situ, or the preservation by record, of archaeological features of identified importance
 - (v) measures to ensure the preservation in situ or by record of archaeological features of identified importance
 - (vi) methodologies for the recording and recovery of archaeological remains, including artefacts and ecofacts
 - (vii) post-fieldwork methodologies for assessment and analyses

- (viii) report content and arrangements for dissemination, and publication proposals
- (ix) archive preparation and deposition with recognised repositories
- (x) a timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the strategy
- (xi) monitoring arrangements, including the notification in writing to the North Lincolnshire Historic Environment Record of the commencement of archaeological works and the opportunity to monitor such works
- (xii) a list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications.

Reason

To comply with paragraph 199 of the National Planning Policy Framework, policy CS6 of the North Lincolnshire Core Strategy and policy HE9 of the North Lincolnshire Local Plan because the site has the potential to contain significant archaeological and palaeoenvironmental remains that the development would otherwise destroy. The archaeological evaluation strategy is required in order to assess this potential and the impact of the proposals, and to inform a subsequent archaeological mitigation strategy to preserve archaeological evidence in situ or by means of a comprehensive record and creation of a permanent archive, to advance public understanding. The archaeological evaluation and mitigation strategy must be prepared and approved for implementation prior to the commencement of any groundwork within the application site that would otherwise result in destruction without record.

22.

The applicant, or their agents or successors in title, shall provide written confirmation to the local planning authority that they have secured the implementation of the archaeological evaluation and mitigation strategies as defined in the written scheme of investigation, in accordance with the approved details and timings. No variation shall take place without the prior written consent of the planning authority.

Reason

To comply with paragraph 199 of the National Planning Policy Framework, policy CS6 of the North Lincolnshire Core Strategy and policy HE9 of the North Lincolnshire Local Plan because the site has the potential to contain significant archaeological and palaeoenvironmental remains that the development would otherwise destroy. The archaeological evaluation strategy is required in order to assess this potential and the impact of the proposals, and to inform a subsequent archaeological mitigation strategy to preserve archaeological evidence in situ or by means of a comprehensive record and creation of a permanent archive, to advance public understanding. The archaeological evaluation and mitigation strategy must be prepared and approved for implementation prior to the commencement of any groundwork within the application site that would otherwise result in destruction without record.

23.

No stage of the development shall be brought into operation until any archaeological mitigation investigation and post investigation assessment has been completed in accordance with the programme set out in the approved written scheme of investigation, and provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason

To comply with paragraph 199 of the National Planning Policy Framework, policy CS6 of the North Lincolnshire Core Strategy and policy HE9 of the North Lincolnshire Local Plan because the site has the potential to contain significant archaeological and palaeoenvironmental remains that the development would otherwise destroy. The archaeological evaluation strategy is required in order to assess this potential and the impact of the proposals, and to inform a subsequent archaeological mitigation strategy to preserve archaeological evidence in situ or by means of a comprehensive record and creation of a permanent archive, to advance public understanding. The archaeological evaluation and mitigation strategy must be prepared and approved for implementation prior to the commencement of any groundwork within the application site that would otherwise result in destruction without record.

24.

A copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at the North Lincolnshire Historic Environment Record within six months of commencement of the archaeological programme of work or such other period as may be agreed in writing by the local planning authority.

Reason

To comply with paragraph 199 of the National Planning Policy Framework, policy CS6 of the North Lincolnshire Core Strategy and policy HE9 of the North Lincolnshire Local Plan because the site has the potential to contain significant archaeological and palaeoenvironmental remains that the development would otherwise destroy. The archaeological evaluation strategy is required in order to assess this potential and the impact of the proposals, and to inform a subsequent archaeological mitigation strategy to preserve archaeological evidence in situ or by means of a comprehensive record and creation of a permanent archive, to advance public understanding. The archaeological evaluation and mitigation strategy must be prepared and approved for implementation prior to the commencement of any groundwork within the application site that would otherwise result in destruction without record.

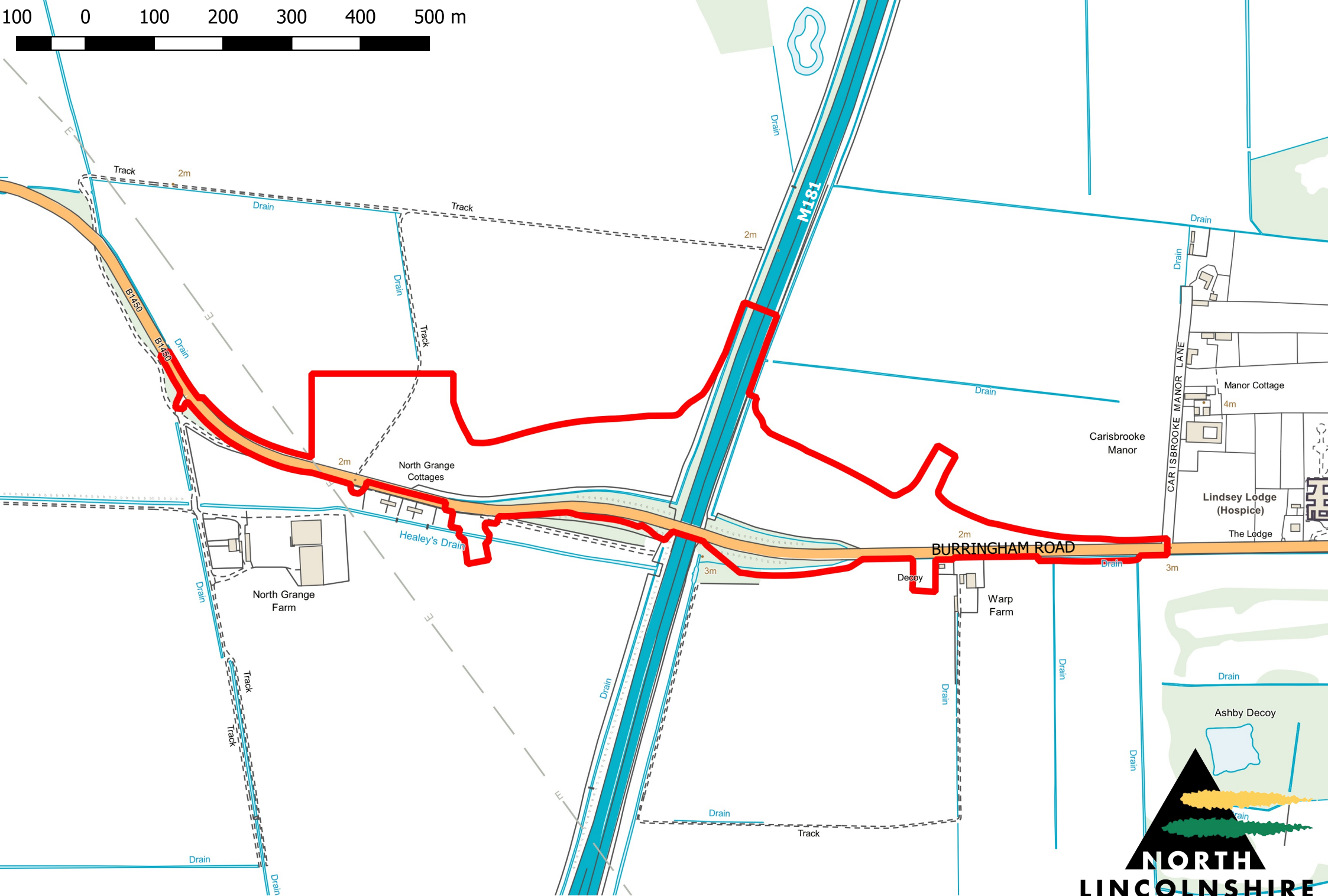
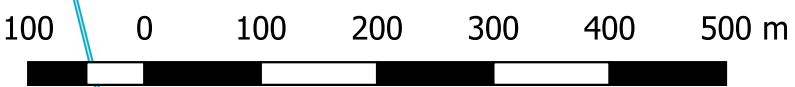
Informative 1

The highway scheme hereby granted planning permission shall be the subject of a Section 38/278 Agreement under the Highways Act and no construction works shall take place until:

- (a) construction approval has been granted by the Highway Authority;
- (b) the legal agreement "with associated costs" has been finalised.

Informative 2

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 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/2017/1386

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PA/2017/1386 Scheme layout (not to scale)

ISO A1 50mm x f
 Approved: DR
 Checked: DR
 Designer: AW
 Project Management Initials:
 DWG
 Schemelayout
 2017-05-05
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 M181 Terminal Junction
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AMENDED



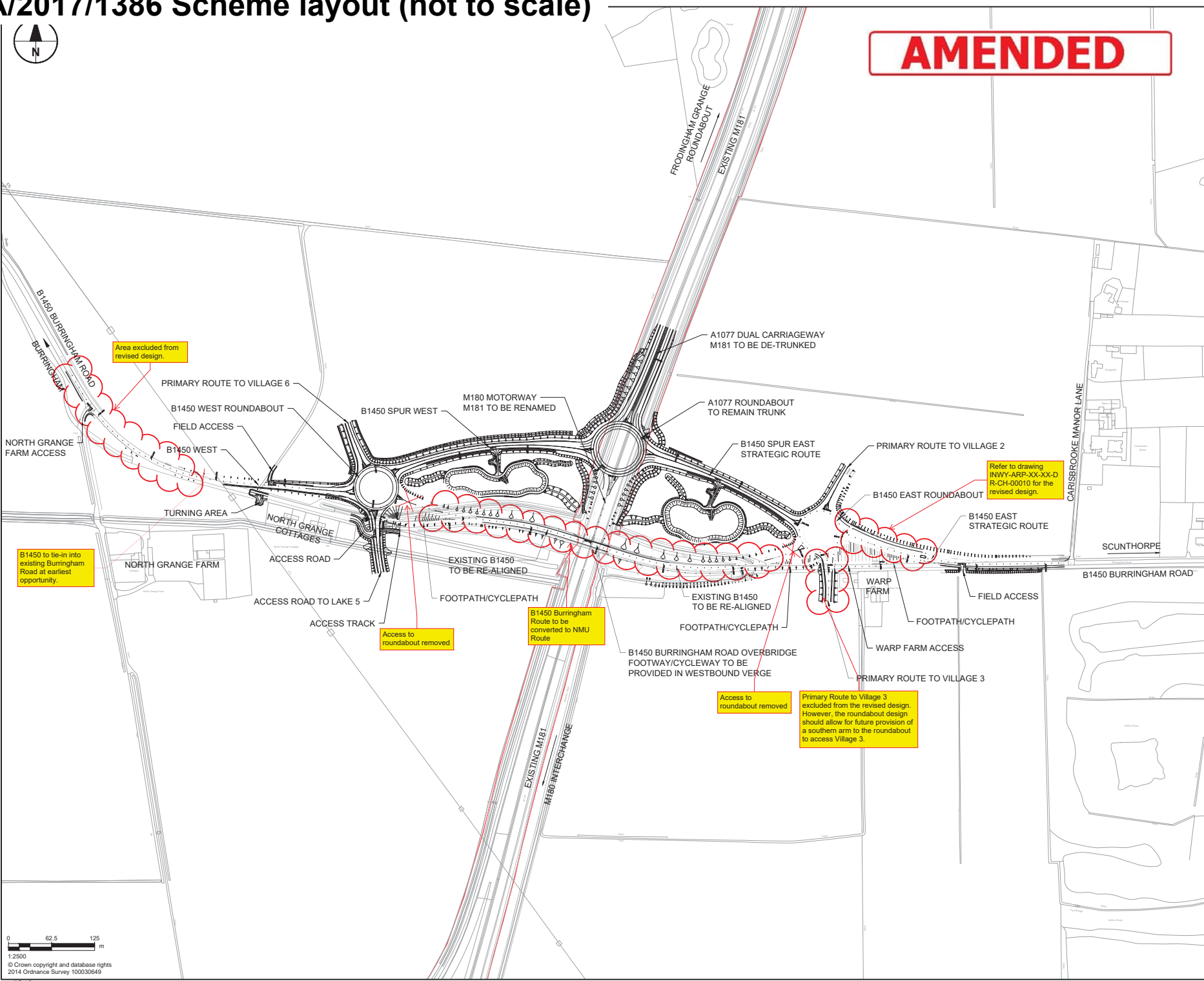
PROJECT
 M181 Terminal Junction

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NOTES
 1. All proposals shown are subject to technical approval.

LEGEND
 EXISTING HIGHWAYS
 ENGLAND BOUNDARY



Refer to drawing no. INWY-ARP-XX-XX-DR-CH-00010 for an updated Scheme Layout

ISSUE/REVISION

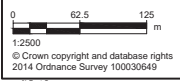
NO.	DATE	DESCRIPTION

KEY PLAN

PROJECT NUMBER
 60495832

SHEET TITLE
 SCHEME LAYOUT

SHEET NUMBER
 60495832-M181-DRG-000001



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