

<b>APPLICATION NO</b>	<b>PA/2015/0396</b>
<b>APPLICANT</b>	Mr Mark Graves, Maltgrade Limited
<b>DEVELOPMENT</b>	Outline planning permission for the development of up to 2500 new homes including a village centre (Use Classes A1, A2, A3, A4, A5, B1 and D1), a health care facility (Use Class D1), community facilities (Use Class D1), a 3 form of entry primary school (Use Class D1), new roads and footpaths, informal areas of open space, play spaces and new wildlife habitats, water bodies and wetlands with all matters reserved for subsequent approval
<b>LOCATION</b>	Lincolnshire Lakes, M181 from M180 to A18, Burringham
<b>PARISH</b>	Ashby Parklands and Burringham
<b>WARD</b>	Burringham and Gunness
<b>CASE OFFICER</b>	Kate Mills
<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>	Amendment to Heads of Terms agreed at July 2016 Planning Committee

## **POLICIES**

National Planning Policy Framework: The extract of policy from the NPPF represents some of the key paragraphs for this assessment. Please note, however, that this list is not exhaustive.

Paragraph 11: Plans and decisions should apply a presumption in favour of sustainable development.

For plan-making this means that:

- (a) plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change;
- (b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:
  - (i) the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or

- (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

For decision-taking this means:

- (c) approving development proposals that accord with an up-to-date development plan without delay; or
- (d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
  - (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Paragraph 12: The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

Paragraph 34: Plans should set out the contributions expected from development. This should include setting out the levels and types of affordable housing provision required, along with other infrastructure (such as that needed for education, health, transport, flood and water management, green and digital infrastructure). Such policies should not undermine the deliverability of the plan.

Paragraph 38: Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

Paragraph 47: Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.

Paragraph 56: Planning obligations must only be sought where they meet all of the following tests:

- (a) necessary to make the development acceptable in planning terms

- (b) directly related to the development, and
- (c) fairly and reasonably related in scale and kind to the development.

Paragraph 59: To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

Paragraph 73: Strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period, and all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites. Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. The supply of specific deliverable sites should, in addition, include a buffer (moved forward from later in the plan period) of:

- (a) 5% to ensure choice and competition in the market for land; or
- (b) 10% where the local planning authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during that year; or
- (c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply.

Paragraph 91: Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:

- (a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;
- (b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas; and
- (c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.

Paragraph 103: The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport

solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.

Paragraph 122: Planning policies and decisions should support development that makes efficient use of land, taking into account:

- (a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
- (b) local market conditions and viability;
- (c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
- (d) the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
- (e) the importance of securing well-designed, attractive and healthy places.

Paragraph 159: If it is not possible for development to be located in zones with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may have to be applied. The need for the exception test will depend on the potential vulnerability of the site and of the development proposed, in line with the Flood Risk Vulnerability Classification set out in national planning guidance.

Paragraph 161: Both elements of the exception test should be satisfied for development to be allocated or permitted.

Paragraph 162: Where planning applications come forward on sites allocated in the development plan through the sequential test, applicants need not apply the sequential test again. However, the exception test may need to be reapplied if relevant aspects of the proposal had not been considered when the test was applied at the plan-making stage, or if more recent information about existing or potential flood risk should be taken into account.

Paragraph 163: When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

- (a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
- (b) the development is appropriately flood resistant and resilient;
- (c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
- (d) any residual risk can be safely managed; and

- (e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

Paragraph 165: Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:

- (a) take account of advice from the lead local flood authority;
- (b) have appropriate proposed minimum operational standards;
- (c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and
- (d) where possible, provide multifunctional benefits.

Paragraph 189: In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

Paragraph 190: Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset' s conservation and any aspect of the proposal.

**North Lincolnshire Local Plan:** Policies H8, T2, T6, T8, T9, T14, T15, T18, T19, R5, C3, LC1, LC2, LC4, LC5, LC6, LC7, LC12, HE9, DS1, DS3, DS7, DS13, DS14, DS16 and DS17.

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

**Lincolnshire Lakes Area Action Plan (AAP):** Policies SS1, SS2, SS3, SS4, H1, H2, SC1, SC2, T6, T7, T8, T9, T11, T12, F1, L2, G1, G2, G3, G4, G5, G6, SD1, SSA2, SSA4, SSA6, D1, D2, D3 and D4.

## **Lincolnshire Lakes Strategic Design Guide SPD**

### **CONSULTATIONS**

An initial round of consultation was held in June/July 2015. Following receipt of additional information, and amended plans and strategies, a further round of consultation was held in

June/July 2016. Representations received from both consultation exercises are summarised below:

**Ashby Parkland Parish Council:** Concerned about the increased volume of traffic on the existing network of roads (causing traffic generation, congestion and highway safety) this proposed development will bring and asks the council to consider this concern when considering this planning application.

**Gunness Parish Council:** Whilst members of Gunness Parish Council agree in principle to this application for outline planning permission for new roads, footpaths and informal areas etc, Lincolnshire Lakes M181 from M180 to A18, no construction should take place until the Highway Works as described in application PA/2015/0627 are fully completed and operational to prevent construction traffic chaos on local roads, especially Berkeley Circle and M181/A18 Roundabout.

At a public meeting held on 13 May 2013 attended by 67 people, when it was stated that there were three interested parties, it was stated that the road network would be constructed before any building work took place funded by the private sector and that North Lincolnshire Council had placed finance in their budgets for the road network which would be paid back by the developers under a section 106 agreement.

The Parish Council stated no objection to the amended scheme in July 2016.

**Bottesford Town Council:** Supported the proposal in July 2015 and urges deregulation of the M181 re traffic issues. Objects to the additional 100 dwellings and asks that the original plans be adhered to within the June 2016 consultation response.

**Flixborough Parish Council:** No objections.

**Keadby and Althorpe Parish Council:** No objection provided any piling/river bank works on the east of the River Trent does not increase the risk of flooding on the western bank which would affect residents at Keadby, Althorpe and Derrythorpe.

**Burringham Parish Council:** No comments received.

**Drainage:** No objection subject to the imposition of conditions to require and implement a surface water drainage scheme for each phase of development. The Drainage Team originally objected to the application but this was removed via an email dated 21/04/2016.

**Highways England:** No objection. Highways England originally objected to the application but, following receipt of further information, removed this objection in a letter dated 07/04/2016.

**Transport Planning:** Advises conditions.

**Severn Trent Water Ltd:** No objection subject to conditions.

**Anglian Water:** No comments received.

**Canal and Rivers Trust:** Does not wish to comment.

**Network Rail:** It is requested that a section 106 contribution be made to fund improved cycle parking provision at Scunthorpe and Althorpe stations.

**Environmental Protection:** Provides the following comments on the application:

*Contaminated land*

No objection. It is noted that the Environmental Statement details the potential presence of land contamination in certain areas. It is recommended that a condition be imposed to require a scheme of remediation.

*Noise*

No objection subject to conditions. During the 2015 consultation concerns were raised in respect of information within the Environmental Statement. Additional information was sought from the applicant. In June 2016 confirmation was received that the additional information was acceptable. Conditions were recommended in respect of a Construction Environment Management Plan, Noise Impact Assessment and construction hours.

*Air quality*

No objection. It is stated that increased traffic volumes as a result of development may result in nitrogen oxide targets being breached along Doncaster Road East (A18) and Scotter Road Roundabout. It is suggested that a section 106 contribution is sought for the sum of £19,215 to allow the council to monitor air quality.

*Lighting*

No objections. It is recommended that a condition be imposed to secure a lighting scheme and its implementation.

*Construction*

No objection. It is recommended that a condition be imposed to secure a construction environment management plan and its implementation and to limit construction hours.

**Affordable Housing:** It has been agreed through the viability work that 120 affordable dwellings will be provided on site.

**Education:** Requests clarification in respect of school design at the reserved matters stage. 2500 dwellings are estimated to generate 625 primary and 500 secondary school places. A 3 form entry primary school is required with 3 hectares of land gifted to the authority to allow its development. Contributions should be sought for 500 secondary places.

**Tree Officer:** Requests that retained trees be protected to the BS5837:2012 standard.

**PROW Officer:** No objection.

**Public Open Space:** In July 2015 further detail was requested as the submitted plans did not include enough. A variety of recreational open space types were requested and quantum public open space. Clarification was needed in respect of management and maintenance of public open space with a commuted sum for this identified should the open space be adopted by the council. In June 2016 states that the indicative plan shows 2.5 hectares of informal recreational open space which is proposed to be provided within this application. Exact locations need to be determined through the reserved matters stage.

**Public Health:** No objection. It is noted that much effort has been put in to ensure that the new development creates a health promoting environment for the benefit of new and existing residents in North Lincolnshire.

It is suggested that more ambitious targets be set within the Travel Plan. Through the provision of the right infrastructure the development could achieve travel through more sustainable methods. It is suggested that cycle paths that are grade separated with priority measures in place at junctions with motorised traffic could encourage more journeys to be made by bicycle. It is noted that bus travel could be increased through regular services and the provision of real time travel information.

It is encouraged that space be set aside within the development for allotments and/or community gardens to promote healthier lifestyles. It is stated that further details are required in respect of retail elements and it is commented that it would like to be ensured that A5 usage does not dominate any retail frontage.

**NHS:** No objection. Comments are given with regard to the proposed health facility and the provision of GP services throughout the development area to consider patient choice and capacity of existing health services within North Lincolnshire.

**Historic England:** It was recommended in July 2015 to contact the authority's archaeological adviser for advice with regard to archaeological work proposed/required. It was also stated that no assessment of impact upon significance of heritage assets within the vicinity was provided despite reference to such within the Environmental Statement. It was advised to only determine the application if the authority was satisfied it had sufficient information to make an informed decision.

In 2016 it was noted that an Impact on Listed Buildings, Conservation Areas and Scheduled Monuments has now been provided although it was considered that this was not exhaustive, lacked substantive evidence and it was disputed that there was no defined meaning of the word 'setting' as stated in the document. Again it was advised to only determine the application if the authority was satisfied it had sufficient information to make an informed decision.

It was also noted that a Written Scheme of Investigation for Trial Trenching had been provided and welcomed. It was encouraged that a scheme for palaeo-environmental sampling strategy be prepared prior to the commencement of development. Again it was recommended to contact the authority's archaeological adviser for advice with regard to archaeological work proposed/required.

**Conservation Officer:** No objection.

**Archaeology:** In 2015 the Historic Environment Record (HER) advised a holding objection until further information is provided regarding the potential impact of the development on heritage assets and an overarching Archaeological Strategy produced for the development site. It was stated that the application should not be determined, except for a refusal, until further information is submitted and a written Archaeological Strategy is produced setting out any appropriate mitigation measures to avoid adverse impact or adequately mitigate loss of heritage assets.

In 2016 the HER welcomed the additional information that had been provided but did not consider that sufficient information had been provided to allow for an informed decision to

be made. It was advised that the application should not be determined until the results of the field evaluation were known and appropriate mitigation measures agreed. Conditions were recommended should the authority not follow this advice to allow for determination.

**Robin Hood Airport:** No objection.

**Humberside Airport:** No objection. Queries whether further wildlife habitat documentation will be provided.

**Humberside Fire and Rescue Service:** Comments that it is a requirement of Approved Documents B5, Section 16 Commercial Properties or B5, Section 11 for Domestic Premises that adequate access for fire-fighting is provided to all buildings or extensions to buildings.

Adequate provision of water supplies for fire-fighting appropriate to the proposed risk should be considered. If the public supplies are inadequate it may be necessary to augment them by the provision of on-site facilities. Under normal circumstances hydrants for industrial unit and high risk areas should be located at 90 metre intervals. Where a building which has a compartment of 280 square metres or more in area is being erected more than 100 metres from an existing fire hydrant, hydrants should be provided within 90 metres of an entry point to the building and not more than 90 metres apart. Hydrants for low risk and residential areas should be located intervals of 240 metres.

**Humberside Police:** No comments received.

**Spatial Planning:** Due to the scale of this application, significant section 106 contributions and provisions will be required. Negotiations with regard to the content of the agreement are ongoing.

It was considered that the application complied with the housing requirement set out in the Core Strategy and Area Action Plan and that the additional dwellings adjacent to Lake 5 were justified.

**RSPB:** No comments received.

**Ecology:** The proposal is not likely to have a significant effect on the Humber Estuary SAC, SPA or Ramsar site, or any other Natura 2000 site.

Survey work is being undertaken and ordinarily this application should not be determined, except for a refusal, until such survey work is complete. However, following discussions, it has been agreed that the conditions proposed will safeguard protected or priority species.

The conditions proposed will ensure that no development can commence until appropriate ecological mitigation and enhancement measures have been agreed and implemented.

**Environment Agency:** The EA objected to this application in July 2015. Following further information submitted in the form of an updated FRA and work ongoing to deliver the Lincolnshire Lakes Integrated Flood Risk and Drainage Strategy, the EA removed their objection in July 2016 and advise conditions.

**JBA Consulting for Scunthorpe and Gainsborough Water Management Board:** No comments received.

**Natural England:** Within responses received during both consultation rounds it was stated no objection in terms of internationally and nationally designated sites. Further standing advice was given in relation to protected and priority species and it was recommended that the authority's ecologist's advice is sought.

**Lincolnshire Wildlife Trust:** Expresses disappointment at the lack of detail within the submitted ecological mitigation strategy. It noted the survey work is still ongoing and information should be available prior to taking the decision being taken. It is advised that further information should be obtained via conditions and that the Lincolnshire Wildlife Trust should be consulted.

**National Grid:** No comments received.

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

**North Lincolnshire Green Party:** Strongly object to the inclusion of an additional 100 dwellings and believe the delivery of 2400 dwellings within this area to be excessive and will result in unacceptable living conditions as a result of the required housing density. Concerns were raised also in respect of increased traffic volumes as a result of the development which would result in additional noise and air quality issues for existing residents.

Following further discussions regarding the Heads of Terms for the Section 106 an additional public consultation period has been carried out in June/July 2019. All the above parties have been re-consulted and any additional responses received are summarised below.

**Bottesford Town Council:** No objection to this application.

**Environment Agency:** The Environment Agency have reviewed the revised documentation and confirmed their position remains as set out in their response of 12 July 2016 which advised conditions.

**Gunness Parish Council:** No objection to this application.

**Historic England:** Do not wish to offer any comments. Historic England suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

**Humberside Fire and Rescue Service:** Comments that it is a requirement of Approved Documents B5, Section 16 Commercial Properties or B5, Section 11 for Domestic Premises that adequate access for fire-fighting is provided to all buildings or extensions to buildings.

Adequate provision of water supplies for fire-fighting appropriate to the proposed risk should be considered. If the public supplies are inadequate it may be necessary to augment them by the provision of on-site facilities. Under normal circumstances hydrants for industrial unit and high risk areas should be located at 90 metre intervals. Where a building which has a compartment of 280 square metres or more in area is being erected more than 100 metres from an existing fire hydrant, hydrants should be provided within 90 metres of an entry point to the building and not more than 90 metres apart. Hydrants for low risk and residential areas should be located intervals of 240 metres.

**Spatial Planning:** Due to the scale of this application, significant Section 106 contributions and provisions will be required. Negotiations with regard to the content of the agreement are ongoing.

It was considered that the application complied with the housing requirement set out in the Core Strategy and Area Action Plan and that the additional dwellings adjacent to Lake 5 were justified.

**Canal and Rivers Trust:** Does not wish to comment.

**Shire Group on behalf of Scunthorpe & Gainsborough Water Management Board:**  
Have no objection in principle but would advise the following:

If the surface water were to be disposed of via a soakaway system, the Internal Drainage Board (IDB) would have no objections in principle but would advise that the ground conditions in this area may not be suitable for soakaways.

If surface water is to be directed to a mains sewer system the water authority would need to be satisfied that the existing system will accept the additional flow.

Any surface water that discharged to any ordinary watercourse within the drainage district would need consent from the IDB and would be restricted to 1.4 litres per second per hectare or greenfield run-off.

No obstruction within 9 metres of the edge of a watercourse are permitted without consent from the IDB.

If surface water or works are planned adjacent to a Main River within the Drainage Districts, then the EA should be contacted for any relevant permits.

## **PUBLICITY**

An initial round of public consultation was held in June/July 2015. Neighbouring properties were notified by letter, site notices were posted close to the site and a press notice issued. Following receipt of additional information, and amended plans and strategies, a further round of public consultation was held in June/July 2016. Again, neighbouring properties were notified by letter, site notices were posted close to the site and a press notice issued.

Two letters of comment have been received from Lindsey Lodge Hospice during each round of consultation raising concerns in respect of increased road traffic and noise from the development along Burringham Road which could affect the environment of patients and access into the site. It is recommended that the speed limit be reduced to 30 mph from the current 40 mph to assist in addressing these issues.

Following further discussions regarding the Heads of Terms for the Section 106 an additional public consultation period has been carried out in June/July 2019. An additional third party response has been received and is detailed below.

An objection has been received from an adjacent land owner within the Lincolnshire Lakes Area Action Plan area. The objection includes the following matters:

1. Maltgrade have not proactively engaged with the objecting landowner whose site is proposed for development within Village 6 of the Lincolnshire Lakes Area Action Plan.

2. The exclusive design of the application does not facilitate the delivery of a single, cohesive and interlinked Village 6 across multiple land ownerships.
3. No consideration for the effective provision of services for Village 6 as a whole.
4. The emerging design makes no provision for the primary route prejudicing not only the deliverability of Village 6 but undermining the connectivity of the entire Lincolnshire Lakes project.
5. The conditions currently intended to ensure the scheme deliverability are insufficient and contrary to the AAP will allow a ransom scenario which Maltgrade advise they will seek to exploit, prejudicing the delivery of Village 6 and the connectivity of the project as a whole.

## **STATEMENT OF COMMUNITY INVOLVEMENT**

The applicant has undertaken consultation with the public prior to the submission of the planning applications. Consultation events were held in May 2013 at the Village Hall in Burringham, and Lodge Moor Community Centre and the Central Library both within Scunthorpe. An advert was placed in the Scunthorpe Evening Telegraph and leaflets were distributed to over 5000 households within the vicinity of the site.

Approximately 60% of the responses received during the consultation supported opportunities proposed in the masterplan whilst 25% remained neutral and 15% objected. Support was given in respect of regeneration, quality design, leisure and recreation opportunities, flood defence improvement and new motorway junction. Objections and concerns raised were in relation to additional traffic generation, increased flood risk, unsuitable ground conditions for building (peat based), children's safety around water and investment could be used for other causes.

The applications have considered the objections and concerns raised and have put forward methods to overcome these issues or are committed to through planning obligations. The majority of objections put forward are material planning considerations which are assessed within this report.

## **BACKGROUND**

This outline planning application is one of three submitted by the applicants, Maltgrade Ltd, which together form a phase in the development of the wider Lincolnshire Lakes Project. The planning applications constitute EIA development.

The three planning applications are referred to as:

Application 1: PA/2015/0396, outline planning permission for the development of up to 2500 new homes including a village centre (Use Classes A1, A2, A3, A4, A5, B1 and D1), a health care facility (Use Class D1), community facilities (Use Class D1), a 3 form of entry primary school (Use Class D1), new roads and footpaths, informal areas of open space, play spaces and new wildlife habitats, water bodies and wetlands with all matters reserved for subsequent approval.

Application 2: PA/2015/0627, planning permission for highway works to deliver the new terminating junction to the M181 motorway (due to the de-trunked section of

the highway to the north and south of the terminating junction) and the development of the eastern and western sections of the east west link road connecting to the B1450 Burringham Road.

Application 3: PA/2015/0628, hybrid application for full planning permission for new road and footpaths, informal areas of open space, parklands, play areas and new wildlife habitats, attenuation ponds, recreational lakes and wetlands community; and outline planning permission with all matters reserved for non-residential institutions (Use Classes D1 and D2), leisure facilities (Use Classes A1 and A3) and storage (Use Class B8).

The Lincolnshire Lakes Area Action Plan (AAP) sets out the planning policy framework to deliver the Lincolnshire Lakes development in a consistent and properly planned way. This project will create a number of high quality, sustainable village communities on land between the western edge of Scunthorpe and the River Trent, set within an attractive waterside environment with major opportunities for leisure, sport and recreation.

The Lincolnshire Lakes Area Action Plan (AAP) was submitted for independent examination on 19 March 2015 and the independent examination took place between 13 and 20 October 2015. Proposed Main Modifications to the AAP at the request of the Planning Inspector who examined the document have been published for an eight week consultation period running from Friday 18 December 2015 to Friday 12 February 2016. The AAP was adopted on 10 May 2016.

The Lincolnshire Lakes AAP is planned to be developed out between the period from 2016 to 2028 and the length of time to deliver the project brings with it significant challenges in terms of infrastructure delivery, phasing and housing completion rates which are anticipated to be an average of 468 dwellings per annum up to 2026.

## **ASSESSMENT**

This application (application 1) seeks outline planning permission with all matters reserved for subsequent approval for the development of up to 2500 new homes including a village centre (Use Class A1, A2, A3, A4, A5, B1 and D1), a health care facility (Use Class D1), community facilities (Use Class D1), a 3 form of entry primary school (Use Class D1), new roads and footpaths, informal areas of open space, play spaces and new wildlife habitats, water bodies and wetlands.

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

- 1. Principle of development**
- 2. Environmental impact assessment**
- 3. Layout, scale and design**
- 4. Recreation open space**
- 5. Phasing of development**
- 6. Viability and delivery of planning obligations**
- 7. Affordable housing**

- 8. Community infrastructure, education and local service provision**
- 9. Flood risk and drainage**
- 10. Impact on landscape features**
- 11. Best and most versatile agricultural land**
- 12. Impact on nature conservation issues**
- 13. Impact on heritage assets**
- 14. Noise, air quality impacts and ground conditions and land contamination**
- 15. Highways and transport**
- 16. Other considerations**

### **Planning policy context**

The National Planning Policy Framework set 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 (adopted June 2011), the Housing and Employment Land Allocations Development Plan Document (adopted March 2016) 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 NLCS, HELADPD and NLLP.

### **Principle of development**

Although the proposal is submitted as an Outline Planning Application the development essentially consists of two elements the housing part and the village centre part (use class A1, A2, A3, A4, A5, B1, D1). However for both elements it is necessary to consider the Presumption in Favour of Sustainable Development that is seen as the golden thread running through both Plan Making and Decision Taking.

## Principle of development of the housing element

In order to significantly boost the supply of housing the NPPF at paragraphs 59 and 73, amongst other matters, requires local planning authorities *'to identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements.'*

*Paragraph 11(d) of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. Where the local planning authority cannot demonstrate a five years supply of deliverable housing sites, relevant policies which guide the supply of housing should not be considered up-to-date.*

The five-year housing land supply statement sets out North Lincolnshire Council's assessment of its supply of housing land from 1 April 2016 to 31 March 2021, having regard to Government guidance on how this is calculated. This report states that North Lincolnshire has a 3.9 year housing land supply of deliverable sites during the period April 2016 to March 2021.

This statement confirms that North Lincolnshire Council does not currently have a five-year supply of deliverable housing sites. The consequence of this shortfall is to demonstrate that current policies are failing to deliver a five-year supply of housing in accordance with paragraph 11 (footnote 7) of the NPPF and they are, therefore, failing to meet short-term housing needs. As such it is considered that there is a clear and demonstrable need for housing development in the area. Accordingly the operation of paragraph 11 of NPPF triggers a tilted balance whereby there is a presumption in favour of sustainable development and development proposals should be approved unless the adverse impacts significantly and demonstrably outweigh the benefits (paragraph 11, b, ii).

The Local Planning Authority considers the presumption in favour of sustainable development has been assessed through the Lincolnshire Lakes Area Action Plan, which has been independently examined and formally adopted.

The housing element of the proposed development consists up to 2500 dwellings. The area of the application site where the proposed housing element of the scheme is proposed is situated within the confines of strategic allocations for Village 2, Village 6 and alongside Lake 5 of the Lincolnshire Lakes AAP.

Policy CS7 of the Core Strategy sets the requirement for the delivery of a minimum of 12,063 new dwellings equating to 754 dwellings per annum in the period between 2010 and 2026. This policy goes on to state that: 'Of these new dwellings around 3,482 will be provided from sites that already have planning permission or are under construction.'

Policy CS8 of the Core Strategy sets the spatial distribution of housing sites and defines how the allocation of sites for 12,063 new dwellings will be delivered in accordance with sustainable development principles and a sequential approach. The policy goes on to state that:

*'The principal focus for housing is previously developed land and buildings within the development limits of Scunthorpe followed by a greenfield urban extension to the west of the town. 82% of all new dwellings will be located in and adjacent to the urban area, equating 9,892 new dwellings. A total of 6,000 new dwellings will be provided within the Lincolnshire Lakes area during the plan period, with 1,250 being provided elsewhere within*

*the urban area. Of these new dwellings 2,642 will be provided from sites that already have planning permission or are under construction.'*

The Lincolnshire Lakes Area Action Plan (LLAAP) sets out the planning policy framework to deliver the Lincolnshire Lakes Strategic Development Site. Policies SS1, SS4, H1, SSA2, SSA4 and SSA6 are relevant.

Policy SS4 of the LLAAP determines the development limits for the Lincolnshire Lakes Villages and stipulates that in principle development is acceptable within the development limit and not, except for development essential to the working of the countryside or tourism, outside the development limit. The development limits are not set out in policy SS4 but within the Strategic Site Allocation (SSA) policies for each of the LLAAP supported villages.

The majority of the housing development, circa 2,400 dwellings, are proposed to be located within two villages each side of the M181. The eastern village is situated within land governed by policy SSA2 which in principle supports residential uses in this location as Village 2. All proposed residential development within the eastern village is within the development limit set out by policy SSA2. Likewise, the western village is situated on land governed by SSA6, which in principle supports residential uses in this location known as Village 6. All proposed residential development within the western village is within the development limit set out by policy SSA6.

A further 100 dwellings are proposed outside of any of the identified village locations within the LLAAP. However, the location of these additional dwellings is within a Strategic Site Allocation governed by policy SSA4, which supports the development of Lake 5 and commercial buildings associated with its development. The applicant has submitted a justification statement to explain why an additional housing site has been proposed and how it is compliant with policy.

It is considered that the case put forward within the justification statement is acceptable and complies with the LLAAP policies specifically SS4 which states that where technical factors necessitate alterations and/or extensions to development limit boundaries may be considered provided that other constraints can be overcome and that the vision and objectives of the LLAAP are met. This relates to the housing proposed west of Lake 5.

### **Principle of development of the commercial element**

In order to achieve the village concept set out within the LLAAP vision and development objectives it is required that each of the villages is served by a local centre to provide for the everyday needs of the new communities. This is set out within the Strategic Development Requirements policy SS3 of the LLAAP and within the relevant Strategic Site Allocation policies SSA2 and SSA6. These policies set out the broad location where such local centre facilities should be. Policy SC2 of the LLAAP sets out the particular uses that will be supported within each of the local village centres and quantum of retail use that will be acceptable in each village local centre.

This outline application seeks to deliver A1, A2, A3, A4, A5, B1, D1, D1 (Health Facility) and D1 (Community Facilities). An indicative land use plan has been provided by the applicant which illustrates that two local village centres are to be provided one in each of the two villages proposed. This is purely an indicative plan at this stage and precise locations will be confirmed at a later date through the submission of Reserved Matters applications and a Masterplan. No local village centre is shown on the illustrative land use

plan for the dwellings adjacent to Lake 5 although a commercial building associated with the lake is proposed all be it the subject of another planning application by the applicant.

The range of non-residential uses proposed as part of this application are considered to be acceptable and supported by policy SC2 of the LLAAP. Each accords with LLAAP vision to establish new village communities and ensure that their everyday needs are met to ensure they are sustainable. It is therefore considered that the principle of the development of these uses is acceptable.

### **Environmental impact assessment**

The submitted application was accompanied by an Environmental Impact Assessment and in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 this determines that the proposed development constitutes EIA development.

In accordance with Schedule 4 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 'Information for Inclusion in Environmental Statements' the Environmental Impact Assessment (EIA) was submitted in two parts.

It is the case officer's opinion that the submitted EIA is fully in accordance with Schedule 4 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. For the avoidance of doubt the EIA is presented in a series of parts and volumes, including appendices, but as one comprehensive document.

Due to the timescales since the committee resolution in 2016 the applicant has provided an addendum to their Environmental Statement to provide up-to-date survey information.

### **Layout, scale and design**

Given that this is an outline planning application with all matters reserved for subsequent approval there is no definitive design or layout for approval currently. An indicative masterplan has been submitted with the application although this is subject to change. The applicant has submitted a number of indicative parameter plans which whilst are for approval can be used to set out a broad approach which future detailed design should take account of. A design and access statement has also been provided which sets out the rationale behind the design currently being put forward and explains how it has evolved over time.

The vision and development objectives require development at Lincolnshire Lakes to be of the highest design quality to bring forward the transformation of North Lincolnshire. It is essential that on a site of such a scale that comprehensive and coherent development is achieved. Policies D3 and D4 of the LLAAP require the preparation of a strategic design code and area masterplan. Conditions are recommended to secure a detailed site masterplan and design codes to be approved prior to the submission of reserved matters applications. This should contain items required as part of policies D3 and D4 of the LLAAP and be informed by the masterplanning principles set out with the Strategic Site Allocation Policies SSA2 and SSA4 of the LLAAP. It is also recommended that a condition be imposed to require each reserved matters application per development phase to contain a statement which explains how the details submitted conform to the site masterplan and design code secured through conditions.

The council has adopted a Strategic Design Guide Supplementary Planning Document (SPD) which contains an overarching site masterplan and a series of design codes for the entire Lincolnshire Lakes Area. This SPD should inform the site masterplan and design codes as required by conditions.

The LLAAP within policy H1 sets out the housing distribution for Lincolnshire Lakes. This application site is subject to quantum defined in villages 2 and 6. Village 2 as defined in policy H1 should deliver up to 1,188 dwellings and village 6 1,570 dwellings by 2028. Village boundaries are set by the Strategic Site Allocation policies SSA2 and SSA6. Land subject to this application covers an approximate half of the developable land identified by policy SSA2 as village 2 and approximately two thirds of the developable land identified by policy SSA6. Using these estimates the land subject to this application will deliver the housing requirement set out within the LLAAP by 2028.

This application proposes the development of up to 2,500 dwellings. The application includes additional land adjacent to Lake 5 within the boundary of SSA4 of 100 dwellings. Whilst this goes beyond the LLAAP requirement for these locations it should be noted that it is the intention of the Applicant to deliver units beyond the LLAAP plan period which allows for the additional dwellings.

Policy H2 of the LLAAP sets out the housing requirements of Lincolnshire Lakes and stipulates that the Lincolnshire Lakes villages should be developed at a density of 30 to 35 dwellings per hectare. Higher density should be located at the heart of the village around the local centre and radiate outwards which is furthered within the masterplanning principles set out within policies SSA2 and SSA6. Policy H2 also stipulates the housing mix to be delivered at Lincolnshire Lakes consisting of 20% two bedroom, 53% three bedroom and 27% four bedroom units. This is subject to the developer being able to submit evidence to justify an alternative mix or the Council producing an update to its Strategic Housing Market Assessment.

This application contains an indicative density parameter plan. This plan follows the masterplanning principles set out within policies SSA2 and SSA6 in that higher density ranges are proposed at the centre of each village adjacent to the local centre and radiate outwards with lower density ranges at the village edge. However, there is a greater range of densities proposed by this application ranging from less than 20 dwellings per hectare to greater than 35 dwellings per hectare. It is therefore considered that this application in terms of its proposed housing density is compliant with policy H2 as the average range proposed is broadly consistent with the 30 to 35 dwellings per hectare required by the LLAAP. Given that this plan is indicative only, it is recommended that a density plan for the entire site be secured prior to the submission of the first of the reserved matters applications through the provision of the site wide masterplan which should be broadly based on this indicative density plan.

Within table 5.2 of the planning statement associated with this application the applicant has provided an indicative housing mix to be delivered consisting of: 19% two bedroom units, 41% 3 bedroom units, 35% 4 bedroom units and 5% 5 bedroom units. It should be noted that this is an indicative mix only with the housing mix to be approved at a later stage. However, despite the apparent reduction in percentage of smaller residential units, this is offset by the increase in the total number of units to be delivered. The result is that the numbers of units required by the development in terms of the housing mix required by policy H2 are delivered utilising the suggested housing mix by the applicant. It is recommended that details of the housing mix be formalised through the masterplanning

condition so that details of units to be provided are confirmed and agreed with the applicant prior to the authority being in receipt of reserved matters details to which must accord to the approved masterplan including housing mix.

The applicant has submitted indicative plans in respect of building heights. The bulk of the proposed development site is shown to be between 2 and 3 storeys within the two villages and the dwellings adjacent to Lake 5. The edges of the two villages to the surrounding landscape and green infrastructure corridors are shown to be 2 storeys. Local centres at the heart of the villages where commercial activities are to be located are shown to be between 2 and 4 storeys.

It is considered that the range of building heights proposed are acceptable and in accordance with the village concept design put forward by the LLAAP. The lowering of maximum building heights towards the edge of the developable area within the two villages assists in terms of reducing massing. Given that this plan is indicative only, it is recommended that a building heights plan for the entire site be secured prior to the submission of the first of the reserved matters applications through the provision of the site wide masterplan, which should be broadly based on this indicative building heights plan.

An objection has been received from an adjacent landowner raising concerns with regard to the submitted masterplan. The objection refers to the submitted parameter plans which are approved which illustrate how building densities radiate outward from the heart of the village with resulting low density to the village edge. The objector considers that this design would not create a cohesive village with land to the north which would abut low density housing. However, whilst the submitted parameter plans do show low density housing to the northern edge, the proposed scheme creates a village formed of four blocks which each have lower densities to their perimeter. The same approach could be taken on land to the north and a comprehensively designed village could still be achieved. The submitted masterplan is indicative only and a detailed masterplan is to be submitted and approved at a later date. The council has conditioned the requirement for a detailed phasing plan and masterplan which includes linkages to the adjacent development sites.

### **Recreation open space**

Section 8 of the NPPF promotes healthy communities and in paragraph 96 considers that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. The Strategic Site Allocation Policies SSA2 and SSA6 of the LLAAP identify the quantum of open space that should be achieved in each of their respective boundaries as required by policy G2 of the LLAAP.

Maltgrade have submitted with this application an indicative open space plan illustrating where differing types of recreational open space are likely to be located should the current designs be taken forward. Within the planning statement, an indicative quantum of each type of recreational open space is identified for the two villages. These are shown in the table below:

**PA/2015/0396 – Indicative Open Space Schedule (All figures in Hectares)**

<b>Phase</b>	<b>Formal Recreational Open Space</b>	<b>Informal Recreational Open Space</b>	<b>Casual Play Space</b>	<b>Equipped Play Space</b>	<b>MUGAs</b>	<b>Total</b>
East Village (Village 2)	2	2.18	1.5	0.25	0.07	6
West Village (Village 6)	4	3.93	2.5	0.50	0.07	11
<b>Total</b>	<b>6</b>	<b>6.11</b>	<b>4</b>	<b>0.75</b>	<b>0.14</b>	<b>17</b>

It is considered that the above indicative quantum is consistent with the scale of development proposed in accordance with the LLAAP policies. It is recommended that these be formalised prior to submission of reserved matters applications for the site to ensure comprehensively planned development. This should be done through the masterplan.

Policy G6 of the LLAAP requires that proposals for the management and maintenance of green infrastructure should be submitted as part of planning applications. It is envisaged that as part of this application that an Estate Management Company be formed to which new residents within the site pay into rather than all green infrastructure be adopted by the Council with financial contributions for its management and maintenance. This approach is considered acceptable but will require formalisation to secure it. It is recommended that conditions be imposed upon the grant of permission to require and set out the terms of the Estate Management Company to be agreed with the Planning Authority in accordance with policy G6 of the LLAAP.

### **Phasing of development**

Given the scale of the development proposed it is important to ensure that it is planned out in a comprehensive and coherent manner. It is essential that key infrastructure is delivered at Lincolnshire Lakes alongside development to meet the requirements of the LLAAP. Policy D1 sets out the strategic infrastructure and development phasing and is further outlined with the documents housing trajectory and infrastructure phasing plan outlined within the associated Lincolnshire Lakes Infrastructure Delivery Schedule. In broad terms phases 1- 4 occur within the first five years of the plan up to 2020 with phase 5 being from 2020 to 2028. Phases 1- 4 should see the implementation of the upfront site wide transport and flood mitigation infrastructure and the development of land identified as part of SSA2 and SSA4. Phase 5 should see the development of education provision and land governed by SSA6.

The Design and Access statement submitted proposes a broad phasing approach and is illustrated on the indicative phasing plan. Whilst this application only is for the development of villages it is necessary to consider all three applications together for the purposes of infrastructure development phasing. Phase 1 should occur within the first three years of the development and include part of the proposed eastern village, the adjacent lake (the subject of PA/2015/0628) and the southern terminating junction (the subject of PA/2015/0627). The second phase considers the remaining part of the eastern village and

the development of the Great Lake and its adjacent housing occurring in years 1 to 8. Phase 3 sees the development of the western village and the adjacent lake in years 6 to 15. Phases 4 and 5 both see further development of the western village between years 12 and 25. It should be noted that these are indicative only and timescales are subject to change. However, it is considered that this pattern of development is broadly in accordance with the approach and timescales put forward by the LLAAP for the development within its associated Infrastructure Delivery Schedule. Moreover, the phasing illustrated demonstrates understanding of the key dependencies between village development and critical infrastructure, these being the delivery of the southern terminating junction and the development of lakes to serve as surface water attenuation for the villages. However, this phasing plan is indicative and lacks details on timescales for delivery of educational facilities and other community infrastructure that are also required by the LLAAP Strategic Site Allocation policies SSA2 and SSA4 to ensure that sustainable communities are created.

As no formal detailed phasing plan has been submitted with the application it is recommended that a condition be imposed to require a site-wide phasing plan for all three applications prior to the submission of the first of the reserved matters applications. The phasing plan should set out the timescales to which the entire site will be developed. The phasing plan should detail when each item of critical and on-site infrastructure will be delivered in a manner which is consistent with the rate of dwelling delivery across the site and identify the relationships between the two and any dependencies. This will ensure that the development of the site occurs in a comprehensive and coherent manner which will deliver the necessary infrastructure in conjunction with the rate of housing in accordance with policy D1 of the LLAAP.

An objection has been received from an adjacent landowner raising concerns with regard to the submitted masterplan. The submitted masterplan is indicative only and a detailed masterplan is to be submitted and approved at a later date. The council has conditioned the requirement for a detailed phasing plan and masterplan which includes linkages to the adjacent development sites. Concerns have been raised regarding the primary route which the objector does not consider has shown on the submitted parameter plans. The submitted plans indicate at least two possible vehicular routes to connect to land to the north. The council will, through the imposition of the recommended conditions, ensure that the road network is provided to the boundary.

### **Viability and delivery of planning obligations**

In accordance with Paragraphs 34, 56 and 57 of the NPPF careful attention should be given to viability and costs in decision taking to deliver sustainable development. Sites should not be subjected to such a scale of obligations that their ability to be developed viably is threatened. Discussions have therefore been conducted in the context of an open book viability led appraisal to determine the extent of planning obligations that would not threaten the viability of the proposed development.

Core Strategy Policy CS27 is concerned with planning obligations and states that where a development proposal generates an identified need for additional infrastructure, North Lincolnshire Council will, through negotiation, secure planning obligations pursuant to Section 106 of the Town & Country Planning Act 1990 and in accordance with guidance set out in Circular 05/2005.

The tests for planning obligations are set out in Part 11, Section 122 of the Community Infrastructure Levy Regulations 2010 (as amended). It states:

- (2) A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is—
- (a) necessary to make the development acceptable in planning terms;
  - (b) directly related to the development; and
  - (c) fairly and reasonably related in scale and kind to the development.

The legal test is also set out in planning policy under paragraph 56 of the National Planning Policy Framework 2018.

Once the extent of planning obligations had been established further discussions have taken place to ensure that the triggers for financial contributions and provisions are sufficiently flexible so as not to place undue burdens on the development particularly in the first phase of development where abnormal and infrastructure costs will be significant.

Following discussions and assessment of viability the following obligations can be achieved without restricting viability.

<b>Heads of Terms</b>	
<b>On-site Infrastructure Provision</b>	<b>Total</b>
Affordable Housing	Affordable housing will be secured if the review mechanism identifies the scheme is viable after the first phase of the development.
Education: 3 Form of Entry Primary School	£6,000,000 financial contribution and 3ha of land for the primary school  or  to provide 3ha of land within the development and the construction of a 3 form primary school to the council's specification.
Green infrastructure to include 2 x destination parks (Village 1 and Village 5) and 1 x allotment (0.5 hectare)	To be delivered through an estate management company. All open space layout and play equipment specification to be agreed with the council.

Lake 1	Lake 1 construction specification should be agreed with the council prior to construction.  On completion Lake 1 should be transferred to the council.
<b>Off-site Infrastructure Provisions</b>	
Education: Temporary Primary School Contribution	Primary school extension to existing school £250,000
Education: Secondary School Contribution	Off-site secondary contribution of £5,000,000
Junction improvement to B1450 Burringham Road/Scotter Road capacity upgrade	£518,000
Strategic route B1450 Burringham Road improvements	£1,000,000
Public transport	The public transport contribution of £1,343,977 will be secured if the review mechanism identifies the scheme is viable after the first phase of the development.
De-trunking of M181 motorway between southern junction and northern junction	The de-trunking of the M181 motorway £500,000 will be secured if the review mechanism identifies the scheme is viable after the first phase of the development.

Contributions sought by Network Rail in respect of cycle parking at Althorpe and Scunthorpe Stations and Environmental Health in respect of air quality monitoring have not been secured due to making the scheme unviable.

### **Affordable housing**

Policy CS9 of the Core Strategy provides for a 20% affordable housing provision within the Scunthorpe Urban Area on sites of 15 or more dwellings targeting a housing tenure split of 70% rent and 30% intermediate. The policy then goes on to set out a number of exceptions such as negatively impact on the delivery of a mixed community, or are subject to exceptional and authenticated site development costs.

Policy H2 of the Lincolnshire Lakes Area Action Plan provides for up to 20% Affordable Housing in accordance with Policy CS9 as above.

Accompanying the planning application is an Affordable Housing Statement that details a 5% on site affordable housing provision that equates to 120 dwellings of the maximum 2,500 dwellings. Given that the percentage of affordable units offered is less than the policy target of 20% set by policy CS9 of the Core Strategy, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 the provision of affordable

housing will need to be weighed up against the advice contained within the NPPF and all other material considerations including the significant benefits of the proposed development.

The accompanying viability assessment shows that significant up-front abnormal and infrastructure costs are required to enable housing development to be delivered at the site. Such a consideration of up-front abnormal and infrastructure costs in pursuing sustainable development is fully in accordance with the advice contained within the NPPF as a whole.

The benefits of developing this proposal include environmental improvements whilst creating a more sustainable form of development in close proximity to the town centre, regenerating the area. Delivery of approximately 70% of the housing requirement for Scunthorpe, the Principal Town, and circa 60% of the housing requirement for the whole District contributes to housing land supply now and for the next 15 years in accordance with the spatial objectives of the Core Strategy. These benefits would also contribute to the objectives and delivery of Sustainable Development in accordance with paragraphs 8 and 11 of the NPPF and to the objective of significantly boosting the supply of housing in accordance with paragraph 59 of the NPPF.

In this context it is considered that taking account of the advice contained within the NPPF and the above material considerations, there are material considerations that are of sufficient weight to outweigh the provisions of policy CS9 of the Core Strategy and policy H2 of the LLAAP.

The NPPF states that development 'should not be subject to such scale of obligations and policy burdens that their viability is threatened'. The three Maltgrade applications combined form a substantial part of the LLAAP area which is a strategic project for the council. There are a number of large scale and critical infrastructure works that must be delivered to ensure that the development does not have an adverse impact upon existing infrastructure. In addition, there are large scale abnormal costs as associated with this development in terms of land raising to provide an appropriate flood risk mitigation solution.

Upon consideration of the cost report associated with this application and cash flow for the development, it is necessary to evaluate each and every financial contribution sought to ensure viability. The LLAAP within its associated Infrastructure Delivery Schedule sets out what infrastructure requirements are essential and it is these items that should be given priority in terms of determining which planning obligations should be sought.

The first phase of the development will not include a requirement for affordable housing due to viability issues. A review mechanism will be included within the Section 106 agreement to provide the council with the opportunity to secure affordable housing in the following phases of development if the viability of the scheme improves.

### **Community infrastructure, education and local service provision**

This outline application seeks to deliver a village centre (Use classes: A1, A2, A3, A4, A5, B1, D1), a health care facility (D1), community facilities (D1) and a 3 form of entry primary school (Use class D1) in addition to informal and formal areas of open space for recreation and habitat creation as well as the residential element.

Paragraph 92 of the NPPF requires that local planning authorities should plan positively for the development of local facilities to ensure that communities are sustainable. The village

concept promoted through the vision and development objectives of the LLAAP requires that each village should be served by local facilities to ensure that sustainable communities are created. Policy SS3 of the LLAAP sets out that each of the villages should be serviced by its own local centre and educational facilities should be provided at Lincolnshire Lakes. Policies SC1 and SC2 of the LLAAP set out the requirements in detail for education and local provision for each of the villages for which matters relating to villages 2 and 6 are relevant.

It is a requirement of policy SC1 that a 2 form of entry primary school is located within village 6. It should be noted that a 3 form of entry primary school is proposed by this application. Whilst this proposal does go beyond what was justified within the LLAAP during process of its examination, it is highlighted that the Maltgrade applications will deliver more residential units than justified by the LLAAP with development continuing beyond the plan period of the LLAAP. Considering this to be the case, it is acceptable and justified to permit, and the council to request, a larger primary school in this location than what is required by the LLAAP. The 3 form of entry primary school will be secured through a Section 106 agreement between Maltgrade and the council. In respect of secondary school provision, policy SC1 requires that a contribution should be sought from developers at Lincolnshire Lakes to enable its development subject to the demonstration of need. This also will be secured through a Section 106 agreement between Maltgrade and the council.

The contributions towards education have been reduced due to the scheme being unviable when all planning obligations are secured. The viability appraisal submitted as part of the planning application has been independently assessed and confirms that the scheme is unable to provide all planning obligations due to large upfront infrastructure cost and flood mitigation requirements.

Policy SC2 of the LLAAP determines land uses that will be supported within local centres. These are A1 (Retail), A2 (Financial and Professional Services), A3 (Restaurants and Cafes), A4 (Drinking Establishments), A5 (Hot Food Takeaway) and D1 (Health and Community Uses). The quantum of these uses is not identified within the LLAAP except for A1 (Retail). This application seeks to deliver 2500 homes with village centres consisting of land uses A1, A2, A3, A4, A5, B1, D1, a health care facility (use class D1) and community facilities (use class D1). These uses are supported by policy SC2 of the LLAAP and as such the principle of the development of a village centre with such uses is established.

Policy SC2 of the LLAAP does not identify locations of local centres within the Lincolnshire Lakes Villages although the Strategic Site Allocations described within the LLAAP do. Policies SSA2 and SSA6 are relevant as it is land within these boundaries that this application correlates to. Policy SSA2 and its associated map indicate that a local centre should be delivered to the western edge of Village 2 within an approximate central location against its edge with Lake 1. Policy SSA6 and its associated map indicate that a central location within the village should be developed for its local centre.

This application is outline in nature with all matters reserved and as such there is no plan for approval which indicates precise location for these uses. However, an indicative land use plan has been provided which illustrates that at the present time it is the applicant's intention to deliver a village centre in each of the two villages proposed. The locations of the village centres are broadly consistent with the locations identified for local centre provision within policies SSA2 and SSA6 of the LLAAP. No use other than residential is shown to be located on land adjacent to Lake 5 subject to this application, although it is

noted that A1 and A3 uses do form part of PA/2015/0628, which is discussed in its associated report.

It is recommended that conditions are imposed to clarify locations of the local village centres through the provision of a site wide masterplan to which all Reserved Matters Applications should broadly accord to. This will ensure that comprehensive well designed development is achieved as required by the LLAAP and that local centres are not fragmented and are positioned at central locations to ensure the sustainability of the local centre and the village it serves.

It is also recommended that conditions be imposed to limit the land available for the proposed local centre uses to 2000sqm in the Maltgrade eastern village and 4000sqm in the Maltgrade western village. This is to ensure that there is an appropriate balance between the commercial and residential elements within the two villages in accordance with the policies SSA2 and SSA6 of the LLAAP.

Part of the proposal seeks to deliver A1 Retail uses within the village centres. The NPPF is clear in section 7 that the vitality of town centres should be safeguarded. This approach is furthered within policy CS14 of the adopted North Lincolnshire Core Strategy (2011). The applicant has not put forward a quantum of A1 floorspace to be delivered. The LLAAP within policy SC2 identifies the quantum of A1 retail floorspace to be provided at Lincolnshire Lakes including a breakdown of the respective villages. This application covers land within Villages 2 and 6 identified within the LLAAP to which each village is allocated 500 square metres of A1 retail. As part of the LLAAP evidence base this quantum has been justified as to not undermine the vitality and viability of Scunthorpe Town Centre. Given that the LLAAP has been through the Examination in Public by an independent planning Inspector, it is considered that 500 square metres of A1 retail floorspace is acceptable in this location. It is therefore recommended that the A1 retail units are limited to 300 square metres in accordance with policy SC2 of the LLAAP to ensure that there is no adverse impact upon Scunthorpe Town Centre.

It is considered that the proposed uses are acceptable and recommend for approval provided that the aforementioned conditions are imposed upon the granting of permission.

### **Flood risk and drainage**

The application site is located within the North Lincolnshire Strategic Flood Risk Assessment Zone 2/3a, which has between a 1 in 100 and 1 in 1000 annual probability of river flooding and between a 1 in 200 and 1 in 1000 annual probability of sea flooding. The Flood Risk Vulnerability Classification of the NPPG defines residential, D1 and A4 uses as 'more vulnerable' and such uses require an Exception Test. A1, A2, A3, A5, & B1 uses are defined as less vulnerable and such uses are defined as being appropriate development in this zone.

In accordance with the NPPF, the application site is an area at risk of flooding and therefore development should be directed away from the areas at highest risk. A Sequential Test and Exception Test would normally be required along with a Site Specific Flood Risk Assessment. However, the application site forms part of the Lincolnshire Lakes Strategic Development Site allocated in the Core Strategy and to accompany the Level 2 SFRA a Sequential Test was undertaken and passed. There is, therefore, no need to apply the Sequential Test to this application site in accordance with paragraph 158 of the NPPF.

As part of this process an Exception Test was also carried out in accordance with the level 2 SFRA this demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk and provided that a site specific flood risk assessment demonstrates that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere the Exception Test has been passed.

The applicant has submitted a Flood Risk Assessment (FRA) to accompany the application. This FRA states that the site at present is of a level between 2mAOD within the south west corner and up to 3mAOD in the north east corner of the site. The site occupies a total of 158.7ha and is considered to be 100% permeable. The River Trent is located approximately 1km to the west of the site and there is a risk of flooding from either an overtopping or breach event in terms of both fluvial and tidal flooding. The Trent currently has raised soft embankments to both sides which require a 50m breach width to be considered for modelling purposes.

JBA Consulting has undertaken site specific overtopping and breach modelling for the River Trent and application site. Models were run for a 1 in 200 year plus climate change scenario and an extreme 1 in 1000 plus climate change scenario. During the 1 in 200 year scenario the developable areas were shown not to be affected during an overtopping event. During the extreme 1 in 1000 year scenario it was shown that fluvial flooding resulted in larger flood levels at the site than the tidal flood levels.

In terms of mitigation, the FRA proposes land raising to appropriately mitigate against flood risk to the critical flood level identified by the modelling works. The table below shows the findings of the various modelling works undertaken for differing parts of the application site and floor levels to be achieved.

<b>Proposed Mitigation Measures based on 50m breach width</b>				
<b>Village</b>	<b>1 in 200 year plus climate change breach level (mAOD)</b>	<b>1 in 1000 year plus climate change overtopping level (mAOD)</b>	<b>Fill level required for each area (mAOD)</b>	<b>Minimum floor level in each area (mAOD)</b>
<b>2</b>	0	3.6	3.6	3.9
<b>6</b>	2.63	3.6	3.6	3.9
<b>Lake 5</b>	2.63	3.6	3.6	3.9

It is noted that the land raising proposed is substantial. Approximately 1.5 metres of land raising will need to occur in the south west and 0.5 metres in the north-east. This is likely to involve significant HGV movements. The above land raising and minimum floor levels identified are considered to appropriately mitigate flood risk in accordance with paragraph 163 of the NPPF, policy CS19 of the North Lincolnshire Core Strategy and policy F1 of the LLAAP. It is recommended that conditions be imposed upon the granting of permission to require development to proceed in accordance with the mitigation measures outlined above within the submitted FRA.

It is important to consider in accordance with both national and local policy that mitigation measures proposed do not cause flood risk elsewhere. As a result of substantial land raising there is potential for flood water to be directed elsewhere due to previous flood plain not being available for flood storage. The submitted FRA has considered this and shown through modelling that there is a potential increase in approximately 2mm depth along the southern and eastern boundaries of the site. This area is currently undeveloped and as such is considered to have a negligible impact in terms of hazard to people and therefore is acceptable.

The Council and Environment Agency have been working collaboratively to produce an Integrated Flood Risk and Drainage Management Strategy (IFRDMS) for the entire Lincolnshire Lakes site. The IFRDMS requires upgrading the Trent Bank from a soft to hard defence through continuous steel sheet piling which will have significant benefits to the Lincolnshire Lakes development and residents in villages to the east of the River Trent. This work is currently being constructed and should be completed by autumn 2019. The findings of this Strategy are likely to supersede the submitted FRA and as a result it should be conditioned that prior to the submission of reserved matters for any phase of development an updated FRA should be produced to take into account the latest information available which may result in alternative mitigation measures.

The Environment agency in July 2016 removed its initial objection to the application subject to the imposition of conditions. The conditions recommended by the Environment Agency are considered to be acceptable and are recommended for inclusion upon the grant of permission. These conditions will ensure that the development is appropriately mitigated in terms of flood risk and result in safe development for its lifetime. This will be done through the requirement of the applicant to submit an updated FRA concurrent with every phase and sub-phase of the development to be based upon the Lincolnshire Lakes Integrated Flood Risk and Drainage Strategy and any future updates that occur to take into account the best information available in respect of flood risk. In June 2019 the EA consultation response to the additional consultation recommended that the condition included their July 2016 response be included on any grant of planning permission.

A Drainage Strategy also accompanies this application. This states that the proposed surface water drainage strategy in principle will utilise the existing Scunthorpe & Gainsborough Water Management Board (SGWMB) system of drainage ditches. The SGWMB have been working together with both the Applicant and the Council on drainage matters at Lincolnshire Lakes. The target is to achieve no greater surface water run-off than the agricultural run-off rate which will be done through provision of a network of swales, ditches and attenuation ponds before discharge into the SGWMB drainage network. As this is an outline application the detailed designs are not yet known only principles to be followed. Therefore, it is appropriate to secure the detailed design of the drainage system to be provided at a later date through a planning condition.

The Drainage Team have been consulted in respect of this application and originally objected in 2015 due to insufficient information but have now removed their objection subject to the imposition of conditions. It is recommended that these conditions be imposed and will require that prior to the submission of reserved matters for each and every phase of the development that a detailed drainage scheme is submitted, approved and implemented for that phase. This scheme should demonstrate that the surface water run-off generated for that phase up to and including the 1 in 100 year critical storm plus climate change event does not exceed the run-off from the undeveloped site (the agricultural surface water run-off rate of 1.4lps). The Council and Environment Agency have been

working collaboratively to produce an Integrated Flood Risk and Drainage Management Strategy for the entire Lincolnshire Lakes site. Works are currently ongoing to produce this strategy which may propose an alternative drainage solution which will be secured by the aforementioned condition.

The submitted Drainage Strategy does discuss foul water and states that a new foul water sewer system is being considered in conjunction with Severn Trent Water. Consultation has been undertaken in terms of Foul Water with Severn Trent Water. Conditions have been recommended to require a detailed method of disposing foul water to be submitted, approved and implemented prior to the commencement of development. This condition is recommended for inclusion should permission be granted and will ensure that adequate foul drainage is provided.

## **Landscaping**

Section 12 of the NPPF sets out the requirement to achieve good design as part of the planning process and how development should respond to its context. The LLAAP sets out in policy G5 a requirement to provide a landscape strategy.

Chapter 9 of the Environmental Statement considers the impact of the proposal on the surrounding landscape. The application site is within National Character Area 39: Humberhead Levels whilst bordered to the east by National Character Area 45: Lincolnshire Edge. The site itself is predominantly agricultural in with strong field boundaries defined by mature hedgerows, trees and watercourses. Land subject to this application is mostly flat with height given in the form of trees scattered throughout the site, overbridges on the M181 running north/south through the centre of the site and electricity pylons running northwest to southeast.

Within the site views are somewhat restricted to the flat nature of the site with the dominant view being towards the Lincolnshire Edge to the east. Main views into the site are from the Lincolnshire Edge in Scunthorpe to the east, Burringham to the west, the M180 motorway to the south, the M181 and Burringham Road. The Design and Access Statement proposes the creation of a number of landscape buffers in accordance with policy G5 which will assist in settling the development into the surrounding landscape and provide some screening to existing residents in nearby settlements.

The applicant has provided an indicative open space plan but this is subject to approval at a later stage in the planning process through the masterplanning condition to be approved prior to the submission of any reserved matters to ensure comprehensively planned development. In addition, it is recommended that conditions are imposed to comprehensive landscape strategy in accordance with the information provided within the Design and Access Statement.

Policy G6 of the LLAAP requires that proposals for the management and maintenance of green infrastructure should be submitted as part of planning applications. It is envisaged that as part of this application that an Estate Management Company be formed which new residents within the site pay into rather than all green infrastructure be adopted by the Council with financial contributions for its management and maintenance. This approach is considered acceptable but will require formalisation to secure it. It is recommended that conditions be imposed upon the grant of permission to require and set out the terms of the Estate Management Company to be agreed with the Planning Authority in accordance with policy G6 of the LLAAP.

It is essential that existing landscape features such as trees and hedgerows are protected where possible as required by policy SS2 of the LLAAP, policies LC12 of the North Lincolnshire Local Plan and section 15 of the NPPF. The applicant has submitted plans which identify trees and hedgerows within the application site which are to be preserved/protected during construction. It is recommended that conditions are imposed to secure this.

### **Best and most versatile agricultural land**

Paragraph 170 of the NPPF requires local planning authorities to take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use poorer quality land in preference to that of higher quality'. Annex 2 of the NPPF defines best and most agricultural land as land within grades 1, 2 and 3a of the Agricultural Land Classification.

Chapter 12 of the accompanying Environmental Statement considers the impact of the development upon Agricultural Land. This chapter identifies that the majority of land falls into the Grade 2 classification of 'the best and most versatile land' and that 160ha will be lost due to the development. The Environmental Statement indicates that the loss of Grade 2 land has a medium sensitivity and that the loss of over 50ha would have a large magnitude. This results in a moderate impact of the development upon agricultural land.

Despite this, it should be noted that the land is allocated for development within the LLAAP. This document has been adopted by the Council and forms part of the development plan for North Lincolnshire. The LLAAP has undergone Examination by an Independent Planning Inspector who considered the document to be sound subject to main modifications. As such it is considered that the land identified for development is justified for development with the socio-economic and environmental benefits it will bring outweighing that of loss of agricultural land.

### **Impact on nature conservation issues**

The NPPF at paragraph 175 states that, when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity and, if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

In respect to impacts of development proposals on protected species planning policy and guidance is provided by the NPPF and accompanying ODPM Circular06/2005 "Biodiversity and Geological Conservation- Statutory Obligations and their Impact within the Planning System". The presence of a protected species is a material planning consideration.

A number of habitats with moderate potential to support protected species have been identified as being located within the site and adjacent to it. The EIA establishes that the impacts on the below Protected Species are in relation to potential harm, disturbance, and risk of pollution.

The EIA First Addendum June 2019 should be read in conjunction with the EIA. Updated checks for water voles field signs and bat roost potential were carried out in May 2019. Several drains still appear to support water voles, though populations in this area appear to

fluctuate and updated surveys are recommended in the future. Updated checks for water voles field signs and bat roost potential were carried out in May 2019. Several drains still appear to support water voles, though populations in this area appear to fluctuate and updated surveys are recommended in the future. The proposals are unlikely to affect any existing bat roosts in trees or buildings, though there may be roosts nearby. Bat foraging surveys are recommended prior to development to ensure that the development does not result in unacceptable harm to bats.

### *Bats*

All Bat Species are protected under the 1981 Wildlife and Countryside Act (as amended) and the Conservation (Natural Habitats, & c.) Regulations 2010. The application site supports various trees (T4 to T10 and Group 3) with the potential to support roosting bats and a number of foraging areas including ditches. Best practice, mitigation and compensation measures are explored within the submitted Ecological Mitigation Strategy. This Strategy however does not describe how these methods will be employed on the application site specifically.

### *Water Voles*

The Water Vole is protected under Section 9 of the Wildlife and Countryside Act 1981 (as amended). The application site supports a number of drains with the potential to support Water Voles. The EIA states that the wet ditches are sub-optimal for Water Voles. The submitted Ecological Mitigation Strategy gives industry standard methods of mitigating water vole habitat during the construction phase. The Strategy however does not describe how these methods will be employed on the application site specifically.

### *Breeding Birds*

All birds, their nests and eggs are protected by section 1 of the Wildlife and Countryside Act 1981 (as amended). The application site supports various habitats with the potential to support breeding birds. The submitted Ecological Mitigation Strategy gives best practice mitigation methods for breeding birds. The Strategy however does not describe how these methods will be employed on the application site specifically.

### *Reptiles*

Native reptile species are protected under section 9 of the Wildlife and Countryside Act 1981 (as amended). The submitted Strategy states that no reptiles were recorded in previous surveys and as such no mitigation methods are proposed. However, the Council's Ecologist considers that there is potential for reptiles to be present as parts of the site are considered to be appropriate habitat. It is therefore recommended that reptiles should be considered within any updated mitigation strategy and should be re-surveyed as part of any up-to-date species surveys that are carried out.

### *Badgers*

Badgers are protected under the Protection of Badgers Act 1992 which makes it an offence to intentionally or recklessly interfere with a badger sett, damaging, or destroying, obstructing access to, causing a dog to enter or disturbing a badger when it is occupying a badger sett. The act also makes wilfully killing, injuring or taking or attempts to kill, injure or take a badger an offence.

The submitted Ecological Mitigation Strategy states no badger setts or field signs were found within 30m of the survey site but consider them to be mobile species and that good working practices should be incorporated into the construction phase of the site.

The council's ecologist considers that the survey works and findings of the above species to be acceptable although notes that bat and breeding bird surveys have not been carried out. Whilst this is a requirement and the Ecologist recommended further survey work be carried out prior to confirmation of detailed design, the submitted Ecological Mitigation Strategy does describe appropriate mitigation methods with the assumption made that these species are present. It is recommended that should permission be granted that these surveys be carried out with the submitted Strategy being amended to reflect their findings.

The submitted Ecological Mitigation Strategy promotes best practice measures of mitigation but is silent as to how these will be carried out on this application site specifically although the mitigation measures it promotes should still be secured through condition. Therefore it is recommended that a condition be imposed upon the grant of permission to require the submission of a site specific strategy to explain how the best practice mitigation methods will be employed on the site and to secure their implementation.

It is also recommended that this Strategy should incorporate details with regard to biodiversity enhancement through habitat creation in accordance with policy G4 of the LLAAP and paragraph 174 of the NPPF. A Biodiversity Strategy has been submitted with the application and this is considered to be acceptable.

It is essential that appropriate mitigation methods for protected species are incorporated into the development of the site. It is recommended that upon the grant of permission that conditions be imposed to require up-to-date species surveys to be carried out prior to the submission or reserved matters for any given phase. This information should then be used to inform the design of the specific phase taking into account the best information available. This should also be used to update the site specific mitigation and enhancement plan to ensure comprehensively planned development for the remaining years of its development.

As this is an outline application, it is recommended that prior to the submission of reserved matters with each and every phase that a mitigation plan and biodiversity enhancement strategy is submitted for that specific phase. This will allow for the design of each phase to be informed by ecological mitigation and enhancement measures.

The approach to dealing with Ecological Mitigation and Biodiversity Enhancement discussed is described within the Purpose and Aim section in the submitted Ecological Mitigation Strategy. This follows discussion between the Applicant, the council's ecologist and the Planning Department and is the agreed way forward between all parties to allow for the determination of this application.

As such, having had regard to all the ecological issues associated with the proposal, and the advice contained within the NPPF it is concluded that subject to the above mitigation and further work be carried out via condition that the proposed development would meet the requirements of policies G1, G3 and G4 of the LLAAP and CS16 and CS17 of the North Lincolnshire Core Strategy.

### **Impact on heritage assets**

It is a requirement of section 16 of the NPPF that the historic environment is considered during the determination of planning applications. Paragraph 189 requires applicants to

describe the significance of any heritage assets affected by proposed development including any contribution made by their setting. Where there is potential for development to affect heritage assets with archaeological interest applicants should submit an appropriate desk based assessment including a field evaluation where necessary. Policy CS6 of the North Lincolnshire Core Strategy requires developers to provide archaeological assessments where appropriate.

Following consultation with Historic England and the Council's Historic Environment Record in June/July 2015 it became evident that further information was required. The response received from Historic England notes that whilst work has been undertaken to assess the impact the proposed development upon the historic environment that there was no exhaustive assessment of impact upon known heritage assets. It was recommended to only determine the application should the Authority consider is has sufficient information to do so and that its Historic Environment team be consulted. Historic England did not wish to offer any further comments following the June/July 2019 additional consultation but suggested that the views of the council's specialist conservation and archaeological advisers be considered.

The Historic Environment Officer advised a holding objection during the 2015 consultation due to insufficient information to enable assessment. The Officer further recommended that an overarching archaeological mitigation should be produced to allow for determination. Such a strategy would scope out the level of investigation works to be carried out and proposed a method of appropriate mitigation.

Further information was requested from the Applicant to consider the impact of the proposed development upon the setting of heritage assets within the vicinity of the application site. An Assessment of the Impact on Listed Buildings was received and has been consulted upon as part of the June/July 2016 consultation. The Conservation Officer has confirmed that there is no objection to the proposal now that an appropriate assessment has been carried out and that there is no adverse impact of the proposed development upon the setting of Listed Buildings within the vicinity of the application site.

An overarching strategy entitled the Archaeological Investigation Framework was received in May 2016. This Framework sets out the overall approach to be taken in terms of archaeological investigation, assessment and mitigation works throughout the site. A LIDAR survey and assessment of the entire site is included. It promotes a phased approach to archaeological investigations to occur prior to the eastern village, western village and land around Lake 5 being developed. A Written Scheme of Investigation for Trial Trenching on land subject to the eastern village.

The Historic Environment Officer has considered the additional information submitted and welcomes efforts to address archaeological considerations. However, it was considered that the archaeological fieldwork should be carried out and the results analysed prior to the determination of the application. Conditions were recommended should the planning authority take a differing view to the advice given.

In conclusion it is found that the results of the desk based assessments are acceptable and consistent with national and local policy requirements. It is recommended that conditions are imposed upon the granting of permission to require the Archaeological Investigation Framework to be carried out, including the investigation works proposed by the Written Scheme of Investigation for Trial Trenching on land to the east of the M181. This will ensure that an appropriate method for the assessment of and mitigation of heritage assets

of archaeological importance is secured in accordance with paragraph 189 of the NPPF and policy CS6 of the North Lincolnshire Core Strategy.

No comments have been received during the 2019 consultation from the council's Historic Environment Officer prior to this committee report being prepared. If any comments are received prior to the planning committee a verbal update will be provided.

### **Noise, air quality impacts and ground conditions and land contamination**

Paragraphs 178 to 183 of the NPPF require the consideration of the impacts of development on the environment in terms of noise, air quality and light pollution which have potential to have an adverse impact upon the surrounding environment and residential amenity.

This application is subject to an Environmental Impact Assessment and as such an Environmental Statement accompanies this application. The Environmental Statement within Volume 1 determines whether there would be any likely significant effects upon the environment as a result of development in terms of Noise and Vibration, Air quality Dust and Odour and Ground Conditions, Hydrogeology and Contamination.

#### *Noise and Vibration*

Chapter 7 of the Environmental Statement 2015 and the EIA First Addendum to the EIA June 2019 deals with Noise and Vibration. Consideration is given to the potential impacts of the development upon the environment both during and after construction and includes consideration of additional traffic generated.

The Environmental Statement considers that construction works have the potential to cause disturbance but these impacts can be appropriately mitigated against. At the present time construction impacts cannot be adequately assessed given that precise construction equipment, their locations and usage is not known. However, given the significant distances between the development site and sensitive noise receptors the impact of the development in respect of construction noise is thought to be manageable.

The Environmental Protection Team has been consulted in respect of this application and have recommended that a conditions be imposed upon the granting the permission. The first condition recommended is for each and every stage of development a Construction Environment Management Plan (CEMP) to be submitted, approved and implemented. The CEMP should set out the works and the method by which they are to be carried out, mitigation measures and effectiveness monitoring. It was also recommended that a condition be imposed to restrict construction hours to include restrictions on HGV movements and equipment installation. It is recommended that both of the aforementioned conditions are imposed upon the granting of permission.

In respect of noise generated as a result of development the Environmental Statement concludes that the additional traffic generated by the residential development will have negligible effect. However, in terms of the noise generated as a result of new highway junction arrangements on Burringham Road will have up to a moderate effect on some properties although this is not the subject of the application and is discussed within the report for PA/2015/0627.

Following the consultation in 2015, the Environmental Protection Team stated concerns with the reliability of the baseline noise measurements outlined in the Environmental

statement which are crucial in order to establishment impact of noise upon and as a result of development. In addition, concerns were raised in relation to the impact of the existing and proposed development in the area upon the residential sensitive receptor proposed in this application. These concerns have been addressed by the applicant through the provision of a Noise Impact Assessment received in October 2015 and Addendum received in May 2016. Confirmation of the acceptability of the additional information and recommendation of conditions was given within the consultation response of June 2016.

Given this is an outline application with detailed designs yet to be determined through reserves matters applications, it is unreasonable to expect the developer to be in a position to produce a strategy to mitigate potential noise pollution upon sensitive receptors as a result of development. However, it is essential that such mitigation methods are achieved throughout the site for the protection of residential amenity of both existing and new residents at Lincolnshire Lakes. Such a strategy should be required with each and every phase of development once detailed designs are known to ensure any appropriate noise mitigation is achieved at the site.

It is recommended therefore that conditions be imposed upon the grant of permission to require that with each and every phase of development that a noise impact assessment be submitted, approved and implemented.

#### *Air Quality, Dust and Odour*

Chapter 8 of the accompanying Environmental Statement provides information on Air Quality, Dust and Odour. Consideration is given to the impact of the development during both the construction and operational stages.

In terms of Air Quality the Environmental Statement described existing air quality conditions and projects future air quality conditions as a result of the development. The main considerations relate to traffic emissions in the form of nitrogen dioxide and fine particles PM10 and PM2.5. Both of these matters pose potential threat to human health and given that this application will see the development of 2,500 dwelling requires appropriate assessment.

The Environmental Statement has established existing air quality through the provision of monitoring levels of PM10, PM2.5 and nitrogen dioxide at a number of existing and new receptor sites within and surrounding the development site. The Chapter concludes that there are no significant concentrations of PM10 or PM2.5 in this location or that there will be based on current projections given what is presently being proposed within the area. In relation to nitrogen dioxide the report concludes that at the majority of receptor sites nitrogen dioxide levels remain below the current day objectives. In future years, most receptor sites are projected to negligible impacts but some receptors are likely to have slight adverse impacts although it is stated that this is to be the case whether the development is constructed or not. This is based on the assumption that vehicle emissions reduce in future years as technology advances. If vehicular emissions are not reduced there is likely to be slightly adverse impact at more receptors but it is considered that this would occur whether the development was constructed or not.

During the initial consultation period in 2015 the Environmental Health Team assessed the information within the Environmental Statement and concurred with the Environmental Statement in terms of its assessment of PM10 and PM2.5. However, concerns were raised in relation to the assessment of nitrogen dioxide in respect of the modelling study used.

Further information in respect of Air Quality was received in November 2015 to address the issues raised by the Environmental Health Team in July 2015 in respect of the modelling study used in relation to nitrogen dioxide.

Further consultation was carried out in June/July 2016 with the Environmental Health Team. The department confirmed that the additional information within the November 2015 was acceptable but stated that as a result of increased traffic associated with the development that nitrogen dioxide levels could breach current objectives. It was requested that a contribution be sought from the developer to fund Council air quality monitoring within the area. It was also noted that increasing mode share to sustainable transport methods should be adhered to.

The NPPF states that development 'should not be subject to such scale of obligations and policy burdens that their viability is threatened'. The three Maltgrade applications combined form a substantial part of the LLAAP area which is a strategic project for the council. There are a number of large scale and critical infrastructure works that must be delivered to ensure that the development does not have an adverse impact upon existing infrastructure. In addition, there are large scale abnormal costs associated with this development in terms of land raising to provide an appropriate flood risk mitigation solution.

Upon consideration of the cost report associated with this application and cash flow for the development, it is necessary to evaluate each and every financial contribution sought to ensure viability. The LLAAP within its associated Infrastructure Delivery Schedule sets out what infrastructure requirements are essential and it is these items that should be given priority in terms of determining which planning obligations should be sought.

An Air Quality Monitoring Contribution is not within the Lincolnshire Lakes Infrastructure Schedule and is not considered by this report to be essential for the development to proceed. It is recommended that this contribution is not sought from the developer in accordance with Paragraph 56 of the NPPF.

In relation to dust, the Environmental Statement considers that the construction stage is likely to generate large magnitudes of dust as a result of earthworks and construction with medium dust emissions from the usage of construction vehicles. It is considered that the effects of dust upon the environment during the construction stage can be mitigated against through further details to be secured through a Dust Management Plan.

It is recommended that upon any grant of permission that conditions be included to restrict construction hours, including HGV movements, and the provision of a CEMP with each and every phase of the development which should be implemented for the protection of residential amenity.

#### *Ground conditions, Hydrogeology and Land Contamination*

Chapter 15 of the accompanying Environmental Statement considers ground conditions, hydrogeology and contamination. Section 15 of the NPPF requires that the natural environment is conserved and enhanced. Paragraphs 178 and 179 are relevant. In addition, North Lincolnshire Local Plan policies DS7 and DS11 require consideration.

The Environmental Statement discusses a range of potential issues in relations to ground conditions including stability, contamination due to previous uses and potential ground gases. These have the potential to affect both workers during the construction phase of development and future inhabitants of the site within the operational phase. A number of

trial pits were dug to explore the current ground conditions and underlying geology throughout the site. It is stated that no groundwater strikes occurred but that groundwater seepage was noted with saturated sands causing the collapse of many trial pits. Given the land has mostly been undeveloped it is considered unlikely that there are any significant amounts of contamination that would pose a threat to human health.

The Environmental Health Team was consulted in both June/July 2015 and 2016 and have analysed the information with the Environmental Statement recommending conditions to require further detailed work to establish ground conditions, methods of remediation where necessary and a method to deal with any unexpected land contamination during the construction phase. It was also noted that the geology may lead to underground gases being present which should be addressed as part of the method of remediation to be submitted.

It is recommended that conditions proposed by the Environmental Health Team in relation to land contamination are included with any grant of permission. No additional comments have been received during the 2019 consultation by the Environmental Health Team prior to this committee report being prepared. If any comments are received prior to the Planning committee a verbal update will be provided.

### **Highways and transport**

Paragraph 111 of the NPPF 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. In addition, policies T1, T3, T5, T6, T7, T8, T9, T10 and T11 are also relevant.

This application was accompanied by a Transport Assessment. This document considers the impact of the development upon the existing and proposed highway networks in terms of traffic generated by the proposed development. It concludes that improvement works are required due to traffic generation from the proposed development. These works relate to improvements to Burringham Road and its junction with Scotter Road. A financial contribution has been sought to enable these improvement works which include footway/cycleway.

The Design and Access Statement discusses how access and circulation will be delivered within the site, into adjacent development sites in Lincolnshire Lakes and onto the Burringham Road and M181. The southern terminating junction works, including connections to Burringham Road, are the subject of application PA/2015/0627. An indicative access and circulation plan has been submitted as part of this application (PA/2015/0396). This illustrates that each village will be connected onto Burringham Road via two roundabouts (the subject of PA/2015/0627 and PA/2017/1386). A primary and secondary route network is shown in accordance with movement parameter plan within the LLAAP and as required by policies SSA2 and SSA6.

It is noted that this plan is indicative only and hence will need to be secured prior to the submission of any reserved matters applications for the site. This will be secured through the masterplanning condition and will ensure comprehensively planned development. All reserved matters applications will be required to be in accordance with the masterplan to be submitted and approved. This should include details as to how the proposed highway

network will link into adjacent village development areas within Lincolnshire Lakes to the north.

To ensure that there is no adverse impact on the existing highway network it is recommended that a condition be imposed upon the granting of permission to state that no more than 250 dwellings shall be occupied until the southern terminating junction and associated roundabouts (the subject of PA/2015/0627 and PA/2017/1386) are completed. The first 250 dwellings can be delivered using the existing Burringham Road; however, the secondary village access shown on the illustrative access and circulation plan will need to be provided.

It is also recommended that conditions be imposed to not occupy more than 802 dwellings until improvement works to the existing Burringham Road/Scotter Road Roundabout junction works are completed. It should be highlighted that the improvement works to this junction will not be undertaken by the applicant but by the council. The applicant will be required to pay a financial contribution of £1.5 million to the council to fund these works. This will be secured through the associated Section 106 agreement with these applications.

These conditions trigger points and obligations have been agreed by the local highway authority, the applicant and the local planning authority and ensure that there is no adverse effect upon the existing highway network. The information provided with the Transport Assessment associated with the application has been used in this decision.

The M181 Southern Junction scheme is now being delivered by the developer through a S278/38 agreement. Through using this mechanism, the developer is solely responsible for funding all costs outside of any Highways England grant funding.

Given that this is a large scale development, it is considered appropriate to require a Construction Phase Traffic Management Plan to prevent adverse impact upon the existing highway network during the construction of each and every phase of development.

It is recommended that standard highway conditions are imposed upon the granting of permission to ensure safe access is achieved throughout the site in accordance with policy T2 of the local plan.

In addition, it is recommended that conditions should require the submission of a travel plan and its implementation in accordance with policy T12 of the LLAAP.

Public Transport's response to the July 2019 additional consultation suggested dedicated bus routes through the development providing easy pedestrian access to bus stops and ideas such as bus gates and priority junctions enabling services to jump any traffic queues either entering or exiting the development. The original application proposed using the existing service 12 route; however, this route has now been altered and no longer serves Burringham and East Butterwick. The Heads of Terms in the original committee report July 2016 identified a public transport contribution of £1,347,977. Since the July 2016 Committee a viability appraisal has been submitted by the applicant which confirms the scheme is unviable if all planning contributions are to be provided. Due to the viability issues the Council have prioritised the infrastructure requirements identified within the Infrastructure Delivery Schedule. Full details of the revised contributions can be found in the Heads of Terms section of this report below.

## **Heads of Terms**

Officers consider it important to advise planning committee of the heads of terms for all three Maltgrade planning applications: firstly, because they are intrinsically linked; and secondly, to provide members with a comprehensive and informative view of the financial contributions and on-site provisions that can be expected from the scheme.

## **Affordable housing**

No affordable housing is to be provided within the first phase in accordance with the phasing plan.

A target of 5% of the total homes in all future phases built will be provided as affordable in the form of Discounted Market Sales subject to viability. A review mechanism is to be included within the Section 106.

The affordable housing contribution has been assessed as part of a viability appraisal for the development. Officers have scrutinised the viability assessment to establish developer costs and profits and it has been projected that the Maltgrade development will generate a Gross Development Value of 17.5%. 20% is the normal level of profit that a developer would expect to receive as a return from a development.

Consideration has been given to key significant infrastructure costs, particularly in relation to highway/flood mitigation and the costs associated with the creation of large water bodies. The improvements to the existing road network within Scunthorpe that the development will bring and delivery of the transformational objectives of the project would not be achieved without this level of investment.

## **Education**

*Primary:* The applicant agrees to provide the land and the construction of a 3 form Entry Primary School on Phase 2 of the development which is located on the western side of the M181 motorway. This planning contribution is in accordance with the Lincolnshire Lakes Area Action Plan.

*Secondary:* The Education department's response seeks secondary education contributions to extend the local secondary school. This contribution equated to £11,200,000 based on the council's SPG8. The Lincolnshire Lakes Area Action Plan required financial contribution toward off-site provision, or the construction of a new secondary school within the Lincolnshire Lakes development. As part of the application the applicant has submitted a Viability Assessment which identified that the scheme was unable to provide all policy compliant planning obligations. This is due to the scheme requiring large upfront infrastructure costs which include flood mitigation and new road infrastructure, including the new terminating M181 Southern Junction.

The Viability Appraisal has also been independently assessed which confirmed a reduced secondary education contribution can be secured from the scheme.

## Section 106 contributions

In terms of on-site infrastructure provision, Maltgrade will provide the following on site only. The figure shown is the cost to Maltgrade in providing the infrastructure, and will not be received as a separate section 106 contribution alongside the on-site provision.

For the off-site infrastructure provisions, the local authority will receive the contributions shown and these will be written into the section 106 agreement along with trigger points for receipt of the money.

The M181 Southern Junction scheme is now being delivered by the developer through a S278/38 agreement. Through using this mechanism, the developer is solely responsible for funding all costs outside of any Highways England grant funding.

<b>Heads of Terms</b>	
<b>On-site Infrastructure Provision</b>	<b>Total</b>
Affordable Housing	Affordable housing will be secured if the review mechanism identifies the scheme is viable after the first phase of the development.
Education: 3 Form of Entry Primary School	£6,000,000 financial contribution and 3ha of land for the primary school  or  to provide 3ha of land within the development and the construction of a 3 form primary school to the council's specification.
Green infrastructure to include 2 x destination parks (Village 1 and Village 5) and 1 x allotment (0.5 hectare)	To be delivered through an estate management company. All open space layout and play equipment specification to be agreed with the council.
Lake 1	Lake 1 construction specification should be agreed with the council prior to construction.  On completion Lake 1 should be transferred to the council.
<b>Off-site Infrastructure Provisions</b>	
Education: Temporary Primary School Contribution	Primary school extension to existing school £250,000

Education: Secondary School Contribution	Off-site secondary contribution of £5,000,000
Junction improvement to B1450 Burringham Road/Scotter Road capacity upgrade	£518,000
Strategic route B1450 Burringham Road improvements	£1,000,000
Public Transport	The public transport contribution of £1,343,977 will be secured if the review mechanism identifies the scheme is viable after the first phase of the development.
De-trunking of M181 motorway between Southern junction and Northern junction	The de-trunking of the M181 motorway. £500,000 will be secured if the review mechanism identifies the scheme is viable after the first phase of the development.

### Review mechanism

The applicant agrees to be bound by an appropriate 'review mechanism' which will determine if any further payment can be born at a later stage should the scheme's viability support it at that time.

### Other matters

Two letters of comment have been received from Lindsey Lodge Hospice during the 2015 and 2016 consultation which expressed concerns in terms of traffic and noise impacts along Burringham Road which would cause difficulty accessing the Hospice. It was also stated that the speed limit should be reduced to 30 mph from the current 40 mph. Concerns were raised to future development at Lincolnshire Lakes being adjacent to the Hospice site.

It is recognised that additional traffic will utilise Burringham Road as a result of the development and opening the southern terminating junction. The LLAAP promotes in policy T5 a speed limit of between 30 mph and 40 mph for Burringham Road. This portion of Burringham Road is outside of the applicant's ownership and site area. It is therefore the responsibility of the council to design and construct improvement works which will be required along this stretch of Burringham Road although the application will be required to provide a contribution of £1.5 million for this work.

A number of parish councils have raised similar concerns in respect of traffic and highways and urge the council to consider their impacts which have been addressed with the Highways and Transport section of this report. It is noted in the response form Gunness Parish Council in regarding their request that the southern terminating junction (the subject of PA/2015/0627) should be completed prior to the commencement of other building works. This approach is not proposed to be taken as it will be necessary and is considered reasonable to allow some development off the existing highway network.

In addition, Bottesford Town Council in June 2016 objected to the 'additional 100 dwellings' and ask that the 'original plans be adhered to'. The scale of the application has not changed since the original 2015 submission and still seeks permission for up to 2500 dwellings. Bottesford Town Council responded to the July 2019 consultation with no objection to the scheme.

Keadby with Althorpe Parish Council has stated that they do not object to the application provided that any works to the Trent Bank as part of this application do not cause an increase in flood risk. It is noted that as part of this proposal flood mitigation works do not require works to the Trent Bank. However, the council is working with the Environment Agency to deliver an over-arching flood mitigation solution for Lincolnshire Lakes without increasing flood risk to third parties. Any future works to the Trent Bank in terms of continuous piling are likely to require separate planning permission.

Network Rail have responded requesting developer contributions to pay for improvements to both Scunthorpe and Althorpe railway stations as required by policy T12 of the LLAAP. This contribution sought by Network Rail has been considered but it is recommended not to be taken forward as it is considered that other contributions are critical to allow for the delivery of the scheme.

## **RECOMMENDATION**

**Subject to the completion of a formal agreement under Section 106 of the Town and Country Planning Act 1990 to secure the obligations set out in the "Heads of Terms" table within this report, the committee resolves:**

- (i) it is mindful to grant permission for the development;**
- (ii) the decision be delegated to the Head of Development Management upon completion of the obligation;**
- (iii) if the obligation is not completed by 3 January 2020 the Group Manager – Development Management and Building Control be authorised to refuse the application on grounds of the development being contrary to policies CS9 and CS27 of the North Lincolnshire Core Strategy because of inadequate provision of infrastructure to meet the identified needs generated by the development; and**
- (iv) the permission so granted be subject to the following conditions:**

### **Approved Plans**

1.

The development hereby permitted shall be carried out in accordance with the following approved plans:

- MGL\_LLApp1\_001 Revision C
- MGL\_LLApp1\_002 Revision C

#### Reason

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

#### **Timescale and commencement**

2.

No development shall commence upon any phase or sub-phase of development until approval of all the Reserved Matters (details of the layout, scale and appearance of the buildings, and landscaping of the site) relating to that phase or sub-phase has been obtained in writing from the Local Planning Authority. The development shall be carried out in accordance with the approved Reserved Matters details.

#### Reason

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

3.

Prior to their implementation, a programme of proposed Enabling Works, and any associated environmental mitigation, including a programme of archaeological mitigation as agreed in accordance with condition 29, shall be submitted to and approved by the Local Planning Authority in writing. The works shall be carried out in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

#### Reason

To define the terms of the permission and for the avoidance of doubt as to the works that constitutes the commencement of development.

4.

The development hereby permitted shall be begun before the expiration of five years from the date of this permission, or before the expiration of three years from the date of the approval of the last Reserved Matters, whichever is later.

#### Reason

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

5.

The application for approval of the first phase Reserved Matters of Application PA/2015/0396 as approved in the Phasing Plan under condition 7 shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. All subsequent Reserved Matters applications on the PA/2015/0396 area shall be made to the Local Planning Authority within a period of fifteen years from the date of this permission.

#### Reason

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

## Thresholds

6.

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

- 2500 residential units (Use Class C3) of the Town and Country Planning (Use Classes) Order 1987 as amended
- 3 form of entry primary school (Use Class D1)
- 2,000 square metre Local Centre (Use Class A1, A2, A3, A4, A5, B1, D1), Healthcare Facility (Use Class D1), Community Facilities (Use Class D1), within the proposed Eastern Village
- 4,000 square metre Local Centre (Use Class A1, A2, A3, A4, A5, B1, D1), Healthcare Facility (Use Class D1), Community Facilities (Use Class D1), within the proposed Western Village

No individual unit within the local centre for the Eastern and Western Villages shall exceed 300 square metres gross floor space of Retail (Use Class A1) unless otherwise agreed in writing by the Local Planning Authority. A flexible view will be taken where a single unit provides other ancillary services and/or community uses (within Use Classes A1, A2, A3, A4, A5, B1, D1 above the A1 threshold).

### Reason

To define the terms of the permission and to ensure the appropriate density and facilities are provided across the site, and to ensure an appropriate scale of development in accordance with policies SS1, SS3, SC1, SC2, SSA2, SSA4 and SSA6 of the Lincolnshire Lakes Area Action Plan, policies CS1, CS2, CS4, CS7 and CS22 of the North Lincolnshire Core Strategy and policies C7 and S6 of the North Lincolnshire Local Plan.

## Phasing

7.

No application shall be made for the approval of any of the Reserved Matters pursuant to condition 2 until a Site-wide Phasing Programme, of no more than five phases (each with a maximum of three sub-phases), unless otherwise agreed in writing with the Local Planning Authority, has been submitted to and approved in writing by the Local Planning Authority.

The Site-wide Phasing Programme shall include a Phasing Plan and details of the proposed sequence of development across the entire illustrative Masterplan area (Refs: MGH\_LL\_105 Revision C and MGH\_LL\_104 Revision C) land encompassed by the application areas of planning permissions PA/2015/0396 (Refs: MGL\_LL\_App1\_001 Revision C and MGL\_LL\_App1\_002 Revision C), PA/2015/0627 (Ref: MGL\_LL\_App2\_001 Revision C) and PA/2015/0628 (Refs: MGL\_LL\_App3\_001 Revision C and MGL\_LL\_App3\_002 Revision C).

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

- (a) any environmental mitigation measures specified (unless otherwise agreed in writing by the Local Planning Authority) in the Environmental Statement or as amended by the further information for the Environmental Statement
- (b) major access infrastructure, including roads, footpaths and cycleways
- (c) public open space areas, including informal open spaces, recreation and sports areas, allotments, equipped play areas and ecological areas and habitats
- (d) all structural and site-wide landscaping and any additional green and blue infrastructure
- (e) all strategic drainage lakes and Sustainable Urban Drainage Systems (SUDS) infrastructure
- (f) housing phases/villages
- (g) earth bunds
- (h) flood mitigation measures
- (i) commercial uses
- (j) local centres and the facilities within it
- (k) primary school facilities
- (l) health facilities
- (m) waste management facilities and recycling facilities (permanent and temporary)
- (n) other community facilities/uses
- (o) transport mitigation and public transport.

#### Reason

It is essential to ensure appropriate details are agreed prior to any infrastructure works commencing on site and for the development to be delivered in a structured way in accordance with the approved parameter plans, policies CS1, CS2, CS4, CS7, CS8, CS9, CS11, CS16, CS17, CS19, CS22, CS23, CS25 and CS26 of the North Lincolnshire Core Strategy, policies SS1, SS2, SS3, H1, H2, SC1, SC2, T1, T3, T5, T6, T7, T8, T9, T10, T12, F1, L1, L2, G1, G2, G3, G4, G5, D1, SSA2, SSA4 and SSA6 of the Lincolnshire Lakes Area Action Plan and policies H8, H16, T1, T6, T8, LC3, LC4, LC5, LC6, LC12, R5, R6 and R9 of the North Lincolnshire Local Plan.

8.

The development shall be carried out in accordance with the Site-wide Phasing Programme unless otherwise agreed in writing with the Local Planning Authority.

#### Reason

As the application has been submitted in outline form, it is essential to ensure an appropriate solution is achievable prior to any infrastructure works commencing on site and

for the development to be delivered in a structured way in accordance with the approved parameter plans, policies CS1, CS2, CS4, CS7, CS8, CS9, CS11, CS16, CS17, CS19, CS22, CS23, CS25 and CS26 of the North Lincolnshire Core Strategy, policies SS1, SS2, SS3, H1, H2, SC1, SC2, T1, T3, T5, T6, T7, T8, T9, T10, T12, F1, L1, L2, G1, G2, G3, G4, G5, D1, SSA2, SSA4 and SSA6 of the Lincolnshire Lakes Area Action Plan and policies H8, H16, T1, T6, T8, LC3, LC4, LC5, LC6, LC12, R5, R6 and R9 of the North Lincolnshire Local Plan.

## **Masterplanning**

9.

No application shall be made for the approval of any of the Reserved Matters pursuant to condition 2 until there has been submitted to and approved in writing by the Local Planning Authority a Site-wide Master Plan and Design Code.

The Site-wide Master Plan and Design Code shall be in accordance with the Site-wide Phasing Programme approved pursuant to condition 7 and the following approved plans (unless agreed in writing by the Local Planning Authority). The Site-wide Masterplan and Design Code should also be in broad conformity with the illustrative drawings and supporting material as set out below (unless agreed in writing by the Local Planning Authority):

### *Approved plans*

- MGL\_LLApp1\_001 Revision C
- MGL\_LLApp1\_002 Revision C

### *Illustrative plans*

The following plans and illustrative material within the Design and Access Statement 2015.

### *Overall Masterplan approach:*

- Colour Masterplan MGH\_LL\_105 Revision C
- Colour Masterplan MGH\_LL\_104 Revision C
- Proposed Land Use MGH\_LL\_110 Revision B
- Proposed Land Use MGH\_LL\_111 Revision B
- Building Heights MGH\_LL\_112 Revision B
- Building Heights MGH\_LL\_113 Revision B
- Density MGH\_LL\_118 Revision B
- Density MGH\_LL\_119 Revision B

- Site Phasing MGL\_LL\_108 Revision C
- Site Phasing MGL\_LL\_109 Revision C

*Access and circulation:*

- Access and Circulation MGH\_LL\_115 Revision B
- Access and Circulation MGH\_LL\_116 Revision B

*Public Realm and Open space:*

- Open Space MGH\_LL\_120 Revision B
- Open Space MGH\_LL\_121 Revision B

*The Site-wide Master Plan shall cover the following components:*

- land use distribution and disposition
- density
- building heights
- access and circulation
- topographic and land form existing and proposed
- phase or sub-phase boundaries and those of adjacent phases or sub-phases
- movement corridors (including strategic and principal primary, secondary roads, public transport corridors, pedestrian and cycle routes, greenways)
- Green & Blue Infrastructure (including SUDS, strategic attenuation areas, strategic swales, flood mitigation, significant utility provision, green and public open spaces (formal, informal, ecological and habitat areas) and strategic landscaping, corridors and structures)
- schools, local centres, community facilities
- housing mix (tenure and size)

The Site-wide Design Code (which shall conform to the Site-wide Phasing Programme) shall include the following:

- (a) the character, mix of uses and density established through the indicative parameter plans at the outline stage to include the block principles and the structure of public spaces

- (b) the street hierarchy, including street types and street materials, the principles of adopting highway infrastructure, and typical street cross-sections and bus routes
- (c) block principles to establish use, density and building typologies; in addition, design principles including primary frontages, pedestrian access points, fronts and backs and perimeter of building definition
- (d) key groupings and other key buildings including information about height, scale, form, level of enclosure, building materials and design features
- (e) relationship between proposed/existing landscape and built form
- (f) hard and soft landscaping and the approach to the character and treatment of the structural planting to the development areas (including advance structural planting and phasing of landscape/planting implementation)
- (g) the approach to the treatment of any hedge, ditch, footpath corridors and retained trees and woodlands
- (h) the approach to Sustainable Urban Drainage Systems design and its management and how this is being applied to control both water volume and quality, including the specification of a palette of sustainable drainage features to be used and planting strategies to enhance biodiversity and improve water quality where practicable before discharge into ponds, basins and lakes
- (i) the conceptual design and approach to green open spaces and the public realm to include hard and soft landscaping, materials, lighting, street furniture, signage, boundary treatments, utilities and public art
- (j) details of waste and recycling provision for all building types and recycling points
- (k) measures to demonstrate how opportunities to maximise resource efficiency and climate change adaptation in the design of the development will be achieved through external, passive means, such as landscaping, orientation, massing and external building features
- (l) details of measures to minimise opportunities for crime
- (m) details of the approach to vehicular parking and cycle parking across the site
- (n) provision of infrastructure and utilities
- (o) architectural features and palette of materials (including the colour and texture of external materials and facing finishes for roofing and walls of buildings and structures, including opportunities for using local sources and recycled construction materials)
- (p) details of design code review procedure and circumstances where a review shall be implemented
- (q) specific guidance on mix and disposition of uses, access and circulation, public realm, parking, layout, urban design principles and architectural treatment. It will include how the maximum approved floor space thresholds for community and commercial uses will

be divided into units and distributed within the site. This will be undertaken for the following:

- local village centre
  - community facilities
  - educational facilities
- (r) guidance in respect of the formal and informal aspects of the hard and soft landscaping; planting areas and types, water areas, pathways and cycleways, boundary treatments, pedestrian bridges and crossing points, trim trails, interpretation material, seating, treatment of ditches, SUDS, surfacing, lighting, habitat enhancement and creation, recreational, pitch and play provision, allotment and community gardens provision, parking, and changing facilities.

Revisions to the code for specific phases/sub-phases will be considered in advance of any phase-specific Reserved Matters planning application subject to the agreement of the Local Planning Authority. Any agreed alterations would be submitted as an addendum to the code at the time of the Reserved Matters planning application for that phase.

#### Reason

As the application has been submitted in outline form, it is essential to ensure appropriate details are agreed prior to any infrastructure works commencing on site and that the details of the development are satisfactory to the Local Planning Authority in view of the nature and scale of the development proposed, and to ensure high standards of urban design, a comprehensively planned development and in accordance with paragraphs 124 to 132 of the National Planning Policy Framework, policies CS1, CS2, CS4, CS5, CS7, CS8, CS14, CS16, CS17, CS18, CS19, CS20, CS22, CS23, CS24, CS25, CS26 of the North Lincolnshire Core Strategy, policies SS1, SS2, SS3, H1, H2, SC1, SC2, T2, T4, T6, T7, T8, T9, T10, T12, F1, L1, L2, G1, G2, G3, G4, G5, D1, D3, D4, SSA2, SSA4 and SSA6 of the Lincolnshire Lakes Area Action Plan and policies H8, H10, H16, S6, T1, T2, T6, T7, T8, T9, T15, T16, T18, T19, LC3, LC4, LC5, LC6, LC12, R3, R5, R6, R9, R14 and C1 of the North Lincolnshire Local Plan.

10.

Each application for the approval of Reserved Matters shall be in accordance with the Site-wide Master Plan and Design Code approved pursuant to condition 9 and shall be accompanied by a written statement that demonstrates how the proposed development accords with the Site-wide Master Plan and Design Code as approved under condition 9 attached to and forming part of this planning permission.

#### Reason

To ensure that the details of the development are satisfactory to the Local Planning Authority in view of the nature and scale of the development proposed, and to ensure high standards of urban design, a comprehensively planned development and in accordance with paragraphs 56 to 63 of the National Planning Policy Framework, policies CS4, CS5, CS16, CS17, CS19 and CS23 of the North Lincolnshire Core Strategy, policies SS1, SS2, SS3, H1, H2, SC1, SC2, T2, T4, T6, T7, T8, T9, T10, T12, F1, L1, L2, G1, G2, G3, G4, G5, D1, D3, D4, SSA2, SSA4 and SSA6 of the Lincolnshire Lakes Area Action Plan and policies H8, H10, H16, S6, T1, T2, T6, T7, T8, T9, T15, T16, T18, T19, LC3, LC4, LC5, LC6, LC12, R3, R5, R6, R9, R14 and C1 of the North Lincolnshire Local Plan.

## Ecology

11.

Prior to the submission of the first Reserved Matters Application the approved Ecological Mitigation Strategy shall be updated to include the findings of species surveys which shall include but not be limited to the following species:

- water voles
- foraging bats
- aquatic plants
- breeding birds
- badgers.

Once updated, the Ecological Mitigation Strategy shall be submitted to and approved in writing by the local planning authority.

### Reason

As the application has been submitted in outline form, it is essential to ensure appropriate details are agreed prior to any works commencing on site and that the details of the development are satisfactory to the local planning authority in view of the nature and scale of the development proposed, and to ensure high standards of urban design, a comprehensively planned development and in accordance with paragraphs 174 and 175 of the National Planning Policy Framework, policies SS1, SS2, SS3, G1, G3, G4, SSA2, SSA4 and SS6 of the Lincolnshire Lakes Area Action Plan and policies CS4, CS5, CS16 and CS17 of the North Lincolnshire Core Strategy.

12.

Prior to the submission of the first Revised Matters Application a Site-wide Ecological Mitigation Strategy and Biodiversity Enhancement Plan, encompassing the planning permission boundaries of PA/2015/0396 (Refs: MGL\_LL\_App1\_001 and MGL\_LL\_App1\_002), PA/2015/0627 (Ref: MGL\_LL\_App2\_001) and PA/2015/0628 (Refs: MGL\_LL\_App3\_001 and MGL\_LL\_App3\_002), (the Strategy and Plan) shall have been submitted to and approved in writing by the Local Planning Authority. The submitted Strategy and Plan shall include details of how the Green and Blue Infrastructure within the site functions in terms of:

- the protection and enhancement of biodiversity, including measures to mitigate against the impact of the development within areas identified in the updated Ecological Mitigation Strategy;
- construction phasing to ensure appropriate areas of habitat creation are provided at each phase of the development;
- how mitigation and enhancement measures set out in the ecological mitigation strategy and biodiversity enhancement plan will be implemented;
- planting and landscaping design;

- the retention of trees, hedgerows, woodlands, ponds, watercourses and other existing natural features;
- the establishment of trees, hedgerows and woodland;
- the creation of ponds and watercourses (lakes, swales and ditches) and any other natural features;
- the management and maintenance of all aspects of Green Infrastructure and details of monitoring/environmental audits;
- habitat connectivity within the entire site (land encompassing the planning permission boundaries of PA/2015/0396 (Refs: MGL\_LL\_App1\_001 and MGL\_LL\_App1\_002), PA/2015/0627 (Ref: MGL\_LL\_App2\_001) and PA/2015/0628 (Refs: MGL\_LL\_App3\_001 and MGL\_LL\_App3\_002) and surrounding environment (land subject to the Lincolnshire Lakes Area Action Plan as shown on the Policies Map);
- The strategy should also include a Site-wide Water Vole Mitigation Strategy

and shall include proposals for the periodic review of the Strategy and its objectives Infrastructure and mitigation measures as the development proceeds.

#### Reason

As the application has been submitted in outline form, it is essential to ensure appropriate details are agreed prior to any works commencing on site and that the details of the development are satisfactory to the local planning authority in view of the nature and scale of the development proposed, and to ensure high standards of urban design, a comprehensively planned development and in accordance with paragraphs 174 and 175 of the National Planning Policy Framework, policies SS1, SS2, SS3, L1, G1, G3, G4, G6, SSA2, SSA4 and SSA6 of the Lincolnshire Lakes Area Action Plan and policies CS4, CS5, CS16 and CS17 of the North Lincolnshire Core Strategy.

#### 13.

Prior to the submission of the first of the Reserved Matters for each and every Phase or Sub-Phase of the development as agreed in accordance with the provisions of condition 7 of this planning permission a Phase Ecological Mitigation and Biodiversity Enhancement Plan for that Phase or Sub-Phase which shall conform to the Strategy approved under condition 12 shall be submitted to and approved in writing by the Local Planning Authority and shall include:

- (a) a statement of how the Phase Ecological Mitigation and Biodiversity Enhancement Plan for that phase or sub-phase of development complies with the approved Site-Wide Ecological Mitigation Strategy and Biodiversity Enhancement Plan (and any periodic review of the objectives and prescriptions of that Strategy);
- (b) details of all protected and priority species on that phase or sub-phase of development including up-to-dates species surveys and details of survey methodology;
- (c) details of the extent and type of new planting which shall make use of species of high value for biodiversity;

- (d) details of any new habitats and features to be created on site including details of pond habitat to be created;
- (e) details of treatment of site boundaries and/or buffers around water bodies (including ditches/drains);
- (f) prescriptions for the retention, creation, enhancement and ongoing management of wet ditches, ponds and other wetlands;
- (g) details of mitigation and habitat enhancement for protected or otherwise notable species including reptiles, water voles, invertebrates, hedgehogs and foraging bats;
- (h) details of numbers, types and locations for artificial refuges for wildlife, including specifically bird boxes, bat boxes and bat lofts, or any other appropriate bat and bird mitigation or enhancement measures appropriate to that phase or sub-phase, to include:
  - prescriptions for the creation and retention of at least 10 bat lofts, with bat access points, in the roof voids of buildings near woodlands and wetlands;
  - prescriptions for the installation and retention of woodcrete bat boxes, bat bricks or bat access points in 10% of new dwellings concentrated near woodland and water;
  - prescriptions for the installation of swift boxes and sparrow terraces on houses;
  - prescriptions for biodiversity enhancements on the school buildings and school grounds;
  - details of bat foraging corridors to be created and retained;
  - details of zonation of access and wardening of created habitats;
- (i) strategic earth modelling, mounding, re-grading and/or embankment areas;
- (j) the timescale for the implementation of each aspect of the Phase Ecological Mitigation and Biodiversity Enhancement Plan within that phase or sub-phase of development and a statement of how this confirms with the approved Site-Wide Ecological Mitigation Strategy and Biodiversity Enhancement Plan.

#### Reason

To ensure a satisfactory standard of development in view of the nature and scale of the development proposed, and to ensure high standards of urban design, a comprehensively planned development and accordance with paragraphs 174 and 175 of the National Planning Policy Framework, policies SS1, SS2, SS3, L1, G1, G3, G4, G6, SSA2, SSA4 and SSA6 of the Lincolnshire Lakes Area Action Plan and policies CS4, CS5, CS16, CS17 and CS23 of the North Lincolnshire Core Strategy and policies LC5, LC6 and LC12 of the North Lincolnshire Local Plan.

#### 14.

The approved Site-Wide Ecological Mitigation Strategy and Biodiversity Enhancement Plan submitted pursuant to condition 12 shall be implemented in full in accordance with the approved details. The approved Site-Wide Ecological Mitigation and Biodiversity Enhancement Plan shall be reviewed and updated as necessary upon the findings of

updated species surveys which shall be carried out prior to the submission of the first of the Reserved Matters for each and every Phase or Sub-Phase of the development as part of the Phase Ecological Mitigation and Biodiversity Enhancement Plan submitted pursuant to condition 13. The updated Site-Wide Ecological Mitigation Strategy shall be submitted to and approved in writing by the Local Planning Authority and be implemented in accordance with the approved details.

#### Reason

As the application has been submitted in outline form, it is essential to ensure appropriate details are agreed prior to any works commencing on site and that the details of the development are satisfactory to the local planning authority in view of the nature and scale of the development proposed, and to ensure high standards of urban design, a comprehensively planned development and in accordance with paragraphs 174 and 175 of the National Planning Policy Framework, policies SS1, SS2, SS3, L1, G1, G3, G4, G6, SSA2, SSA4 and SSA6 of the Lincolnshire Lakes Area Action Plan and policies CS4, CS5, CS16 and CS17 of the North Lincolnshire Core Strategy.

15.

The approved Phase Ecological Mitigation and Biodiversity Enhancement Plan for each and every Phase or Sub-Phase of the development submitted pursuant to condition 13 shall be implemented in accordance with the approved details for the specific Phase or Sub-Phase of the development to which it relates.

#### Reason

To ensure a satisfactory standard of development in view of the nature and scale of the development proposed, and to ensure high standards of urban design, a comprehensively planned development and accordance with paragraphs 174 and 175 of the National Planning Policy Framework, policies SS1, SS2, SS3, L1, G1, G3, G4, G6, SSA2, SSA4 and SSA6 of the Lincolnshire Lakes Area Action Plan and policies CS4, CS5, CS16, CS17 and CS23 of the North Lincolnshire Core Strategy and policies LC5, LC6 and LC12 of the North Lincolnshire Local Plan.

16.

No phase or sub-phase of development shall take place unless otherwise agreed in writing with the Local Planning Authority until the results of up-to-date protected and priority species surveys, which shall include details of protection and/or mitigation as required, have been submitted to and approved in writing by the Local Planning Authority. Surveys shall be carried out by a suitably qualified ecologist at an appropriate time of the year.

#### Reason

As the application has been submitted in outline form, it is essential to ensure appropriate details are agreed prior to any works commencing on site and that the details of the development are satisfactory to the Local Planning Authority in view of the nature and scale of the development proposed, and to ensure high standards of urban design, a comprehensively planned development and in accordance with paragraphs 174 and 175 of the National Planning Policy Framework, policies SS1, SS2, SS3, L1, G1, G3, G4, G6, SSA2, SSA4 and SSA6 of the Lincolnshire Lakes Area Action Plan and policies CS4, CS5, CS16 and CS17 of the North Lincolnshire Core Strategy.

17.

The approved Phase Ecological Mitigation and Biodiversity Enhancement Plan for each and every Phase or Sub-Phase of the development submitted pursuant to condition 13 shall be reviewed and updated subject to the findings of the up-to-date species surveys submitted pursuant to condition 16 where it has been necessary to carry out such species surveys. The updated Phase Ecological Mitigation and Biodiversity Enhancement Plan for each and every Phase or Sub-Phase of the development where such an update has been carried out shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented in accordance with the approved details for the specific Phase or Sub-Phase of the development to that which it relates.

#### Reason

As the application has been submitted in outline form, it is essential to ensure appropriate details are agreed prior to any works commencing on site and that the details of the development are satisfactory to the Local Planning Authority in view of the nature and scale of the development proposed, and to ensure high standards of urban design, a comprehensively planned development and in accordance with paragraphs 174 and 175 of the National Planning Policy Framework, policies SS1, SS2, SS3, L1, G1, G3, G4, G6, SSA2, SSA4 and SSA6 of the Lincolnshire Lakes Area Action Plan and policies CS4, CS5, CS16 and CS17 of the North Lincolnshire Core Strategy.

18.

Prior to the commencement of development, the applicant or their successors in title shall agree in writing with the Local Planning Authority the terms of reference for an environmental steering group to oversee implementation of ecological mitigation measures and sensitive working practices. The steering group shall comprise suitably experienced representatives of the applicant or their successor, the Local Planning Authority and other appropriate organisations by agreement.

The steering group shall meet at least annually from the commencement of development to at least five years after the completion of works on the open spaces shown on submitted drawing number MGH\_LL\_120 Revision B for an annual monitoring review, unless otherwise agreed in writing with the Local Planning Authority. Prior to the meeting, an environmental report, completed to an agreed standard, shall be provided by the applicant or their successor in title to all steering group members. Environmental actions agreed by the environmental steering group shall be implemented in full in accordance with agreed timescales.

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

#### Reason

As the application has been submitted in outline form, it is essential to ensure appropriate mitigation measures are achievable prior to any infrastructure works commencing on site to prevent adverse environmental impact in accordance with paragraphs 174 and 175 of the National Planning Policy Framework, policies SS1, SS2, SS3, L1, G1, G3, G4, G6, SSA2, SSA4 and SSA6 of the Lincolnshire Lakes Area Action Plan and policies CS4, CS5, CS16 and CS17 of the North Lincolnshire Core Strategy.

## Landscaping

19.

With any Reserved Matters application pursuant to this approval within the built-up area, the landscape details required by condition 21 shall include detailed landscape designs and specifications for the associated Reserved Matters site. The details shall be accompanied by a Design Statement that demonstrates how the landscaping scheme accords with any emerging or approved details sought as part of a Design Code for the site.

### Reason

To ensure the details of the development are satisfactory to the Local Planning Authority and a satisfactory landscape plan is submitted in accordance with policies CS16 and CS22 of the North Lincolnshire Core Strategy, policies SS1, SS2, SS3, H2, T6, T7, L1, L2, G1, G2, G3, G4, G5, G6, D3, SSA2, SSA4 and SSA6 of the Lincolnshire Lakes Area Action Plan and policies H5, H8, LC5, LC6, LC12 and R5 of the North Lincolnshire Local Plan.

20.

The landscaping within the application site areas shall be implemented in accordance with the approved phasing programme required by condition 7 unless an alternative programme for provision is agreed in writing by the Local Planning Authority. The scheme shall be carried out in accordance with the approved details.

### Reason

To ensure the details of the development are satisfactory to the Local Planning Authority and a satisfactory landscape plan is implemented in accordance with policies CS16 and CS22 of the North Lincolnshire Core Strategy, policies SS1, SS2, SS3, H2, T6, T7, L1, L2, G1, G2, G3, G4, G5, G6, D3, SSA2, SSA4 and SSA6 of the Lincolnshire Lakes Area Action Plan and policies H5, H8, LC5, LC6, LC12 and R5 of the North Lincolnshire Local Plan.

21.

No phase or sub-phase of the development (as specified under the details submitted in condition 7) shall take place until a Landscape and Management Plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), has been submitted to and approved in writing by the Local Planning Authority.

The Landscape and Management Plan shall include the following elements:

### *Soft landscaping*

- (a) full details of planting plans and written specifications, including cultivation proposals for maintenance and management associated with plant and grass establishment, details of the mix, size, distribution, density and levels of all trees/hedges/shrubs to be planted and the proposed time of planting. The planting plan shall use botanic names to avoid misinterpretation. The plans should include a full schedule of plants
- (b) 1:200 plans (or at a scale otherwise agreed) with cross-sections of mounding, ponds, ditches and swales and proposed treatment of the edges and perimeters of the site
- (c) the landscape treatment of roads (primary, secondary, tertiary and green) through the development

- (d) a specification for the establishment of trees within hard landscaped areas including details of space standards (distances from buildings etc.) and tree pit details
- (e) the planting and establishment of structural landscaping to be provided in advance of all or specified parts of the site as appropriate
- (f) full details of any proposed alterations to existing watercourses/drainage channels, including Warping Drain
- (g) details and specification of proposed earth modelling, mounding, re-grading and/or embankment areas or changes of level across the site to be carried out including soil quantities, topsoil storage to BS3882:2007, haul routes, proposed levels and contours to be formed, sections through construction to show make-up, and timing of works

#### *Hard landscaping*

- (h) full details of all proposed methods of boundary treatment, including details of all gates, fences, walls and other means of enclosure both within and around the edge of the site
- (i) full details, including cross-sections, of all bridges and culverts
- (j) utility routes, type and specification
- (k) the location and specification of minor artefacts and structures, including furniture, refuse or other storage units, signs and lighting columns/brackets
- (l) 1:200 plans (or at a scale otherwise agreed) including cross-sections, of roads, paths and cycleways
- (m) details of all hard surfacing materials (size, type and colour)
- (n) details of management objectives
- (o) details of maintenance regimes
- (p) details of treatment of site boundaries and/or buffers around water bodies (including ditches/drains)
- (q) details of management responsibilities (for the duration of the project and once complete)
- (r) proposed finished levels or contours
- (s) car parking layouts
- (t) water features.

#### Reason

The application is submitted in outline form, and details are required prior to the implementation of infrastructure and to enhance the appearance of the development in the

interests of amenity in accordance with policies CS5, CS16, CS22 and CS23 of the North Lincolnshire Core Strategy, policies SS1, SS2, SS3, H2, T6, T7, L1, L2, G1, G2, G3, G4, G5, G6, D4, SSA2, SSA4 and SSA6 of the Lincolnshire Lakes Area Action Plan and policies H5, H8, LC5, LC6, LC12, T2, T6, T7, T19 and R5 of the North Lincolnshire Local Plan.

22.

Prior to the introduction of landscaping for each phase or sub-phase of development (as specified under the details submitted in condition 7), a Schedule of Landscape Maintenance for a minimum period of five years or upon the establishment of the Estate Management Company, shall be submitted to and approved in writing by the Local Planning Authority and it shall include details of the arrangement for its implementation.

Reason

As the application has been submitted in outline form, it is essential to ensure an appropriate solution is achievable prior to any infrastructure works commencing on site, to ensure a satisfactory programme of landscape management/maintenance in accordance with policies CS5, CS16, CS17, CS22 and CS23 of the North Lincolnshire Core Strategy, policy G6 of the Lincolnshire Lakes Area Action Plan.

23.

The Landscape Management Plan pursuant to condition C shall be carried out in accordance with the approved details and timings, and the approved features shall be retained thereafter, unless otherwise approved in writing by the Local Planning Authority.

Reason

To ensure a satisfactory standard of development and to enhance the local amenity in accordance with policies CS5, CS16, CS17, CS22 and CS23 of the North Lincolnshire Core Strategy, policies SS1, SS2, SS3, H2, T6, T7, L1, L2, G1, G2, G3, G4, G5, G6, D3, SSA2, SSA4 and SSA6 of the Lincolnshire Lakes Area Action Plan.

24.

All existing trees within the site shall be retained, unless shown on the approved landscape drawings as being removed or otherwise agreed with the Local Planning Authority. All trees on and immediately adjoining the site shall be protected from damage as a result of works on the site, to the satisfaction of the Local Planning Authority in accordance with BS5837:2012, for the duration of the works on site. In the event that trees become damaged or otherwise defective during such period, the Local Planning Authority shall be notified as soon as reasonably practicable and remedial action agreed and implemented. In the event that any tree dies or is removed without the prior consent of the Local Planning Authority, it shall be replaced as soon as is reasonably practicable and, in any case, by no later than the end of the first available planting season, with trees of such size, species and in such number and position as may be agreed with the Local Planning Authority.

Reason

In order to protect the existing trees on the site in accordance with policy CS16 of the North Lincolnshire Core Strategy, policy SS2 of the Lincolnshire Lakes Area Action Plan and policy LC12 of the North Lincolnshire Local Plan.

25.

No work on any phase or sub-phase shall commence on site until all trees, shrubs or features to be protected are fenced along a line to be agreed with the Local Planning Authority with:

- (a) 2.4 metre minimum height heavy duty hoardings securely mounted on scaffold poles;  
or
- (b) a suitable alternative that is agreed in writing with the Local Planning Authority.

All existing trees, shrubs and other natural features not scheduled for removal shall be fully safeguarded during the course of the site works and building operations. Such fencing shall be maintained during the course of the works on site. No unauthorised access or placement of goods, fuels or chemicals, soils or other materials shall take place inside the fenced area.

#### Reason

The application is submitted in outline form and sufficient details are required prior to infrastructure being implemented on site in order to protect the existing trees on the site in accordance with policy CS16 of the North Lincolnshire Core Strategy, policy SS2 of the Lincolnshire Lakes Area Action Plan and policy LC12 of the North Lincolnshire Local Plan.

26.

All existing hedges or hedgerows shall be retained, unless shown on the approved drawings as being removed or otherwise agreed with the Local Planning Authority. All hedges and hedgerows on and immediately adjoining the site shall be protected from damage for the duration of works on the site. This shall be to the satisfaction of the Local Planning Authority in accordance with relevant British Standards (BS5837:2012). Any parts of hedges or hedgerows removed without the Local Planning Authority's consent or which die or become, in the opinion of the Local Planning Authority, seriously diseased or otherwise damaged within five years following contractual practical completion of the approved development shall be replaced as soon as is reasonably practicable and, in any case, by not later than the end of the first available planting season, with plants of such size and species and in such positions as may be agreed with the Authority.

#### Reason

In order to protect the existing hedgerows on the site in accordance with policy CS16 of the North Lincolnshire Core Strategy, policy SS2 of the Lincolnshire Lakes Area Action Plan and policy LC12 of the North Lincolnshire Local Plan.

27.

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

## Reason

To ensure the implementation and maintenance of the submitted scheme of landscaping for the approved development in accordance with policies CS5, CS16, CS22 and CS23 of the North Lincolnshire Core Strategy, policies SS1, SS2, SS3, H2, T6, T7, L1, L2, G1, G2, G3, G4, G5, G6, D3, SSA2 SSA4 and SSA6 of the Lincolnshire Lakes Area Action Plan.

## Archaeology

28.

Prior to the submission of the first Reserved Matters Application the submitted Archaeological Framework Strategy shall be updated to include the results of archaeological evaluation which shall include but not be limited to the following surveys as appropriate:

- Geoarchaeological and palaeo-environmental assessment
- Geophysical survey
- Trial trench excavation

Each stage of archaeological evaluation shall be undertaken in accordance with a written scheme of investigation that has been submitted to and agreed in writing by the Planning Authority at least 15 working days in advance of commencement of proposed fieldwork. Written reports for each stage shall be submitted to the Planning Authority.

## Reason

As the application has been submitted in outline form, it is essential to ensure that adequate assessment of the significance of any heritage assets is completed during the design stage to inform a well-planned development that takes full account of the significance of heritage assets, including the potential for nationally important sites, and to inform further decision making in accordance with paragraphs 184 - 202 of the National Planning Policy Framework, policy CS6 of the North Lincolnshire Core Strategy, policies HE8 & HE9 of the North Lincolnshire Local Plan and the Lincolnshire Lakes Area Action Plan sustainability assessment.

29.

Prior to or concurrent with the submission of the first Reserved Matters application, and prior to subsequent submission for future phases of the development, as described within the approved Phasing Plan submitted pursuant to condition 7 or any future update that shall be agreed in writing, the updated Archaeological Framework Strategy shall be submitted and approved in writing by the local planning authority. The Strategy shall include the following:

- Details of proposed construction works including but not limited to site preparation, installation of infrastructure, foundation designs,
- An Archaeological Impact Assessment Report
- Mitigation proposals for preservation in situ, or for the investigation, recording and recovery of archaeological and palaeo-environmental remains, post-excavation

assessment and analysis, and the publishing and archiving of result, including plans that define the areas for archaeological mitigation.

#### Reason

As the application has been submitted in outline form, it is essential to ensure that satisfactory assessment of all impacts of the development on the significance of any heritage assets, including those of potential national importance, is undertaken in order that appropriate mitigation is agreed prior to any works commencing on site and that the details of the development are satisfactory to the Local Planning Authority in view of the nature and scale of the development proposed, in accordance with paragraphs 184-202 of the National Planning Policy Framework, policy CS6 of the North Lincolnshire Core Strategy, policies HE8 & HE9 of the North Lincolnshire Local Plan and the Lincolnshire Lakes Area Action Plan sustainability assessment.

30.

No development shall commence on each Phase, as described within the approved Phasing Plan submitted pursuant to condition 7 or any future update that shall be agreed in writing, until the applicant, or their agents or successors in title, has secured the implementation of the programme of archaeological work set out in the approved updated Archaeological Framework Strategy, and until detailed written schemes of investigation for site and post-excavation assessment works have been submitted to, and approved in writing by, the Local Planning Authority at least 15 working days in advance of commencement of proposed fieldwork. The written scheme of investigations shall include the following:

- (i) measures to ensure the preservation in situ, or the preservation by record, of archaeological features of identified importance
- (ii) methodologies for the recording and recovery of archaeological remains including artefacts and ecofacts
- (iii) post-fieldwork methodologies for assessment and analyses including production of an updated project design
- (iv) report content and arrangements for dissemination, and publication proposals
- (v) archive preparation and deposition with recognised repositories
- (vi) 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
- (vii) monitoring arrangements, including the notification in writing to the North Lincolnshire historic Environment Record Office of the commencement of archaeological works and the opportunity to monitor such works
- (viii) a list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications

Reason

To ensure the satisfactory standard of archaeological work in accordance with paragraphs 184–202 of the National Planning Policy Framework, policy CS6 of the North Lincolnshire Core Strategy, policies HE8 & HE9 of the North Lincolnshire Local Plan and the Lincolnshire Lakes Area Action Plan sustainability assessment.

31.

The archaeological evaluation and mitigation strategies shall be carried out in accordance with the approved details and timings, subject to any variations submitted in writing to and agreed in writing by the local planning authority. The approved updated Archaeological Framework Strategy shall be reviewed and updated as necessary upon the results of each completed stage of archaeological evaluation and mitigation fieldwork.

Reason

To ensure the satisfactory standard of archaeological work in accordance with paragraphs 184–202 of the National Planning Policy Framework, policy CS6 of the North Lincolnshire Core Strategy, policies HE8 & HE9 of the North Lincolnshire Local Plan and the Lincolnshire Lakes Area Action Plan sustainability assessment.

32.

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

Reason

To ensure that the results of the archaeological investigations are publicly accessible in a timely manner to advance the understanding of the significance of heritage assets within the application site in accordance with paragraphs 184–202 of the National Planning Policy Framework, policy CS6 of the North Lincolnshire Core Strategy, policies HE8 & HE9 of the North Lincolnshire Local Plan and the Lincolnshire Lakes Area Action Plan sustainability assessment.

33.

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

Reason

To ensure that the results of the archaeological investigations are publicly accessible in a timely manner to advance the understanding of the significance of heritage assets within the application site in accordance with paragraphs 184–202 of the National Planning Policy Framework, policy CS6 of the North Lincolnshire Core Strategy, policies HE8 & HE9 of the North Lincolnshire Local Plan and the Lincolnshire Lakes Area Action Plan sustainability assessment.

## Highways and transport

34.

No development shall take place until a design code for all major infrastructure proposed on the development, including layout and method of constructing, lighting and draining all carriageways, footways, cycleways and potentially adoptable open space, designed in accordance with the adopted Lincolnshire Lakes Area Action Plan, have been submitted to and approved in writing by the local planning authority.

The development approved under condition 34 shall be implemented in accordance with the approved details and timescales unless a variation is agreed to in writing by the local planning authority.

### Reason

This is an outline application and no such details have yet been provide it is necessary to ensure that sustainable transport methods are achieved at the site in accordance with policy CS25 of the North Lincolnshire Core Strategy and policies T9, SSA2, SSA4 and SSA6 of the Lincolnshire Lakes Area Action Plan.

35.

Prior to the occupation of the 601<sup>st</sup> dwelling approved under PA/2015/0396 a comprehensive mitigation scheme covering works to the existing Burringham Road/Scotter Road roundabout to mitigate traffic impact generated by the development and provision of enhanced footway/cycleway facilities along Burringham Road shall be submitted to and approved in writing by the Local Planning Authority.

### Reason

To prevent adverse impact to the existing traffic network as a result of the development and to give additional capacity to the transport network in the interests of free circulation of traffic, highway safety and in accordance with policy T2 of the North Lincolnshire Local Plan, policy T12 of the Lincolnshire Lakes Area Action Plan and policies CS1, CS4, CS25 and CS26 of the North Lincolnshire Core Strategy.

36.

Prior to the occupation of the 801<sup>st</sup> dwelling approved under PA/2015/0396 all highway improvement measures identified in condition 35 shall be completed in accordance with the approved details and shall be operational and accessible to all users.

### Reason

To ensure that the necessary additional capacity to the highway network is available in the interests of free circulation of traffic, highway safety and in accordance with Policy T2 of the North Lincolnshire Local Plan, policy T12 of the Lincolnshire Lakes Area Action Plan and policy CS26 of the North Lincolnshire Core Strategy

37.

Prior to the occupation of the 250<sup>th</sup> dwelling approved under PA/2015/0396 (served off Burringham Road), works to the M181 southern (terminating) junction roundabout including connection to the existing Burringham Road and associated roundabouts approved under PA/2015/0627, must be constructed and operational and accessible to motor vehicles.

#### Reason

To give alternative vehicular access arrangements to the proposed areas of housing and additional capacity to the transport network in the interests of free circulation of traffic, highway safety and in accordance with policy T2 of the North Lincolnshire Local Plan, policy T12 of the Lincolnshire Lakes Area Action Plan and policies CS1, CS4, CS25 and CS26 of the North Lincolnshire Core Strategy.

38.

In accordance with the Phasing Plan approved under condition 7, details of linkages (and their time frame for adoption) to the adjacent phases or sub-phases and to adjacent development sites shall be submitted to and approved in writing by the Local Planning Authority. These details shall include timing of construction and shall be implemented in accordance with the approved details.

#### Reason

To allow connection to subsequent areas of development, details of roads to the adjacent phases or sub-phases and to adjacent development sites, and in the interests of highway safety and to comply with policy T2 of the North Lincolnshire Local Plan, policies SS1, SS2, SS3, T6, T7, T9, SSA2, SSA4, SSA6, D1 and D4 of the Lincolnshire Lakes Area Action Plan and policy CS25 of the North Lincolnshire Core Strategy.

39.

No development shall take place until the details of the following and the time frame for commencement and completion of these works have been submitted to and approved in writing by the Local Planning Authority:

- (a) The detailed design of the proposed new roundabout junctions on and approaching the M181 and all connecting infrastructure between these points;
- (b) The proposed Burringham Road crossing;
- (c) The proposed Burringham Road footway/cycleway linkages including the existing Burringham Road overbridge;
- (d) The major drainage infrastructure and highway drainage works (including SuDS);
- (e) Means of providing vehicular access from Burringham Road to the first phase of residential development on the site;

All works submitted for approval shall comprise of full engineering drawings that have been subject to a Stage 2 Safety Audit.

#### Reason

The application is in outline form and to ensure that satisfactory details of key highway features are agreed by the Local Planning Authority prior to development in accordance with policy T2 of the North Lincolnshire Local Plan, policies T2, T4, T6, T9 and T10 of the Lincolnshire Lakes Area Action Plan and policies CS25 and CS26 of the North Lincolnshire Core Strategy.

40.

The development approved under condition 39 shall be implemented in accordance with the approved details and timescales unless a variation is agreed to in writing by the Local Planning Authority.

Reason

In the interests of highway safety and to ensure that the highways network is not adversely affected by the development and appropriate designs are achieved prior to any highway infrastructure being implemented, in accordance with policies T1 and T2 of the North Lincolnshire Local Plan, policies T6, T7, T8, T9, T10, SSA2, SSA4 and SSA6 of the Lincolnshire Lakes Area Action Plan and policies CS25 and CS26 of the North Lincolnshire Core Strategy.

41.

Prior to the commencement of work on each phase or sub-phase of the development, the following details shall be submitted to and approved in writing by the Local Planning Authority:

- (a) all roads
- (b) the major drainage infrastructure (including SuDS)
- (c) the location and layout of the proposed village centres
- (d) the location of the health care facility and community facility in relation to the highway infrastructure
- (e) proposed bus strategy, including bus routes and bus stop locations/infrastructure
- (f) the location of the major open space/play areas and green infrastructure
- (g) the routing of all other primary footway/cycleway infrastructures and their links with adjacent areas
- (h) provision of street-lighting, street furniture, signage and highway trees (which will have suitable root containment systems provided)
- (i) the location and layout of the proposed school

Reason

The application is submitted in outline form and in the interests of highway safety, and to ensure that the highways network is not adversely affected by the development and appropriate designs are achieved prior to any highway infrastructure being implemented, in accordance with policies T1 and T2 of the North Lincolnshire Local Plan, policies SS1, SS2, SS3, SC2, T6, T7, T8, T9, L2, G2, D1, SSA2, SSA4 and SSA6 of the Lincolnshire Lakes Area Action Plan and policies CS25 and CS26 of the North Lincolnshire Core Strategy.

42.

All works submitted for approval under condition 41 (a), (b), (c), (f), (g) and (i) shall comprise full engineering drawings that have been the subject of a Stage 2 Safety Audit.

#### Reason

In the interests of highway safety and to comply with policies T1 and T2 of the North Lincolnshire Local Plan, policies SS1, SS2, SS3, SC2, T6, T7, T7, T9, L2, G2, D1, SSA2, SSA4 and SSA6 of the Lincolnshire Lakes Area Action Plan and policies CS25 and CS26 of the North Lincolnshire Core Strategy.

43.

All works submitted for approval under condition 41(d), (f) and (i) shall not be brought into use until adequate and safe vehicular, cycle and pedestrian means of access have been provided along with (where appropriate) suitable vehicle and cycle parking facilities in accordance with the details submitted to and approved in writing by the Local Planning Authority. Once provided these facilities shall be so retained.

#### Reason

In the interests of highway safety and to comply with policies T1 and T2 of the North Lincolnshire Local Plan, policies SS1, SS2, SS3, SC2, T6, T7, T7, T9, L2, G2, D1, SSA2, SSA4 and SSA6 of the Lincolnshire Lakes Area Action Plan and policies CS25 and CS26 of the North Lincolnshire Core Strategy.

44.

Prior to the commencement of each phase or sub-phase of the development the following detail shall be submitted for all highway routes, including primary routes referred to on the indicative access and circulation plan (Ref: MGH\_LL\_115 Revision B) and approved in writing by the Local Planning Authority:

- (a) The method of preventing surface water run-off from hard paved driveways and parking areas within the site onto the highway. These details shall be implemented prior to the access and vehicular parking facilities being brought into use.
- (b) The method of ensuring that no loose material is 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. Once agreed the measures to prevent the material from spilling onto the highway shall be implemented retained thereafter.
- (c) Details of any private driveway, including construction, drainage, lighting and, where appropriate, signage/street naming arrangements, have been agreed in writing with the Local Planning Authority.
- (d) Details of the number and location of vehicle parking space(s) on the site shall be submitted to and approved in writing by the Local Planning Authority.
- (e) Details of the layout, drainage, construction, services and lighting of the proposed access road, including the junction with the adjacent highway have been submitted to and approved in writing by the Local Planning Authority.

#### Reason

The application is in outline form and appropriate details are required prior to the implementation of highway infrastructure, in the interests of highway safety and to ensure that the highways network is not adversely affected by the development and appropriate designs are achieved prior to any highway infrastructure being implemented, and in accordance with policies T1 and T2 of the North Lincolnshire Local Plan, policy T7 of the

Lincolnshire Lakes Area Action Plan and policies CS25 and CS26 of the North Lincolnshire Core Strategy.

45.

No dwelling shall be occupied on any phase or sub-phase of the development until:

- (a) the vehicular access to it and the vehicle parking spaces serving it have been implemented in accordance with details that shall have previously been submitted to and approved in writing by the Local Planning Authority. The access and parking facilities shall be retained thereafter;
- (b) the access road serving it 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;
- (c) the access road junction with the adjacent highway, including the required visibility splays, that shall have previously been submitted to and approved in writing by the Local Planning Authority, has been implemented;
- (d) the footway has been constructed up to base course level from the junction with the adjacent highway to the access of the dwelling.

Reason

In the interests of highway safety and to ensure that the highways network is not adversely affected by the development and appropriate measures are implemented, in accordance with policies T1 and T2 of the North Lincolnshire Local Plan, policy T7 of the Lincolnshire Lakes Area Action Plan and policies CS25 and CS26 of the North Lincolnshire Core Strategy.

46.

No works shall be commenced on the penultimate dwelling on each phase or sub-phase of the development until the access roads within each phase or sub-phase have been completed.

Reason

In the interests of highway safety and to ensure appropriate measures are implemented, in accordance with policies T1 and T2 of the North Lincolnshire Local Plan, policy T7 of the Lincolnshire Lakes Area Action Plan and policies CS25 and CS26 of the North Lincolnshire Core Strategy.

47

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), no development 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 have been agreed in writing with the Local Planning Authority prior to planting.

Reason

In the interests of highway safety and to ensure appropriate measures are implemented, in accordance with policies T1 and T2 of the North Lincolnshire Local Plan, policy T7 of the

Lincolnshire Lakes Area Action Plan and policies CS25 and CS26 of the North Lincolnshire Core Strategy.

48.

The development of the health care facility, retail, business, and community facility within the village centre shall not be commenced until full details of the following have been submitted to and approved in writing by the Local Planning Authority for approval:

- (a) the means of pedestrian and vehicular access
- (b) the pedestrian and cycle links to the remainder of the development and surrounding area
- (c) within-site vehicle parking, turning and servicing facilities
- (d) adequate cycle parking facilities.

Reason

To ensure acceptable access arrangements are provided to the site in accordance with policy T2 of the North Lincolnshire Local Plan, policies T7 and T9 of the Lincolnshire Lakes Area Action Plan and policies CS5 and CS25 of the North Lincolnshire Core Strategy.

49.

The approved details under condition 48 for each use shall be implemented prior to the first occupation of the use of the health care facility, retail, business and community facility within the village centre and retained thereafter.

Reason

To ensure acceptable access arrangements are provided to the site in accordance with policies T2 of the North Lincolnshire Local Plan, policies T7 and T9 of the Lincolnshire Lakes Area Action Plan and CS5 and CS25 of the North Lincolnshire Core Strategy.

50.

The development of the proposed primary school shall not be commenced until full details of the following have been submitted to and approved in writing by the Local Planning Authority for approval:

- (a) the means of pedestrian and vehicular access
- (b) the pedestrian and cycle links to the remainder of the development and surrounding area
- (c) within-site vehicle parking turning and servicing facilities
- (d) adequate cycle parking facilities
- (e) a school travel plan in accordance with current guidance.

Reason

In the interests of highway safety and to ensure that the highways network is not adversely affected by the development and appropriate designs are achieved prior to any highway infrastructure being implemented, in accordance with policies T1 and T2 of the North

Lincolnshire Local Plan, policies SC1, T6, T7, T9, and T11 of the Lincolnshire Lakes Area Action Plan and policies CS25 and CS26 of the North Lincolnshire Core Strategy.

51.

The approved details under condition 50 shall be implemented prior to the primary school being brought into use.

**Reason**

To ensure that the approved scheme is implemented in the interests of highway safety in accordance with policies T6, T7, T9 and T11 of the Lincolnshire Lakes Area Action Plan and policies CS5 and CS25 of the North Lincolnshire Core Strategy.

52.

The public open spaces, play areas, playing fields and green infrastructure shall not be brought into use until adequate and safe vehicular, cycle and pedestrian means of access have been provided along with (where appropriate) suitable vehicle and cycle parking facilities in accordance with details that shall have been previously submitted to and approved in writing by the Local Planning Authority. The facilities shall be retained thereafter.

**Reason**

In the interests of highway safety and to comply with policy T2 of the North Lincolnshire Local Plan, policies G2, T6, T7 and T9 of the Lincolnshire Lakes Area Action Plan and policies CS23 and CS25 of the North Lincolnshire Core Strategy.

53.

In accordance with the Phasing Plan approved under condition 7, details of linkages (and their time frame for adoption) to the adjacent phases or sub-phases and to adjacent development sites shall be submitted to and approved in writing by the Local Planning Authority.

These details shall include timing of construction and shall be implemented in accordance with the approved details.

**Reason**

To allow connection to subsequent areas of development, details of roads to the adjacent phases or sub-phases and to adjacent development sites, and in the interests of highway safety and to comply with policy T2 of the North Lincolnshire Local Plan, policies SS1, SS2, SS3, T6, T7, T9, SSA2, SSA4 SSA6, D1 and D4 of the Lincolnshire Lakes Area Action Plan and policy CS25 of the North Lincolnshire Core Strategy.

### **Travel plan**

54.

Prior to the occupation of any of the residential or retail or business uses or health care and community facilities approved under PA/2015/0396 a site wide framework travel plan shall be submitted to and approved in writing by the Local Planning Authority.

#### Reason

In the interests of highway safety and sustainability of the development in accordance with policy T2 of the North Lincolnshire Local Plan, policy T11 of the Lincolnshire Lakes Area Action Plan and policy CS25 of the North Lincolnshire Core Strategy.

55.

Within six months of occupation of each retail or business use and health care and community facilities approved under PA/2015/0396 a development specific travel plan shall be submitted to and approved in writing by the Local Planning Authority. Once approved, the individual travel plans shall be implemented in accordance with the approved details and subject to monitoring for the first five years of occupation. An annual monitoring report shall be submitted to the Local Planning Authority on the 1<sup>st</sup> January for approval. All amendments to the travel plan, identified as a result of the monitoring process shall be implemented and retained.

#### Reason

In the interests of highway safety and sustainability of the development in accordance with policy T2 of the North Lincolnshire Local Plan, policy T11 of the Lincolnshire Lakes Area Action Plan and policy CS25 of the North Lincolnshire Core Strategy.

56

Within six months of first occupation of the dwellings, the final Residential Travel Plans shall be submitted to and approved in writing by the Local Planning Authority for that phase or sub-phase. The Residential Travel Plan shall include details of:

- (a) the Residential Travel Plan Co-ordinator, including name, contact details, job description, weekly hours and annual budget for promotion, publicity and monitoring;
- (b) details of how sustainable transport, such as walking, cycling and public transport, will be promoted;
- (c) a monitoring strategy.

#### Reason

In the interests of highway safety and sustainability, and to comply with policy T2 of the North Lincolnshire Local Plan, policy T11 of the Lincolnshire Lakes Area Action Plan and policy CS25 of the North Lincolnshire Core Strategy.

57

The Residential Travel Plan(s) approved under condition 56 shall be implemented in accordance with the approved details and shall be subject to monitoring on an annual basis for the first five years of occupation of the penultimate dwelling on any phase or sub phase. An annual monitoring report shall be submitted to the Local Planning Authority on the 1<sup>st</sup> January each year for approval. All amendments to the travel plan, identified as a result of the monitoring process shall be implemented and retained.

#### Reason

In the interests of highway safety and sustainability, and to comply with policy T2 of the North Lincolnshire Local Plan, policy T11 of the Lincolnshire Lakes Area Action Plan and policy CS25 of the North Lincolnshire Core Strategy.

58.

The final School Travel Plan shall be submitted to and approved in writing by the Local Planning Authority within six months of the occupation of the school. All conditions and requirements of the plan, once approved, shall be implemented and retained at all times.

Reason

In the interests of highway safety and sustainability, and to comply with policy T2 of the North Lincolnshire Local Plan, policy T11 of the Lincolnshire Lakes Area Action Plan and policy CS25 of the North Lincolnshire Core Strategy.

59.

The School Travel Plan once approved and in place shall be subject to monitoring on an annual basis for a period of 3 years from the approval date. A monitoring report shall be submitted to the Local Planning Authority on the 1<sup>st</sup> January each year for approval. All amendments to the approved school travel plan identified as a result of the monitoring report shall be implemented and retained.

Reason

In the interests of highway safety and sustainability, and to comply with policy T2 of the North Lincolnshire Local Plan, policy T11 of the Lincolnshire Lakes Area Action Plan and policy CS25 of the North Lincolnshire Core Strategy.

## **Construction**

60.

No development shall take place until a Construction Phase Traffic Management Plan showing details of the following has been submitted to and approved in writing by the Local Planning Authority:

- (a) all associated traffic movements, including delivery vehicles, staff/construction movements and any abnormal load movements
- (b) contractor parking and welfare facilities
- (c) storage of materials
- (d) traffic management requirements on the adopted highway
- (e) wheel cleaning facilities
- (f) an advanced direction signage programme for the site on the adjacent highway network.

Reason

To ensure appropriate working practices are agreed and implemented in the interests of residential amenity and highway safety, and to comply with policies DS1 and T19 of the North Lincolnshire Local Plan, and policy CS25 of the North Lincolnshire Core Strategy.

61.

The Construction Phase Traffic Management Plan approved under condition 60 shall be complied with during the life of the construction works and subject only to any changes that shall be agreed in writing by the Local Planning Authority.

Reason

In the interests of highway safety and to comply with policy T2 of the North Lincolnshire Local Plan and policy CS25 of the North Lincolnshire Core Strategy.

62.

Prior to the commencement of development for each phase or sub-phase, a Construction Environment Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details. No variation from the agreed CEMP shall be permitted without prior written approval from the Local Planning Authority. The CEMP shall include the following:

- (a) details of measures and sensitive working practices to be taken to avoid harm to protected and priority species, including reptiles, bats, nesting birds and water voles during site clearance and construction;
- (b) proposed timings for above works;
- (c) details of measures to minimise disturbance to the Primary Green Corridors proposed in the submitted Biodiversity Strategy;
- (d) details of measures to be implemented to control light, noise, fly tipping, water and air pollution and other factors that may affect wildlife during construction;
- (e) details of persons responsible for:
  - compliance with legal consents relating to nature conservation;
  - compliance with planning conditions relating to nature conservation;
  - installation of physical protection measures during construction;
  - implementation of sensitive working practices during construction;
  - regular inspection and maintenance of physical protection measures and monitoring of working practices during construction
- (f) Noise and vibration. The CEMP shall set out the particulars of:
  - the works, and the method by which they are to be carried out;
  - the noise and vibration attenuation measures to be taken to minimise noise and vibration resulting from the works, including and noise limits; and
  - a scheme for monitoring the noise and vibration during the works to ensure compliance with the noise limits and the effectiveness of the attenuation measures
- (g) Light. The CEMP shall set out the particulars of:
  - specified locations for contractors' compounds and materials storage areas;

- areas where lighting will be required for health and safety purposes;
- location of potential temporary floodlights;
- identification of sensitive receptors, including ecological receptors, likely to be impacted upon by light nuisance;
- proposed methods of mitigation against potential light nuisance; including potentials glare and light spill, on sensitive receptors

(h) Dust: The CEMP shall set out the particulars of:

- Site dust monitoring, recording and complaint investigation procedures
- 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
- Provision of water to the site
- Dust mitigation techniques at all stages of development
- Prevention of dust trackout
- Communication with residents and other receptors
- A commitment to cease the relevant operation if dust emissions are identified either by regular site monitoring or by the local authority
- A no burning of waste policy

(i) Archaeology. The CEMP shall set out particulars of:

- proposed methods to accommodate the requirements of the archaeological mitigation strategy as approved by condition 29;
- provision within the construction programme to ensure that pre- and post-commencement archaeological site work is undertaken and completed in accordance with the strategy.

#### Reason

As the application has been submitted in outline form, it is essential to ensure appropriate details are provided prior to any infrastructure works commencing on site to prevent adverse environmental impact in accordance with policies CS1 and CS17 of the North Lincolnshire Core Strategy and policy LC5 of the North Lincolnshire Local Plan.

63.

The approved CEMP under condition 62 shall be complied with during construction of the relevant phase or sub-phase of the development.

#### Reason

To prevent adverse environmental impact in accordance with policy DS11 of the North Lincolnshire Local Plan and policy CS17 of the North Lincolnshire Core Strategy.

64.

Construction operations shall be limited to the following hours:

- 07:00 to 19:00hrs Monday to Friday
- 07:00 to 13:00hrs Saturday
- No construction operations on Sundays or public holidays.

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

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

Reason

For the protection of residential amenity.

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

65.

Prior to the commencement of each phase or sub-phase of development the submitted Flood Risk Assessment (FRA) with this planning application shall be updated, 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 Integrated Flood Risk and Drainage Strategy which shall have previously been agreed in writing with 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.

Reason

To mitigate the risk of flooding to the proposed development and future occupants, ensure safe access and egress to and from the site, and prevent increased flood risk to third parties, in accordance with policy CS19 of the North Lincolnshire Core Strategy and policy F1 of the Lincolnshire Lakes Area Action Plan.

66.

The development of each phase or sub-phase hereby permitted shall not be commenced until such time as a detailed scheme to provide on and off site flood risk mitigation measures in accordance with the FRA approved under Condition 65 above has been submitted to, and approved in writing by, the local planning authority. This scheme shall include:

- details of measures to be implemented;
- timing of implementation of each measure in relation to the development;
- details of how the completed mitigation shall be maintained and retained after completion.

Reason

To mitigate the risk of flooding to the proposed development and future occupants, ensure safe access and egress to and from the site, and prevent increased flood risk to third parties, in accordance with policy CS19 of the North Lincolnshire Core Strategy and policy F1 of the Lincolnshire Lakes Area Action Plan.

67.

The mitigation measures within the scheme approved under Condition 66 shall be fully implemented in accordance with the timing/phasing arrangements within that scheme, or within any other period as may be subsequently agreed, in writing, by the Local Planning Authority and the Environment Agency.

Reason

To ensure the new development is safe prior to occupation and for its lifetime and that there is no increase in flood risk to third parties during the works or over the lifetime of the development, in accordance with policy CS19 of the North Lincolnshire Core Strategy and policy F1 of the Lincolnshire Lakes Area Action Plan.

68.

The mitigation measures within the scheme approved under Condition 66 shall be retained and maintained in accordance with that scheme for the lifetime of the development unless otherwise agreed in writing with the Local Planning Authority.

Reason

To ensure that the mitigation measures remain effective for the lifetime of the development.

69.

Prior to the commencement of each phase or sub-phase of the development a detailed surface water drainage scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development. Details shall also be provided of the water management strategy for controlling surface water discharge in to the proposed lakes.

The drainage scheme shall demonstrate that surface water run-off generated up to and including the 1 in 100 year critical storm (including an allowance for climate change) will not exceed the run-off from the undeveloped site. It shall also include details of how the resulting completed scheme is to be maintained and managed so that flood risk, both on and off the site, is not increased.

Reason

To reduce the potential impact of the development upon flood risk issues in accordance with policy CS19 of the North Lincolnshire Core Strategy and policies F1 and L2 of the Lincolnshire Lakes Area Action Plan.

70.

The scheme shall be implemented in accordance with the approved details required by the above condition 68 prior to the occupation of any dwellings constructed within that phase or sub-phase and thereafter retained and maintained in accordance with the scheme for the life of the development unless otherwise agreed in writing with the Local Planning Authority.

#### Reason

The application has been submitted in outline form and to ensure an appropriate solution is achievable prior to any infrastructure works commencing on site. Also to reduce the potential impact of flooding in accordance with policies DS16 of the North Lincolnshire Local Plan and CS19 of the North Lincolnshire Core Strategy and policies F1 and L2 of the Lincolnshire Lakes Area Action Plan.

71.

No development shall commence until drainage plans for the disposal of surface water and foul water sewerage have been submitted to and approved in writing by the Local Planning Authority.

#### Reason

To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

72.

The scheme approved submitted pursuant to condition 71 shall be implemented in accordance with the approved details prior to the development hereby permitted first being brought into use.

To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

### **Land contamination**

73.

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

#### *Part 1: Site Characteristics*

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets,
- woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and a proposal of the preferred option(s).

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

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

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

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

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

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

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

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

must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with Part 3.

and

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

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

#### Reason

As the application has been submitted in outline form, it is essential to ensure an appropriate solution is achievable prior to any infrastructure works commencing on site to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy DS7 of the North Lincolnshire Local Plan.

#### Noise

74.

Prior to the submission of Reserved Matters for each and every phase or sub-phase, as approved in the phasing plan under condition 7, a Noise Impact Assessment for that specific phase or sub-phase shall be submitted to and approved in writing by the Local Planning Authority.

The Noise Impact Assessment report shall provide details of existing background noise levels, existing noise sources likely to impact upon the proposed development, new noise sources likely to impact upon any sensitive locations, mitigation methods to be employed and the resulting predicted levels of noise at sensitive locations to achieve best practice noise levels.

#### Reason

To ensure the mitigation measures are implemented for the protection of residential amenity and 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.

75.

The approved mitigation measures as required under condition 74 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 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.

## **Lighting**

76.

Prior to the commencement of non-residential units a Light Impact Assessment shall be carried out, submitted to and approved in writing by the Local Planning Authority. In accordance with the Environmental Statement the assessment shall include:

- (a) identification of sensitive receptors likely to be impacted upon by light nuisance;
- (b) a lighting scheme which proposes methods of mitigation against potential light nuisance, including potential glare and light spill, on sensitive receptors.

Reason

As the application has been submitted in outline form, it is essential to ensure an appropriate solution is achievable prior to any infrastructure works commencing on site for the protection of residential amenity and prevention of unacceptable adverse light impact from community facilities in accordance with policies DS1 and DS12 of the North Lincolnshire Local Plan and policy CS5 of the North Lincolnshire Core Strategy.

77.

The agreed lighting scheme as required under condition 76 and/or the agreed mitigation measures shall be implemented prior to first occupation of development of the phase or sub-phase and retained thereafter. Any deviation from the agreed lighting scheme shall require approval in writing by the Local Planning Authority.

Reason

To ensure the agreed lighting scheme is implemented for the protection of residential amenity and prevention of unacceptable adverse light impact from community facilities in accordance with policy DS1 of the North Lincolnshire Local Plan and policy CS5 of the North Lincolnshire Core Strategy.

## **Odour**

78.

Prior to the occupation of any A3 or A5 unit, details of a scheme for the extraction and filtration of cooking odours for that development shall be submitted to and approved in writing by the local planning authority. The scheme shall also provide details of the noise

output of any extraction and filtration system for that development and the details of any noise mitigation measures necessary.

Reason

For the protection of residential amenity.

79.

The approved scheme for the specific A3 or A5 unit to which it relates shall be implemented upon first occupation of the specific unit and be retained and maintained thereafter.

Reason

For the protection of residential amenity.

## **Community**

80.

The opening hours of any premises with a use falling within Classes A3, A4 and A5 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the uses and be implemented as approved.

Reason

For the protection of residential amenity and to prevent adverse environmental impact, in accordance with policy DS1 of the North Lincolnshire Local Plan and policy CS5 of the North Lincolnshire Core Strategy.

81.

Prior to or concurrently with the submission of the first of the Reserved Matters application(s) for residential development, a Strategy for Youth Facilities and Children's Play provision for the entire application site, shall be submitted to and approved in writing by the Local Planning Authority.

The Strategy shall include the following details:

- (a) how the Strategy is intended to evolve following the occupation of the site to meet the needs of future local residents, young people and children;
- (b) the size, type, location and provision of access to all youth facilities and play provision;
- (c) a proposed phasing programme for the delivery of youth facilities and play provision in relation to the delivery of housing on the site.

Reason

To ensure that appropriate youth facilities and children's play provision are provided in relation to the development of the site, in accordance with policies G3, SSA2, SSA4 and SSA6 of the Lincolnshire Lakes Area Action Plan and policies CS22 and CS23 of the North Lincolnshire Core Strategy.

82.

The appropriate youth facilities and children's play provision shall be provided in accordance with the Strategy approved under condition 81.

Reason

To ensure that appropriate youth facilities and children's play provision are provided in relation to the development of the site, in accordance with policies G3, SSA2, SSA4 and SSA6 of the Lincolnshire Lakes Area Action Plan and policies CS22 and CS23 of the North Lincolnshire Core Strategy.

### **Estate management**

83.

No development shall be begun until a scheme for the future maintenance of all public areas of the development including, but not limited to, roads, footpaths, cycleways, public open spaces, play areas, areas of landscaping, green infrastructure and blue infrastructure (excluding the Lake within the Lake Development Land) ("the Public Realm") has been submitted to and approved in writing by the Local Planning Authority such scheme ("the Public Realm Scheme") to include:

- the location of any areas of the Public Realm that are to be adopted by the Local Planning Authority; and
- the establishment of a management company or companies, including details of the ownership and funding of the same.

Reason

The application is in outline form and public realm details and arrangements for their long-term management are required prior to the implementation of any infrastructure on site in the interests of ensuring a quality sustainable and accessible development is achieved in accordance with policies CS1, CS2, CS4 and CS5 of the North Lincolnshire Core Strategy 2011, policies SS1, SS2, SS3, G1, G2, G3, G4, G5, G6, L1, L2, T9, SSA2, SSA4 and SSA6 of the Lincolnshire Lakes Area Action Plan and policy DS1 of the North Lincolnshire Local Plan.

84.

No part of the development shall be occupied until:

- legal agreement(s) are in place to secure the adoption of any parts of the Public Realm identified to be adopted in accordance with the Public Realm Scheme;
- the management company(ies) have been established in accordance with the Public Realm Scheme; and
- the intended owner of such part of the development has become a shareholder in the relevant management company(ies) in accordance with the Public Realm Scheme.

Reason

In the interests of ensuring a quality sustainable and accessible development is achieved in accordance with policies CS1, CS2, CS4 and CS5 of the North Lincolnshire Core Strategy 2011, policies SS1, SS2, SS3, G1, G2, G3, G4, G5, G6, L1, L2, T9, SSA2, SSA4 and

SSA6 of the Lincolnshire Lakes Area Action Plan and policy DS1 of the North Lincolnshire Local Plan.

85.

Each part of the Public Realm shall be adopted or transferred to the relevant management company in accordance with the triggers set out in the Public Realm Scheme and in the event that those triggers are linked to the carryout or occupation of the development no development or occupation of the same shall take place beyond such triggers until the relevant requirements of the Public Realm Scheme have been complied with.

Reason

In the interests of ensuring a quality sustainable and accessible development is achieved in accordance with policies CS1, CS2, CS4 and CS5 of the North Lincolnshire Core Strategy 2011, policies SS1, SS2, SS3, G1, G2, G3, G4, G5, G6, L1, L2, T9, SSA2, SSA4 and SSA6 of the Lincolnshire Lakes Area Action Plan and policy DS1 of the North Lincolnshire Local Plan.

### **Public realm**

86.

No development shall take place until full details for the provision and maintenance of the Public Realm have been identified, submitted to and approved in writing by the Local Planning Authority.

Reason

The application is in outline form and public realm details are required prior to the implementation of any infrastructure on site in the interests of ensuring a quality sustainable and accessible development is achieved in accordance with policies CS1, CS2, CS4 and CS5 of the North Lincolnshire Core Strategy 2011, policies SS1, SS2, SS3, G1, G2, G3, G4, G5, G6, L1, L2, T9, SSA2, SSA4 and SSA6 of the Lincolnshire Lakes Area Action Plan and policy DS1 of the North Lincolnshire Local Plan.

87.

All public realm works shall be carried out in accordance with the approved details or as varied with the approval of the Local Planning Authority. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority or as varied with the approval of the Local Planning Authority.

Reason

In the interests of ensuring a quality sustainable and accessible development is achieved in accordance with policies CS1, CS2, CS4 and CS5 of the North Lincolnshire Core Strategy 2011, policies SS1, SS2, SS3, G1, G2, G3, G4, G5, G6, L1, L2, T9, SSA2, SSA4 and SSA6 of the Lincolnshire Lakes Area Action Plan and policy DS1 of the North Lincolnshire Local Plan.

88.

A public realm management plan, including long-term management responsibilities, the provision for ongoing maintenance and access arrangements for members of the public, shall be submitted to and approved by the Local Planning Authority prior to the occupation of any phase of the development, for its permitted use.

#### Reason

To ensure the management and maintenance of public areas of the development, in the interests of ensuring a quality sustainable and accessible development is achieved in accordance with policies CS1, CS2, CS4 and CS5 of the North Lincolnshire Core Strategy 2011, policies SS1, SS2, SS3, G1, G2, G3, G4, G5, G6, L1, L2, T9, SSA2, SSA4 and SSA6 of the Lincolnshire Lakes Area Action Plan and policy DS1 of the North Lincolnshire Local Plan.

89.

The public realm management plan shall be implemented prior to the occupation of any part of the development for its permitted use, unless otherwise agreed in writing by the Local Planning Authority.

#### Reason

To ensure the agreed details required are implemented in the interests of ensuring a quality sustainable and accessible development is achieved in accordance with policies CS1, CS2, CS4 and CS5 of the North Lincolnshire Core Strategy 2011, policies SS1, SS2, SS3, G1, G2, G3, G4, G5, G6, L1, L2, T9, SSA2, SSA4 and SSA6 of the Lincolnshire Lakes Area Action Plan and policy DS1 of the North Lincolnshire Local Plan.

#### **Public Art**

90.

Prior to commencement of development on each phase or sub-phase, details of the proposed public art to be installed shall be submitted to and approved in writing the Local Planning Authority.

#### Reason

In the interest of the amenity of the area and to accord with the requirement of policies SSA2, SSA4 and SSA6 the Lincolnshire Lakes Area Action Plan.

#### Informative 1

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

#### Informative 2

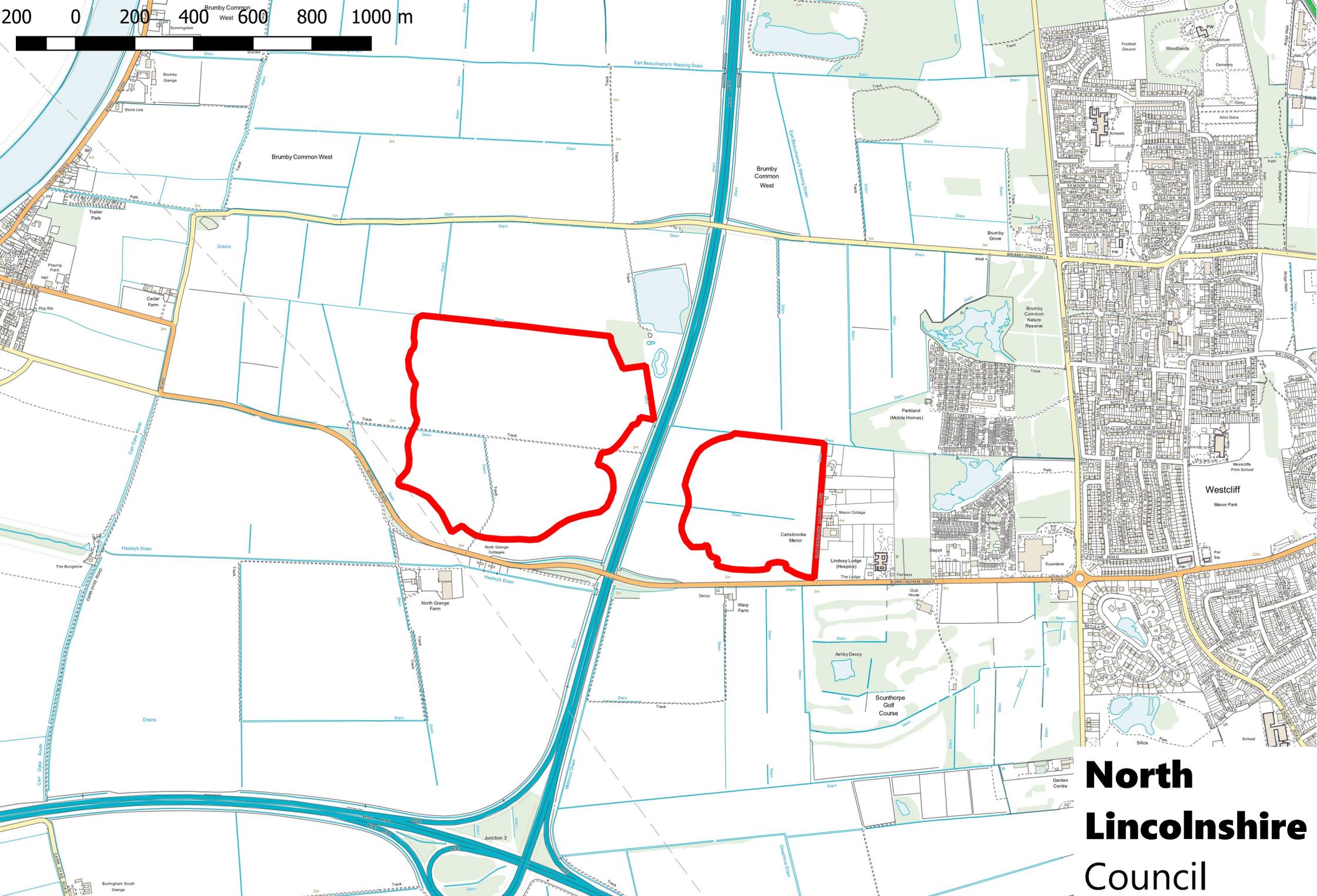
In determining this application, the council, as Local Planning Authority, has taken account of the guidance in Section 4 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.

#### Informative 3

Planning permission is hereby granted after full consideration of the Environmental Impact Assessment (EIA) submitted as part of the planning application in accordance with the Town & Country Planning (Environmental Impact Assessment) Regulations 2017 as amended.

#### Informative 4

Easements to enable future maintenance for all existing and proposed watercourses and SuDS features to be agreed with the Lead Local Flood Authority and the Scunthorpe + Gainsborough Water Level Management Board prior to commencement of any works.



# North Lincolnshire Council

PA/2015/0396, PA/2015/0627, PA/2015/0628 Indicative Layout - Not to scale

