

<b>APPLICATION NO</b>	<b>PA/2015/0628</b>
<b>APPLICANT</b>	Mr Mark Graves, Maltgrade Limited
<b>DEVELOPMENT</b>	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)
<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are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: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 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 92: To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- (a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;
- (b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;
- (c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;
- (d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and
- (e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.

Paragraph 96: Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate.

Paragraph 102: Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

- (a) the potential impacts of development on transport networks can be addressed;
- (b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
- (c) opportunities to promote walking, cycling and public transport use are identified and pursued;
- (d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and
- (e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.

Paragraph 110: Within this context, applications for development should:

- (a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- (b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- (c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- (d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- (e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Paragraph 111: All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

Paragraph 124: The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between

applicants, communities, local planning authorities and other interests throughout the process.

Paragraph 127: Planning policies and decisions should ensure that developments:

- (a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- (b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- (d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- (e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- (f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Paragraph 130: Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).

Paragraph 131: In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

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 170: Planning policies and decisions should contribute to and enhance the natural and local environment by:

- (a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- (b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;

- (c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
- (d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- (e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
- (f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

Paragraph 175: When determining planning applications, local planning authorities should apply the following principles:

- (a) if significant harm to biodiversity 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;
- (b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
- (c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and
- (d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

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

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

**Lincolnshire Lakes Area Action Plan:** Policies SS1, SS2, SS3, T7, T8, T9, T10, T11, T12, F1, L1, 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:** No objection.

**Flixborough Parish Council:** No objection.

**Keadby and Althorpe Parish Council:** No objection.

**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.

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

**PROW Officer:** No objection.

**Education:** Requests clarification in respect to school design at reserved matters stage.

**Highways England:** Issued holding objection in July 2015 which was removed through letter dated 7 April 2016. No objection.

**Transport Planning:** Advises conditions.

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

**Anglian Water:** No comments received.

**Network Rail:** No observations to make.

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

**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 conditions be imposed to secure a construction environment management plan and its implementation and to limit construction hours.

**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 the response stated 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.

**NHS:** No comments received.

**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 palaeoenvironmental 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.

**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 field evaluation were known and appropriate mitigation measures agreed. Conditions were recommended should the authority not follow this advice to allow for determination.

**Conservation Officer:** No objection.

**Robin Hood Airport:** No objection.

**Humberside Airport:** No objection. Requested consultation on future wildlife and habitat management plans.

**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 at 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.

**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 through the conditions proposed it will not affect protected or priority species.

The conditions proposed will ensure that no development can commence until appropriate 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 have 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. Given this is a full application, greater detail should be available on habitat creation and planting and this should be provided up front. It noted the survey work is still ongoing and information should be available prior to the decision being taken. It is advised that further information should be obtained via conditions and that the Lincolnshire Wildlife Trust should be consulted.

**RSPB:** No comments received.

**National Grid:** No comments received.

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

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

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.

**Keadby and Althorpe Parish Council:** No objection.

**Burringham Parish Council:** No objection.

**Gunness Parish Council:** No objection.

**Bottesford Town Council:** No objection.

**Canal and Rivers Trust:** No comments to make.

**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.

**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.

**Highways England:** No additional comments to make.

**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 at intervals of 240 metres.

**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.

**Robin Hood Airport:** No objection

**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 through the conditions proposed it will not affect protected or priority species.

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

**Archaeology:** Please refer to comment made in June/July 2016 response and included recommended conditions.

## **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. No further comments have been received from third parties prior to completion of this report.

## **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 hybrid 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. This development will also provide an ideal setting for new businesses with the creation of new high quality employment space and business park.

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 Lincolnshire Lakes Area Action Plan (LLAAP) was adopted on 10 May 2016 and forms part of the development plan for North Lincolnshire, sitting alongside the North Lincolnshire Core Strategy and North Lincolnshire Local Plan.

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

## **ASSESSMENT**

This hybrid application (Application 3) seeks 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). Clarification has been sought from the applicant in respect of these uses and it has been stated that it is envisaged that these uses consist of a watersports clubhouse with associated retail, shop, café and boat store.

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

### **Planning policy context**

The National Planning Policy Framework sets out the Government's planning policies for England and how they are expected to be applied. It provides a framework that must be taken into account and is a material consideration in planning decisions. The Government considers that sustainable development is a principal aim and should be achieved through the planning system performing a number of roles, namely economic, social and environmental. The NPPF requires the planning system to do everything it can to support sustainable economic growth whilst contributing to conserving and enhancing the natural environment. A key aim of the Government is to boost significantly the supply of housing

and assist local planning authorities in the delivery of a wide choice of high quality homes, including the provision of affordable housing, by establishing a housing implementation strategy for the delivery of a five-year supply of housing land to meet their housing target.

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**

This is a hybrid planning application and is therefore to be treated in two distinct elements. Full planning permission is sought 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 is sought 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). 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 plan-making and decision-taking.

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

Policy SS1 seeks to deliver the presumption in favour of sustainable development. Policy SS4 sets out the requirement for development limits whereby land within the limit is considered suitable for development and land outside suitable for tourism or development related to the working of the countryside only. The development limits are not set out in policy SS4 but within the Strategic Site Allocation (SSA) policies.

Policy SSA2 sets out the development requirements for village 2. As part of this proposal only the lake adjacent to the village's eastern edge is to be considered; the village itself is subject to application PA/2015/0396 and is considered within a separate report. The proposed lake subject to this application in terms of its location is consistent with Lake 1 identified with the LLAAP policy SSA2 to the east of the village. The principle of its development is therefore considered acceptable.

Policy SSA6 sets out the development requirements for village 6. As part of this proposal only the lake adjacent to the village's western edge is to be considered, the village itself is subject to application PA/2015/0396 and is considered within a separate report. The proposed lake subject to this application in terms of its location is consistent with Lake 4 identified with the LLAAP policy SSA6 to the west of the village. Therefore the principle of its development is considered acceptable.

Policy SSA4 sets out the development requirements for Lake 5 and the adjacent commercial building and open space. This application promotes the development of a lake and open space within land governed by policy SSA4. The lake proposed is comparable in its indicative design to that supported by the LLAAP. The outline element of this application is for non-residential institutions (Use Classes D1 and D2), leisure facilities (Use Classes A1 and A3) and storage (Use Class B8). The LLAAP within policy SSA4 promotes the development of a clubhouse and ancillary facilities adjacent to the lake but is silent on specific land uses. The associated policies map with policy SSA4 illustrates two buildings adjacent to Lake 5: one on its north-eastern edge and the other on its north-western edge. The commercial buildings proposed by this location are consistent with the north-eastern buildings supported by the LLAAP. It is noted that as part of the overall proposals by the applicant housing is proposed within the location identified for the north-west of Lake 5 as discussed in the report for application PA/2015/0396.

It is considered that in principle the development proposed by this application is acceptable and is in accordance with the LLAAP.

### **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**

Whilst this is a full application in part, there is little detail for consideration in terms of layout, scale and design: the plans that have been submitted are to be treated as indicative. An indicative masterplan has been submitted with the application although this should not be used in the determination of this application as this is subject to change. The applicant has submitted a number of indicative parameter plans which are not for approval but 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.

It is considered, however, that the information provided within the design and access statement and indicative plans is broadly in accordance with the development promoted by the LLAAP. The lakes shown on the indicative masterplan and indicative open space plan are broadly in accordance with the requirements set out by policies L1, SSA2, SSA4 and

SSA6 of the LLAAP. In addition, green infrastructure shown on the above-mentioned indicative plans is broadly consistent with policy requirements set out within the LLAAP. Given that there is a lack of detail, a number of pre-commencement conditions will be required to ensure appropriate development takes place which are discussed throughout the various sections of this report.

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 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. It is recommended that a condition be imposed to secure a detailed site masterplan and design codes to be approved prior to the commencement of development or submission of reserved matters applications in respect of the outline element. 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.

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.

### **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 wellbeing of communities. The Strategic Site Allocation policies SSA2, SSA4 and SSA6 of the LLAAP identify the quantum 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. Given that the open space plan is indicative it is recommended that these be formalised prior to the commencement of development through the masterplan.

This application proposes the development of three lakes. The first lake is proposed adjacent to the eastern village and M181 motorway and will be used for recreation and surface water attenuation. The second lake is proposed adjacent to the western village and the open countryside and will be used for biodiversity enhancement and surface water attenuation. The third lake is proposed adjacent to the M181 and M180 motorways to the south-west of the site and will be used for recreational purposes only. All three lakes proposed are in accordance with the requirements of policy L1 of the LLAAP.

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 an Estate Management Company be formed which new residents within the site pay into rather than all green infrastructure being 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 local 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 explained in 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. Phase 1 should occur within the first three years of the development and include part of the proposed eastern village (the subject of PA/2015/0396), the adjacent lake 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 or conditions discharge. The phasing plan should set out the timescales over 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.

### **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.

### **Commercial element**

The outline element of this application seeks to deliver buildings for non-residential institutions (Use Classes D1 and D2), leisure facilities (Use Classes A1 and A3) and storage (Use Class B8). Clarification has been sought from the applicant in respect of these uses and it has been stated that it is envisaged that these uses will consist of a watersports clubhouse with associated retail, shop, café and boat store.

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. Policy SSA4

promotes a lakeside facility in the location proposed by this application but is silent in terms of land use category.

It is considered that the uses proposed are acceptable provided that they are for the provision of recreational and leisure purposes at the lake, or are ancillary to it. The applicant has confirmed that this is to be case and it is recommended that this should be conditioned accordingly. Some concern is given in respect of the A1 retail element of the proposal as this is not supported in policy terms and has not been justified or assessed against whether there would be in impact to Scunthorpe town centre in accordance with the NPPF. However, the applicant has confirmed that the A1 retail element would be most likely related to watersports and would be a maximum of 200 square metres. It is recommended that a condition is imposed to secure these limits to ensure development does not impact Scunthorpe town centre or other identified shopping areas in accordance with the NPPF and LLAAP.

### **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, specific D1 and D2 uses, such as a school, as 'more vulnerable' and such uses require an exception test. A1 uses are defined as less vulnerable and such uses are defined as being appropriate development in this zone. It is considered that a watersports clubhouse is within the 'less vulnerable' category of D1 and D2 use as specified in the NPPG which results in no sequential or exceptions test being required.

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 2 metres above Ordnance Datum (AOD) within the south-west corner and up to 3 metres AOD in the north-east corner of the site. The site occupies a total of 158.7 hectares and is considered to be 100% permeable. The River Trent is located approximately 1 kilometre 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 50 metre 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. It was shown that the site could be flooded to a level of 3.6 metres AOD during this extreme flood event.

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>Area</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>Commercial Buildings Adjacent to 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 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 2 millimetres 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.

### **Impact on landscape features**

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 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 north-west to south-east.

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 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 commencement of the development to ensure comprehensively planned development. In addition, it is recommended that conditions are imposed to secure a comprehensive landscape strategy in accordance with the information provided within the Design and Access Statement, in addition to the further details that will be submitted through the reserved matters process for the commercial element of this application.

This application promotes the development of three large waterbodies. Whilst the lakes proposed by this application on the indicative plans are broadly in accordance with the policy requirement set out within the LLAAP, these are indicative and require formalisation. In addition, there is insufficient detail provided in terms of the design of the waterbodies themselves. Therefore it is recommended that conditions be imposed upon the granting of permission to obtain these details prior to the commencement of development to achieve the development requirements for the lakes as specified by policy L1 of the LLAAP.

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 an Estate Management Company be formed which new residents within the site form and pay into rather than all green infrastructure being 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 local 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 should 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 160 hectares 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 50 hectares 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 Circular 06/2005 "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. 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.

The impacts on the bat population were considered as loss of foraging and commuting habitat, temporary disturbance during construction and the increased risk of mortality during construction. 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 30 metres of the survey site but considers 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 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, 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 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, upon the grant of permission, that conditions be imposed to require up-to-date species surveys to be carried out prior to the submission of 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.

For the commercial outline element of this application, it is recommended that, prior to the submission of reserved matters with each and every phase, 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, subject to the above mitigation and further work being 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 of the proposed development upon the historic environment, there was no exhaustive assessment of impact upon known heritage assets. It was recommended to only determine the application should the authority consider that it 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 propose 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 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 has been submitted for land subject to the eastern village and adjacent lake.

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.

The Council's Historic Environment Officer has responded to the additional consultation (June/July 2019) recommended the conditions included in the 4<sup>th</sup> July 2016 are still appropriate and necessary.

### **Noise, air quality impacts, 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, odour, 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 present 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 negligible.

The Environmental Protection Team has been consulted in respect of this application and has recommended that conditions be imposed upon the granting of permission. The first condition recommended requires, 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 is 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 above-mentioned 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 development will have negligible effect. However, 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 establish 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.

The outline element of this application is for non-residential institutions (Use Classes D1 and D2), leisure facilities (Use Classes A1 and A3) and storage (Use Class B8). Clarification has been sought from the applicant in respect of these uses and it has been stated that it is envisaged that these uses will consist of a watersports clubhouse with associated retail, shop, café and boat store. Detailed designs for these elements are yet to be determined through reserved matters applications and 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, with each and every phase of development, a noise impact assessment to 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 a potential threat to human health and, given that this application will see the development of 2,500 dwellings, requires appropriate assessment. These aspects, however, relate more to Applications 1 and 2 and are considered by the reports for PA/2015/0396 and PA/2015/0627 respectively. No further consideration is given to air quality matters in this report.

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. Dust soiling as a result of the on-site works is considered to be of high sensitivity whilst having a low sensitivity classification in respect of human health. 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.

Both consultation exercises involving the Environmental Health Team in relation to dust recommend conditions in the form of limiting construction hours, including HGV movements, and the provision of a Construction Environment Management Plan (CEMP) to include methods of mitigation against dust as a result of construction.

It is recommended that conditions be included upon any grant of permission to restrict construction hours, including HGV movements, and requiring 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 relation 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 within 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 is 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 to 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 £1.5million 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 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 has 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.

## **Other considerations**

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 regarding 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 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 within the Highways and transport section of this report. It is noted in the response from Gunness Parish Council regarding previous council officer statements their request that the southern terminating junction (the subject of PA/2015/0627) should be completed prior to the commencement of other building works. Whilst former council officer comments cannot be verified, this approach is not proposed to be taken as it will be necessary and is considered reasonable to allow some development to allow the private sector to pay contributions to such work without affecting the overall viability of the scheme.

## **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

The Education department response seeks secondary education contributions to extend local secondary school. This contribution equated to £11,200,000 based on the Council 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, 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.

## **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:**

- (v) it is mindful to grant permission for the development;**
- (vi) the decision be delegated to the Head of Development Management upon completion of the obligation;**
- (vii) If the obligation is not completed by 3<sup>rd</sup> 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**
- (viii) the permission so granted be subject to the following conditions:**

### **PA/2015/0628 FULL PLANNING PERMISSION:**

#### **Approved plans**

1.

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

- MGL\_LL\_App3\_001 Revision C
- MGL\_LL\_App3\_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.

The development hereby permitted shall be begun before the expiration of three years from the date of this decision.

#### **Reason**

To comply with Section 91 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 28, 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.

#### Phasing

4.

No development shall commence 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 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.

#### 5.

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**

#### 6.

No development shall commence 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 4 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\_LLApp3\_001 Revision C

- MGL\_LLApp3\_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 56 to 63 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.

7.

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 6 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 6 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

8.

No development shall take place on any Phase or Sub-Phase of the development in accordance with the approved Phasing Plan submitted pursuant to condition 4 until an updated Ecological Mitigation Strategy has been submitted to and approved in writing by the local planning authority. The updated Strategy shall include the findings of species surveys which shall include but not be limited to the following species:

- bats
- breeding birds
- badgers
- water voles.

Reason

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 SSA6 of the Lincolnshire Lakes Area Action Plan and policies CS4, CS5, CS16 and CS17 of the North Lincolnshire Core Strategy.

9.

No development shall take place on any Phase or Sub-Phase of the development in accordance with approved Phasing Plan submitted pursuant to condition 4 until a Site-wide Ecological Mitigation Strategy and Biodiversity Enhancement Plan (the Strategy and 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), which shall be in accordance with the updated Ecological Mitigation Strategy approved pursuant to condition 8, has 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 biodiversity 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 shall 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

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 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.

10.

Prior to the commencement of development in each and every Phase or Sub-Phase of the development as agreed in accordance within the provisions of condition 4 of this planning permission a Phase Ecological Mitigation and Biodiversity Enhancement Plan, which shall conform to the Site-Wide Ecological Mitigation Strategy and Biodiversity Enhancement Plan approved under condition 9 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 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-date 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 species-rich grassland, mixed native hedgerows, mixed broadleaf woodland and 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, lakes and other wetlands;
- (g) a detailed water vole mitigation and enhancement plan to include:
  - measures to be implemented before construction to displace, translocate or exclude water voles from the construction working areas;
  - measures to be implemented during construction to avoid killing or injuring water voles within retained habitats;
  - establishment of receptor sites and enhancement areas;
  - consideration of appropriate phasing of construction and creation of required receptor sites, enhancement areas and ditches to ensure appropriate levels of (adequately mature) habitat provision at appropriate times;
  - long-term monitoring of water vole populations;
- (h) details of mitigation and habitat enhancement for protected or otherwise notable species including breeding birds, reptiles, water voles, invertebrates, hedgehogs and foraging bats;
- (i) details of numbers, types and locations for artificial refuges for wildlife, including specifically bird boxes, bat boxes, or any other appropriate bat and bird mitigation or enhancement measures appropriate to include:

- prescriptions for the installation of a variety of bat boxes and nest boxes in retained woodland and otter holts in secluded wetlands;
  - details of bat foraging corridors to be created and retained with restrictions on light overspill;
  - details of zonation of access and wardening of created habitats;
- (j) strategic earth modelling, mounding, re-grading and/or embankment areas;
- (k) the timescale for the implementation of each aspect of the Phase Ecological Mitigation 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 and CS17 of the North Lincolnshire Core Strategy.

#### 11.

The approved Site-Wide Ecological Mitigation Strategy and Biodiversity Enhancement Plan submitted pursuant to condition 9 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 as part of the Ecological Mitigation and Biodiversity Enhancement Plan submitted pursuant to condition 10. 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

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 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.

#### 12.

The approved Ecological Mitigation and Biodiversity Enhancement Plan for the development site submitted pursuant to condition 10 shall be implemented in accordance with the approved details.

#### 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.

13.

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

It is essential to ensure appropriate details are agreed 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.

14.

The approved Ecological Mitigation and Biodiversity Enhancement Plan for the development site submitted pursuant to condition 10 shall be reviewed and updated subject to the findings of the up-to-date species surveys submitted pursuant to condition 13 where it has been necessary to carry out such species surveys. The updated Ecological Mitigation and Biodiversity Enhancement Plan for the development site 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.

Reason

It is essential to ensure appropriate details are agreed 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.

15.

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

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**

16.

No development shall commence upon any phase or sub-phase of the development as approved pursuant to condition 4 until the landscape details required by condition 18 have been submitted to and approved in writing by the local planning authority providing detailed landscape designs and specifications for the associated phase or sub-phase of the development. 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.

17.

The landscaping within the application site areas shall be implemented in accordance with the approved phasing programme required by condition 4 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.

18.

No phase or sub-phase of the development (as specified under the details submitted in condition 4) 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.

19.

Prior to the introduction of landscaping for each phase or sub-phase of development (as specified under the details submitted in condition 4), 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 no such details have been provided and 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.

20.

The Landscape Management Plan pursuant to condition 18 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.

21.

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.

#### 22.

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

As no such details have been provided 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.

#### 23.

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.

24.

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

#### Reason

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

25.

No development shall commence on any lake as identified within the approved phasing plan submitted pursuant to condition 4 until a scheme for the construction of the specific lake and its timescale for delivery has been submitted to and agreed in writing by the local planning authority. Details of the lake shall include, but shall not be limited to, the following:

- sectional scaled drawings of the lake showing depth, gradient and water levels
- method of construction, including timescale/use of machinery and plant
- water management strategy
- primary function of the lake
- details of geology, substrates and any artificial liners
- biodiversity features to be incorporated into each lake, and
- details of any plants and animals, including fish, to be introduced or encouraged.

#### Reason

As no such details have yet been provided it is essential to ensure an appropriate solution is achievable prior to any infrastructure works commencing on site to reduce the potential impact of flooding in accordance with policy DS16 of the North Lincolnshire Local Plan, policies SS1, SS2, SS3, F1, L1, L2, SSA2, SSA4 and SSA6 of the Lincolnshire Lakes Area Action Plan and policies CS16, CS17 and CS19 of the North Lincolnshire Core Strategy.

26.

The scheme approved under condition 25 shall be implemented in accordance with the approved details.

#### Reason

As no such details have yet been provided it is essential to ensure an appropriate solution is achievable prior to any infrastructure works commencing on site to reduce the potential impact of flooding in accordance with policy DS16 of the North Lincolnshire Local Plan, policies SS1, SS2, SS3, F1, L1, L2, SSA2, SSA4 and SSA6 of the Lincolnshire Lakes Area Action Plan and policies CS17 and CS19 of the North Lincolnshire Core Strategy.

#### Archaeology

27.

No development shall take place until an updated Archaeological Framework Strategy has been submitted to and approved in writing by the Planning Authority. The updated Archaeological Framework Strategy shall include the results of archaeological field 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 local planning authority at least 15 working days in advance of commencement of proposed fieldwork. Written reports for each stage shall be submitted to the local planning authority.

#### Reason

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 and HE9 of the North Lincolnshire Local Plan and the Lincolnshire Lakes Area Action Plan sustainability assessment.

28.

No development shall take place until an updated Archaeological Framework Strategy has been submitted to and approved in writing by the local planning authority. The Strategy shall include the following:

- details of proposed construction works
- 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

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 and HE9 of the North Lincolnshire Local Plan and the Lincolnshire Lakes Area Action Plan sustainability assessment.

29.

No development shall commence 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 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 and HE9 of the North Lincolnshire Local Plan and the Lincolnshire Lakes Area Action Plan sustainability assessment.

30.

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 and HE9 of the North Lincolnshire Local Plan and the Lincolnshire Lakes Area Action Plan sustainability assessment.

31.

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 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 and HE9 of the North Lincolnshire Local Plan and the Lincolnshire Lakes Area Action Plan sustainability assessment.

32.

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 and HE9 of the North Lincolnshire Local Plan and the Lincolnshire Lakes Area Action Plan sustainability assessment.

### **Highways and transport**

33.

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.

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 D1, D2, A1, A3 and B8 facilities adjacent to the Great Lake
- (d) the proposed event car parking facilities.

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.

34.

In accordance with the Phasing Plan approved under condition 4, 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, SSA5, D1 and D4 of the Lincolnshire Lakes Area Action Plan and policy CS25 of the North Lincolnshire Core Strategy.

35.

No development of each phase or sub-phase shall take place until a specification for all highway infrastructure proposed on the development, including layout and method of constructing, timescales, lighting and drainage of all carriageways, footways, cycleways, verges and potentially adoptable open space, have been submitted to and approved in writing by the local planning authority.

All works submitted for approval under condition 35 shall comprise full engineering drawings that have been the subject of a Stage 2 Safety Audit.

Reason

To ensure that satisfactory details of key highway features are agreed by the local planning authority prior to development in accordance with policies CS25 and CS26 of the North Lincolnshire Core Strategy and policies T6, T7, T8, T9, T10, SSA2 and SSA5 of the Lincolnshire Lakes Area Action Plan.

36.

The development approved under condition 35 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 and SSA5 of the Lincolnshire Lakes Area Action Plan and policies CS25 and CS26 of the North Lincolnshire Core Strategy.

37.

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 lakes
- (d) the location of the major open space/play areas and green infrastructure
- (e) the routing of all other primary footway/cycleway infrastructures and their links with adjacent areas
- (f) provision of street-lighting, street furniture, signage and highway trees (which will have suitable root containment systems provided).
- (g) the proposed event car parking facilities.

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 SS1, SS2, SS3, SC2, T6, T7, T8, T9, L2, G2, D1, SSA2 and SSA5 of the Lincolnshire Lakes Area Action Plan and policies CS25 and CS26 of the North Lincolnshire Core Strategy.

38.

All works submitted for approval under condition 37 (a), (b) and (e) 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 and SSA5 of the Lincolnshire Lakes Area Action Plan and policies CS25 and CS26 of the North Lincolnshire Core Strategy.

39.

All works submitted for approval under condition 37 (c) and (d) 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 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 and SSA5 of the Lincolnshire Lakes Area Action Plan and policies CS25 and CS26 of the North Lincolnshire Core Strategy.

40.

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

- (a) The method of preventing surface water run-off from hard paved 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 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 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. The approved details shall be implemented prior to first occupation of any facility being brought into use and retained thereafter.
- (d) 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. The approved details shall be implemented prior to the commencement of any works on site.

#### Reason

No such details have yet been provided 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.

41.

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.

42.

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.

43.

The development of the D1, D2, A1, A3 and B8 facilities adjacent to the Great Lake 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.

44.

The approved details under condition 43 for each use shall be implemented prior to the first occupation of the use of the D1, D2, A1, A3 and B8 facilities adjacent to the Great Lake.

**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.

## Construction

45.

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

The application is submitted in outline form and appropriate details are required prior to the implementation of any infrastructure on site, 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.

46.

The Construction Phase Traffic Management Plan approved under condition 45 shall be complied with during construction of the relevant phase or sub-phase of the development subject only to any amendments or variations 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.

47.

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 28;
- 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.

48.

The approved CEMP under condition 47 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.

49.

Construction operations shall be limited to the following hours:

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

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

HGV movements shall not be permitted outside these hours during the construction phase without prior written approval from the local planning authority.

Installation of equipment on site shall not be permitted outside these hours without prior written approval from the local planning authority.

#### Reason

For the protection of residential amenity.

## **Travel Plan**

50.

Prior to the occupation of any of the D1, D2, A1, A3 and B8 uses approved under this permission 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.

51.

Within six months of occupation of each of the D1, D2, A1, A3 and B8 uses 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 1st 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.

## **Flood risk mitigation and drainage**

52.

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 reduce the risk of flooding to the proposed development and future users, and to 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.

53.

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 52 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 users, 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.

54.

The mitigation measures in the scheme approved under condition 53 shall be fully implemented in accordance with the timing/phasing arrangements within that scheme, or within any other period as may be subsequently be agreed, in writing, by the local planning authority and the Environment Agency.

Reason

To ensure the new development is safe 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.

55.

The mitigation measures within the scheme approved under condition 53 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.

56.

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.

57.

The scheme shall be implemented in accordance with the approved details required by the above condition 56 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.

58.

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.

59.

The scheme approved submitted pursuant to condition 59 shall be implemented in accordance with the approved details prior to the development hereby permitted first being brought into use.

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.

## **Land contamination**

60.

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

61.

No development shall commence on any phase or sub-phase, as approved in the phasing plan under condition 4, until 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.

62.

The approved mitigation measures as required under condition 61 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.

### **Estate management**

63.

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

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 and SSA5 of the Lincolnshire Lakes Area Action Plan and policy DS1 of the North Lincolnshire Local Plan.

64.

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 and SSA5 of the Lincolnshire Lakes Area Action Plan and policy DS1 of the North Lincolnshire Local Plan.

65.

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 and SSA5 of the Lincolnshire Lakes Area Action Plan and policy DS1 of the North Lincolnshire Local Plan.

### **Public realm**

66.

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

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 and SSA5 of the Lincolnshire Lakes Area Action Plan and policy DS1 of the North Lincolnshire Local Plan.

67.

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 and SSA5 of the Lincolnshire Lakes Area Action Plan and policy DS1 of the North Lincolnshire Local Plan.

68.

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 and SSA5 of the Lincolnshire Lakes Area Action Plan and policy DS1 of the North Lincolnshire Local Plan.

69.

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 and SSA5 of the Lincolnshire Lakes Area Action Plan and policy DS1 of the North Lincolnshire Local Plan.

#### **Public art**

70.

Prior to commencement of development, 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 and Gainsborough Water Level Management Board prior to commencement of any works.

## **PA/2015/0628 OUTLINE PLANNING PERMISSION:**

### **Approved plans**

1.

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

- MGL\_LL\_App3\_001 Revision C
- MGL\_LL\_App3\_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 constitute 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/2015/0628 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/2015/0628 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:

- 750 square metres B8 Storage, which shall be limited to storage associated with activities that take place on or adjacent to the approved lake identified as Lake 5 within policy L1 of the LLAAP and subject to Strategic Site Allocation policy SSA4
- 300 square metres D1 and D2 Non-Residential Institution, which shall be limited to a non-residential institution associated with activities that take place on or adjacent to the approved lake identified as Lake 5 within policy L1 of the LLAAP and subject to Strategic Site Allocation policy SSA4 such as a clubhouse or watersports centre
- 200 square metres A3 Café
- 200 square metres A1 Retail, which shall in majority be limited to retail associated with activities that take place on or adjacent to the approved lake identified as Lake 5 within policy L1 of the LLAAP and subject to Strategic Site Allocation policy SSA4.

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, SSA 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 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 development shall commence 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 5 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\_LLApp3\_001 Revision C
- MGL\_LLApp3\_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 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 (the Strategy and 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), 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 biodiversity 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 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-date 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 species-rich grassland, mixed native hedgerows, mixed broadleaved woodland and 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, lakes and other wetlands;
- (g) a detailed water vole mitigation and enhancement plan to include:
- measures to be implemented before construction to displace, translocate or exclude water voles from the construction working areas;
  - measures to be implemented during construction to avoid killing or injuring water voles within retained habitats;
  - establishment of receptor sites and enhancement areas;
  - consideration of appropriate phasing of construction and creation of required receptor sites, enhancement areas and ditches to ensure appropriate levels of (adequately mature) habitat provision at appropriate times;
  - long-term monitoring of water vole populations;
- (h) details of mitigation and habitat enhancement for protected or otherwise notable species including breeding birds, reptiles, water voles, invertebrates, hedgehogs and foraging bats;
- (i) 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 2 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 all buildings near woodland and water;
  - prescriptions for the installation of a variety of bat boxes and nest boxes in retained woodland and otter holts in secluded wetlands;
  - details of bat foraging corridors to be created and retained with restrictions on light overspill;

- details of zonation of access and wardening of created habitats;
- (j) strategic earth modelling, mounding, re-grading and/or embankment areas;
- (k) 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 Phase or Sub-Phase of the development submitted pursuant to condition 14 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 development shall commence upon any phase or sub-phase of the development as approved pursuant to condition 4 until the landscape details required by condition 18 have been submitted to and approved in writing by the local planning authority providing detailed landscape designs and specifications for the associated phase or sub-phase of the development. 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

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 21 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 local planning authority at least 15 working days in advance of commencement of proposed fieldwork. Written reports for each stage shall be submitted to the local 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 and 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 128 to 141 of the National Planning Policy Framework, policy CS6 of the North Lincolnshire Core Strategy, policies HE8 and 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 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 and 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 and 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 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 and 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

The application is submitted in outline form and in the interest of highway safety and to ensure the highways network is not adversely affected by the development an appropriate design is 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.

35.

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 D1, D2, A1, A3 and B8 facilities adjacent to the Great Lake
- (d) the proposed event car parking facilities.

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.

36.

All works submitted for approval under condition 35 (a) and (b) 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 and SSA5 of the Lincolnshire Lakes Area Action Plan and policies CS25 and CS26 of the North Lincolnshire Core Strategy.

37.

The development of the D1, D2, A1, A3 and B8 facilities adjacent to the Great Lake 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.

38.

The approved details under condition 37 for each use shall be implemented prior to the first occupation of the use of the D1, D2, A1, A3 and B8 facilities adjacent to the Great Lake.

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.

## **Travel Plan**

39.

Prior to the occupation of any of the D1, D2, A1, A3 and B8 uses approved under PA/2015/0628 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.

40.

Within six months of occupation of each of the D1, D2, A1, A3 and B8 uses approved under PA/2015/0628 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 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 in 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.

## **Construction**

41.

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.

42.

The Construction Phase Traffic Management Plan approved under condition 41 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.

43.

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.

44.

The approved CEMP under condition 43 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.

45.

Construction operations shall be limited to the following hours:

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

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

HGV movements shall not be permitted outside these hours during the construction phase without prior written approval from the local planning authority.

Installation of equipment on site shall not be permitted outside these hours without prior written approval from the local planning authority.

Reason

For the protection of residential amenity.

**Flood risk mitigation and drainage**

46.

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 reduce the risk of flooding to the proposed development and future users, and to 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.

47.

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 46 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 users, 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.

48.

The mitigation measures in the scheme approved under condition 47 shall be fully implemented in accordance with the timing/phasing arrangements within that scheme, or within any other period as may be subsequently be agreed, in writing, by the local planning authority and the Environment Agency.

Reason

To ensure the new development is safe 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.

49.

The mitigation measures within the scheme approved under condition 47 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.

50.

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.

51.

The scheme shall be implemented in accordance with the approved details required by the above condition 50 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.

52.

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.

53.

The scheme approved submitted pursuant to condition 51 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**

54.

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

55.

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.

#### 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.

56.

The approved mitigation measures as required under condition 55 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**

57.

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.

58.

The agreed lighting scheme as required under condition 57 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**

59.

Prior to the occupation of any A3 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.

60.

The approved scheme for the specific A3 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**

61.

The opening hours of any premises with a use falling within Classes A3, D1 and D2 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.

### **Estate management**

62.

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 and SSA5 of the Lincolnshire Lakes Area Action Plan and policy DS1 of the North Lincolnshire Local Plan.

63.

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 and SSA5 of the Lincolnshire Lakes Area Action Plan and policy DS1 of the North Lincolnshire Local Plan.

64.

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 and SSA5 of the Lincolnshire Lakes Area Action Plan and policy DS1 of the North Lincolnshire Local Plan.

**Public realm**

65.

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 and SSA5 of the Lincolnshire Lakes Area Action Plan and policy DS1 of the North Lincolnshire Local Plan.

66.

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 and SSA5 of the Lincolnshire Lakes Area Action Plan and policy DS1 of the North Lincolnshire Local Plan.

67.

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 and SSA5 of the Lincolnshire Lakes Area Action Plan and policy DS1 of the North Lincolnshire Local Plan.

68.

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 and SSA5 of the Lincolnshire Lakes Area Action Plan and policy DS1 of the North Lincolnshire Local Plan.

#### **Public art**

69.

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**

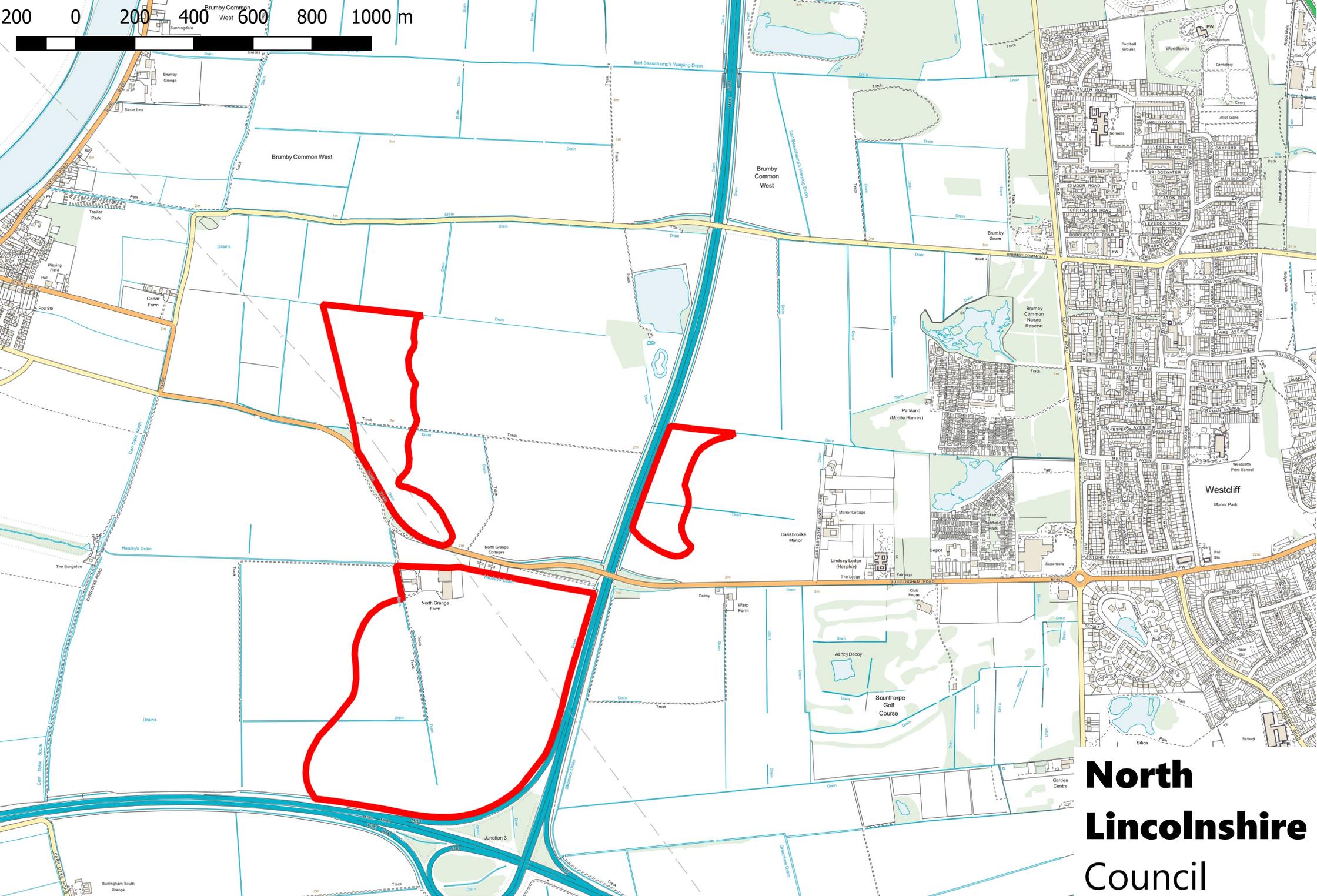
In determining this application, the council, as local planning authority, has taken account of the guidance in Section 4 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.

**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 and 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

