



**Proposed Precast Concrete
Manufacturing Facility**
at
Normanby Enterprise Park Zone 7

**Planning, Design &
Access Statement**

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North Lincolnshire Council Screening Opinion Letter dated 24th May 2018

1 Introduction and Background to Proposal

1.1 Purpose of this Report

1.1.1 This document is the Supporting Planning, Design & Access Statement, submitted on behalf of ABM Precast Solutions Ltd (The Company), to accompany a planning application for the proposed development of a precast concrete manufacturing facility at Normanby Enterprise Park Zone 7 (referred to hereon as 'the site').

1.1.2 This Supporting Statement should be read in conjunction with the accompanying Application Forms and Certificates and supporting plans. The planning application also includes relevant Technical Assessments which aim to provide North Lincolnshire Council (The Council) with additional information necessary to determine the application.

1.1.3 The proposed development consists of the erection of a precast concrete manufacturing facility at land known as Normanby Enterprise Park Zone 7. The proposal incorporates the main manufacturing facility structure along with external storage areas and associated car parking, concrete batching plant and associated landscaping.

1.1.4 The proposed development is located off Moat Road, at Foxhills Industrial Estate, Scunthorpe. The site extends to some 7.62 hectares / 18.8 acres. The exact location of the proposed development is shown on the accompanying Location Plan, Drawing No. 8345-L-01.

1.1.5 A separate complementary planning application for a revised estate road and associated infrastructure has been submitted on behalf of North Lincolnshire Council.

1.2 The Applicant

The Applicant – ABM Precast Solutions Limited

1.2.1 ABM Precast Solutions Ltd (the Company) offer bespoke concrete solutions to major projects across the UK from the Company's current base in Tuxford, north Nottinghamshire.

1.2.2 ABM Precast Solutions specialise in the production of innovative precast reinforced, prestressed and post-tensioned concrete products. The following are relevant to ABM:

- ABM are the largest independent producer of prestressed bridge beams in Britain.
- They offer a comprehensive range of beam profiles, bespoke precast units for individual projects and 'One Stop Shop' for design, manufacture and installation of precast arch and portal frame bridge systems.
- ABM currently operate from a 24,000m² production facility in North Nottinghamshire.

- They are ideally placed to service the UK's civil engineering industry and have the capability to produce units weighing more than 120 tonnes and over 40m long.
- Significant investment is being made to improve facilities and increase production capacity, particularly to serve large infrastructure projects.

1.2.3 ABM work across the UK with leading civil engineering contractors and in recent years have supplied many of the country's largest construction and infrastructure projects.

1.2.4 Medium term growth in UK Civil Engineering activity is forecast to be strong. In addition to projected 'routine' spend there are a number of 'Mega' projects which are expected to create significant growth in demand in the sector.

- HS2 – Phase 1 & 2 (£56bn)
- CAN – M4 Corridor around Newport (£1bn)
- Hinkley Point 'C' Nuclear Power Station (£20bn)
- Network Rail Renewals Programme – CP6 (£1.8bn)
- Silvertown Tunnel (Thames tunnel) (£1bn)
- Thames Tideway (£4.2bn)
- Aberdeen Harbour Expansion (£350m)
- London City Airport Expansion (£344m)
- Luton Airport - Mass Passenger Transit System (£200m).

1.2.5 ABM have positioned themselves to respond to anticipated demand for their products and require a new production facility to respond to these market opportunities.

1.2.6 Further information on the Company can be obtained via its website: www.abmprecast.co.uk.

Need for the Development

1.2.7 The current facility at Tuxford, North Nottinghamshire is too small to accommodate the continued growth of the Company. At present, production is undertaken within two buildings and finished product is stored in a number of different, scattered areas. This is resulting in the enforced double handling of materials and products and is a very inefficient method of working.

1.2.8 There is insufficient space within the Walkers Industrial Estate at Tuxford for ABM to re-organise their operations. Therefore, ABM needs a new site if they are to maintain and grow the company in the UK.

1.2.9 The location of a new production facility requires the following criteria to be met:

- Access to major road network for specialist heavy delivery vehicles (up to 50m loads over 100 tonne)
- Level site allowing 'linear' production and storage (ideally 15 acres/6 hectares)
- Local availability of suitable supply chain for key materials, cement, steel and aggregates.
- Access to labour experience in a large scale engineering environment.
- Location to allow access to all UK markets.

1.2.10 It is considered that the NEP7 site and location more generally provides the opportunity to meet these requirements.

1.3 Planning History

1.3.1 The site has historically been used as part of the Normanby Park Steel Works complex which opened in 1912 and closed in 1981. Since the closure of the steel works the site has been subject to progressive restoration by North Lincolnshire Council and other agencies.

1.3.2 The site and its wider surroundings have been subject to numerous grants of planning permission for major employment (B1, B2 and B8) development and associated complementary uses, the most recent planning permissions deemed to be of relevance include:

- [PA/2016/1544](#): Outline planning permission for industrial development comprising B1/B2/B8 with associated roads and ancillary works – Granted 5th July 2017
- [PA/2016/1750](#): Planning permission (full) for a new road to serve proposed industrial estate – Granted 9th March 2017
- [PA/2015/0124](#): Outline planning permission for industrial development (Use Classes B1/B2/B8) (means of access included) and ancillary works – Granted 30th September 2015
- [PA/2015/0120](#): Planning permission for pipeline (foul water) to service industrial development at NEP7 – Granted 31st July 2015
- [WD/2000/1074](#): Planning permission to excavate contaminated steelworks waste from the former Normanby Park Steelworks for deposition into Conesby Quarry and associated restoration – Granted 2nd February 2001
- [6/1995/0354](#): Planning permission to construct roads and sewers for an industrial estate incorporating associated earthworks and the reclamation of the moated structure – Granted 14th February 1996

- 1.3.3 The “main” planning permissions relevant to this development are PA/2015/0124 and PA/2016/1544, both of which propose major employment development comprising B1, B2 and / or B8 uses.
- 1.3.4 These planning permissions remain unexpired at the time of writing.
- 1.3.5 Planning permission reference PA/2016/1750 is also relevant. This permission for a new road to serve the proposed industrial estate interacts with this proposal as the Council is separately seeking to revise its route.
- 1.3.6 Based upon the analysis of planning history (and notwithstanding the wider development plan context) it is entirely reasonable to anticipate that further detailed proposals for major employment uses within these use classes should be treated favourably by the Council.
- 1.3.7 Analysis of the planning history has also enabled the main technical issues relevant to the delivery of development to be identified and a suitable response devised.

2 Site Location and Setting

- 2.1.1 The site sits within 27 hectares of allocated B1, B2, and B8 previously developed land located within the Normanby Enterprise Park (NEP). The site is situated to the north of Scunthorpe and comprises land that formed part of the Normanby Park Steel Works which closed in 1981.
- 2.1.2 Since the cessation of activity associated with the steel works, Foxhills Industrial Estate has developed into a key business and industrial area which includes the Normanby Enterprise Park (NEP).
- 2.1.3 NEP contains the major cluster in the area for distribution, manufacturing, and food and drink. Companies currently occupying the site include Bulten Ltd, Nisa (Headquarters and Ambient Distribution Centre) and CorrBoard UK Ltd. The site is also home to Normanby Gateway; 30,000 sq. ft. of council owned and managed workspace.
- 2.1.4 The application site is the last remaining undeveloped site within the NEP. Development of the site for B1, B2, and B8 uses is supported by the Greater Lincolnshire Local Enterprise Partnership (LEP). The LEP outlines that ‘servicing of the balance of the site will be undertaken once disposal of the Phase 1 land has generated sufficient capital receipts to enable investment to provide the required infrastructure’.
- 2.1.5 The site subject to this planning application forms part of the seventh and largest remaining phase of the enterprise park known as Normanby Enterprise Park 7 (NEP7).
- 2.1.6 The application site extends to some 7.62 hectares / 18.8 acres. The exact location of the proposed development is shown on the accompanying Location Plan, Drawing No. 8345-L-01.
- 2.1.7 At a local level, the site is located within the Lincolnshire Edge Landscape Character Area, as stated in the North Lincolnshire Landscape Character Assessment and Guidelines (1999). The Landscape Strategy and Landscape Guidelines for this landscape type state that the landscape is ‘blighted by the legacy of former heavy industries, landscape strategies should be aimed at landscape creation and conservation of developing ecological resource’. The guidelines for the landscape area outline that the landscape context of the application site is one of opportunity with ‘significant scope for landscape enhancement and the creation of new landscape’.
- 2.1.8 There are no designations of relevance to landscape and visual resources within or adjacent to the site e.g. National Parks, AONBs, Registered Parks and Gardens. There are five listed buildings within 1km of the site, mostly located in the village of Flixborough to the north and one to the north-east at Normanby Lodge Farm. There are no Conservation Areas in the vicinity of the Site.

- 2.1.9 A Scheduled Ancient Monument known as 'Flixborough Saxon Nunnery and the site of All Saints Medieval Church and Burial Ground' is located to the west of the site down as escarpment. The moated area to the north-east of the site is not a statutory designated feature.
- 2.1.10 A Local Nature Reserve (Phoenix Parkway) surrounds the wider site and to the south is another Local Nature Reserve (Atkinsons Warren). The Humber Estuary at the lower Trent Valley Plain is a designated Site of Special Scientific Interest (SSSI).
- 2.1.11 The site itself is heavily influenced by the former steel works land use and has been subject to heavy industrial use in the past. The site has been disturbed in landscape terms by the previous land use of the site.

3 The Proposed Development

3.1 Introduction

3.1.1 This section of the statement describes the development proposed as part of this planning application. In line with the Development Management Procedure Order (2015) as amended, this section of the statement also contains relevant aspects required to ensure that the statutory requirements of providing a “Design and Access Statement” are met.

3.1.2 The facility to be applied for within the planning application comprises a number of different elements, including:

- The Proposed Production Building
- The External Storage Area
- Car parking
- Additional Structures

3.1.3 A description of each of these elements is provided below.

3.2 The Proposed Production Building

3.2.1 The main element of the proposal is the building where the concrete will be cast. The proposed building is to be located within the north western half of the site. This building will contain the production facility along with staff offices and welfare facilities which will perform various staff administration, canteen and other support functions.

3.2.2 The production process for the manufacture of bespoke concrete elements is similar irrespective of requirements.

- Assemble steel reinforcing materials and form cage fabrication;
- Surround with mould shutter;
- Pour concrete and allow to cure/ harden;
- Strip mould and remove concrete element;
- Finish and remove to external storage;
- Transport element to customer site.

3.2.3 The proposal is for a concrete or steel framed building that will be up to 126.5m in length and 73.8m in width, to provide an area of approximately 9,300m². The entire ground floor area will be used for production processes whilst 2,000m² at both first and second floor will provide office and welfare space.

- 3.2.4 The building will be steel/ concrete frame clad with plasticote (or similar) sheets to provide weather cover for the concrete manufacture operations.
- 3.2.5 The building will be segregated into three lines, each with a shallow pitched roof to a height of no more than 15m. This will enable each line to be served by gantry crane. The roof will be formed by a metal cladding system with a percentage of the area comprising translucent sheets to enable natural light to filter into the building.
- 3.2.6 Raw materials will be delivered directly from the concrete batching plant located within the north-western part of the site. Raw materials will be fed into the western end of the building into the batching plant built into the building. This will go down one of three lines, either down the 'Prestress Concrete Line' or down one of the two 'Reinforced Concrete Lines'.
- 3.2.7 The finished product emerges at the eastern end to go to external storage.

3.3 Associated Infrastructure

External Working and Storage

- 3.3.1 Extending from the covered building will be an area for external working and storage which will be used to finish and store manufactured products until required by the client. Cumulatively this area will measure some 43,500m². The external storage areas will be served by gantry cranes. Finished products will be transferred from this area onto HGVs for transfer to site.

Car Parking

- 3.3.2 Parking is to be laid out to the north west of the main building, incorporating provision initially for around 200 staff car spaces, including spaces for car share and disabled parking spaces.
- 3.3.3 Provision for cycle storage will take the form of a cycle stand.

Additional Structures

- 3.3.4 Lighting columns to provide external safety lighting. Directional, downward, lighting will be fitted onto gantry cranes.

3.4 Hours of Operation

- 3.4.1 The anticipated "normal" operating hours of the proposed development will be 0600 to 1900 Monday to Friday with occasional weekend working. However, there may be less frequent circumstances, when operations will have to be undertaken outside these hours, therefore ABM will seek flexible operating hours and the ability to work 24/7. The implications of this are covered where appropriate within the technical assessments submitted with the planning application e.g. the submitted Environmental Noise Assessment.

3.5 Design and Access Considerations

- 3.5.1 It is important to link the proposal to established design and access considerations. This is done below.
- 3.5.2 The **Use** applied for in this planning application for the precast concrete production facility is classified as B2 “General Industrial” within the as set out in the Town and Country Planning (Use Classes) Order 1987 and its subsequent amendments. There are other uses including office space and external storage.
- 3.5.3 The **Amount** of development applied for comprises the whole site area extending to some 7.62 hectares, within this is the following:
- Production building ~ 9,300m²;
 - External working and storage (served by gantry cranes) ~ 43,500m²;
 - Around 200 parking spaces; and,
 - Structural landscape planting.
- 3.5.4 The **Layout** of development is informed by operational requirements and the need to adopt a ‘linear’ working direction from the input of raw materials in the north west, to the point where they leave the site in the south eastern corner of the site onto Moat Road.
- 3.5.5 The siting of buildings corresponds to the broad parameters and areas of built development envisaged and established by the grants of outline planning permission for the wider NEP7 site and the associated Design Code. The siting of the external working and storage areas, although served by gantry cranes, provides a form of development which retains a degree of visual permeability in the absence of large “over dominating structures” (as envisaged by the Design Code).
- 3.5.6 The possibility of the degradation of the cultural heritage features associated with their character and setting has been considered in devising the layout. There are listed buildings located in Flixborough located approximately 0.5km to the north west of the site. The setting and character influences of these buildings is very much enclosed and contained within the curtilage of the village setting and not the wider environment. The Scheduled Ancient Monument (SAM) has no setting intervisibility with the other identified non designated cultural/ historic local feature of the Moat located to the north east of the site. Notwithstanding this, the proposed production building has been moved within the site to a position which better reflects the aspirations of the approved Design Code to be balanced with achieving a commercially viable development scheme.
- 3.5.7 The layout and issues of intervisibility are further considered within the submitted LVIA.
- 3.5.8 The **Scale** of built development is also informed by the design code which requires built development within the northern part of the site not to exceed 15m in height.

3.5.9 The **Appearance** of the development largely follows its industrial function. Guidance from applicant's landscape architect has resulted in the adoption of the following visual mitigation/ enhancement measures are to be integrated within the scheme.

- The design of the panelling/ façade of the built structure is to reflect similar local structures in proximity to the site within the Foxhills Industrial Estate which uses vertical elements to break up the form of the structure.
- Colour is to be used with darker panelling on the higher elements of the building to visually define and sink the building into its local visual setting and the use of 'hit and miss' colour panelling of darker and lighter grey tones to break up the mass of the built structure.

3.5.10 **Landscaping** is to be provided as part of the development. It is anticipated that a 15 metre belt of structure planting will be provided along the western site boundary to provide a vertical vegetative element which will part screen the development and also horizontally help assimilate it into both its local setting and the backdrop to North East Scunthorpe and Lincoln Edge Plain.

3.5.11 **Access and Movement** into and around the site is also informed largely by the main access point from Moat Road. The layout and access design has been informed by the need to accommodate the vehicular trips generated by ABM. The wider access into the NEP7 development has been revised as a result of this development and is subject to a separate concurrent planning application. The submitted Transport Assessment considers the overall highway impacts of the development and measures to encourage green travel options.

4 Planning Policy Considerations

4.1 Introduction

- 4.1.1 Section 38(6) Planning and Compulsory Purchase Act 2004 states that determination must be made in accordance with the Development Plan unless material considerations indicate otherwise.
- 4.1.2 In reaching a decision on this application the first consideration is therefore whether the proposals accord with the Development Plan. Having done this it is then necessary to have regard to all other material considerations, which include all relevant policy considerations contained in the emerging Development Plan as well as National Planning Policy Guidance.
- 4.1.3 The National Planning Policy Framework (NPPF) came into force in March 2012. This introduced the principle of a presumption in favour of sustainable development as a golden thread running through the planning system. Where a proposal satisfied the requirement of NPPF i.e. being sustainable and in accordance with the Development Plan, planning authorities are directed to grant planning permission without delay unless material considerations indicate otherwise.
- 4.1.4 This chapter of the Statement focuses on the key planning policy considerations including the need for and the acceptability of the development within the environment. The consideration of the relevant planning policies provides the reasoned justification for granting Planning Permission.

4.2 The Development Plan

- 4.2.1 The Development Plan consists of the following documents:
- The North Lincolnshire Local Plan 2003 (saved policies)
 - The North Lincolnshire Core Strategy 2011
 - The North Lincolnshire Housing and Employment Land Allocations Development Plan Document 2016
- 4.2.2 The main policies of relevance are considered to be as follows:
- The North Lincolnshire Local Plan 2003 (saved policies)**
- Policy HE8 – Ancient Monuments**
- 4.2.3 Policy HE8 sets out that development proposals resulting in an adverse effect on Scheduled Ancient Monuments and other nationally important monuments, or their settings, will not be permitted.

Policy IN1 – Industrial Development Location and Uses

- 4.2.4 Policy IN1 allows new industrial development at 21 locations across the District, including the application site (reference IN1-3 ‘Normanby Enterprise Park, Scunthorpe’). Industrial development is permitted at the site for B1, B2 and B8 use classes.

Policy IN3 – Industrial and Commercial Development in the Urban Area, Principal Growth Settlements, South Humber Bank Area (including North Killingholme Airfield) and Humberside International Airport

- 4.2.5 Policy IN3 states that proposals for B1, B2 and B8 development within the policies areas will be permitted provided that:
- The development respects its position and setting within the landscape and be compatible with surrounding land uses.
 - Sites should be planned and laid out on a comprehensive basis with particular attention paid to the layout, density, design, height and materials. These should be in keeping and compatible with the layout of any existing nearby or adjacent development;
 - Outside storage areas which are open to public view from beyond the site should be screened. Open storage and handling of loose materials and refuse will not be permitted. Enclosed roofed storage areas will be required to store such materials;
 - Provision should be made within the curtilage of each industrial site for loading, off loading and vehicle turning facilities; and
 - Comprehensive landscaping schemes including suitable boundary treatment to be submitted as part of detailed planning applications.

Policy T1 – Location of Development

- 4.2.6 Policy T1 sets out acceptable locations for development proposals which generate a significant volume of traffic movement. Acceptable locations include the urban area of Scunthorpe where there is good access to rail/water/air/the North Lincolnshire Strategic Road Network, and good foot/cycle/public transport provision.

Policy T2 – Access to Development

- 4.2.7 Policy T2 requires all ‘larger developments’ to be served adequately by:
- A choice of transport modes;
 - Existing public transport services and infrastructure;
 - Additions or extensions to such services linked directly to the development; and
 - The existing highway network.

Policy T14 – The North Lincolnshire Strategic Road Network (NLSRN)

- 4.2.8 Policy T4 sets out the hierarchy of roads within the District including the NLSRN. Traffic is concentrated onto the NLSRN and developments which compromise the function of the NLSRN in traffic and safety terms will not be permitted.

Policy T19 – Car Parking Provision and Standards

- 4.2.9 Policy T19 states that provision will be made for car parking where it would meet the operational needs of businesses or is essential to the viability of a new development. Provision and standards must comply with the North Lincolnshire Parking Provision Guidelines.

Policy LC11 – Areas of Amenity Importance

- 4.2.10 Policy LC11 outlines the approach to development within identified Areas of Amenity Importance. Development will only be permitted where it would not adversely affect their open character, visual amenity or wildlife value or compromise the gap between conflicting land uses. Where development is permitted, measures shall be taken to minimise their impact or, where necessary, make a positive contribution to such areas.

Policy LC15 – Landscape Enhancement

- 4.2.11 Policy LC15 identifies landscape enhancement schemes across the District, including at the site (reference LC15-1 'North West Escarpment'). The schemes can be from informal landscaped areas to provision of allocated landscaping schemes as a prerequisite for achieving development of a site.

Policy DS1 – General Requirements

- 4.2.12 Policy DS1 requires a high standard of design in all developments, when considered against the design criteria listed in DS1. Criteria include, inter alia, quality of design, protection of amenity, and conservation where necessary.

North Lincolnshire Core Strategy 2011The Spatial Vision

- 4.2.13 The upfront vision and objectives of the North Lincolnshire Core Strategy are to enhance the District as a regionally and nationally important focus for development reflective of the District's location as the gateway for freight and opportunities provided by the South Humber Bank ports, Humberside Airport, Doncaster Robin Hood Airport and the area's transport network.
- 4.2.14 In particular, Spatial Objective 4 aims 'to create a strong, competitive and diverse economy by encouraging business growth and employment opportunities supported by the delivery of strategic employment sites...'

Policy CS1 – Spatial Strategy for North Lincolnshire

4.2.15 Scunthorpe is the sole ‘Major Sub-Regional Town’ within the District, which sits atop the settlement hierarchy. The spatial strategy within the Core Strategy aims to support its role as a major sub-regional town. This means that:

- Scunthorpe will be the focus for the majority of new development and growth, including employment; and
- Opportunities for economic development will be provided within existing established employment locations as well as on additional sites. Focus will be on the town centre and areas to the north of the Scunthorpe urban area around the Normanby Enterprise Park (our emphasis).

Policy CS2 – Delivering More Sustainable Development

4.2.16 Policy CS2 takes a sequential approach to focus development towards previously developed land and buildings within the Scunthorpe urban area. The Policy relates to the location of development proposals and encourages sustainable design and materials in well-connected locations.

Policy CS5 – Delivering Quality Design in North Lincolnshire

4.2.17 Policy CS5 states that all new development should be well designed, appropriate for its context, and should maximise opportunities to improve the character and quality of the area. The policy lists aspirational design features of new development, of particular relevance to this application are:

- Ensure new development takes account of the existing built heritage (in particular terms of scale, density, layout and access);
- Consideration of the relationship between buildings and the spaces around them;
- Provision for flexibility in that new and existing buildings and spaces are able to respond to future social, technological, environmental and economic needs; and
- Incorporate appropriate landscaping and planting which enhances biodiversity or geological features whilst contributing to the creation of a network of linked greenspaces across the area. Tree planting and landscaping schemes can also assist in minimising the impacts of carbon emissions upon the environment.

Policy CS6 – Historic Environment

4.2.18 Policy CS6 promotes the effective management of historic assets through safeguarding of landscapes, preserving/enhancing archaeological heritage and ensuring all development respects the local character and distinctiveness of the area in which it is situated.

Policy CS11 – Provision and Distribution of Employment Land

- 4.2.19 Policy CS11 supports the continued expansion and improvement of North Lincolnshire’s economy which will be achieved through support for the strategic employment sites identified, including B1, B2 and B8 uses in Scunthorpe North.

Policy CS17 – Biodiversity

- 4.2.20 Policy CS17 promotes effective stewardship of wildlife through safeguarding protected sites and taking appropriate management of habitats, species, wildlife sites and corridors. Development should ‘seek to produce a net gain in biodiversity by designing in wildlife and ensuring any unavoidable impacts are appropriately mitigated for’.

Policy CS25 – Promoting Sustainable Transport

- 4.2.21 Policy CS25 supports the use of sustainable transport modes across the district and measures to develop a freight strategy to include lorry parking sites and HGV route management.

The North Lincolnshire Housing and Employment Land Allocations Development Plan Document 2016

- 4.2.22 The Housing and Employment Land Allocations DPD is in conformity with the adopted Core Strategy (2011) and builds upon the broad locations for employment development over the plan period identified in the Core Strategy, including the proposed development site.

Policy SCUE-1 – Normanby Enterprise Park (ref. IN1-3, 36-70)

- 4.2.23 The Normanby Enterprise Park is identified as an employment allocation. The allocation includes the proposed development site. Policy SCUE-1 states that:

“The site should be developed in accordance to the following site specific criteria:

- *The site should be developed for a mix of B1 (Business/Light Industrial), B2 (General Industrial) and B8 (Storage and Distribution) uses;*
- *Vehicular access should be from the existing distributor roads that serve the wider Enterprise Park. There should be no new accesses directly onto the B1430 Normanby Road, the Highway Authority may be seeking contributions from developers for improvements to Normanby Road and the Normanby Road/Mannaberg Way roundabout.*
- *A Flood Risk Assessment should be prepared as part of the application process to assess and mitigate the risk of flooding from surface water drainage. Where practical Sustainable Urban Drainage Systems should be incorporated into the development.*
- *Local reinforcements may be required regarding provision of water and disposal of waste water and surface water dependent upon the type/scale of development*

- *A Transport Assessment and Travel Plan will be required*
- *Footpaths and cycle provision should be provided throughout the site, linking the development with, residential areas and the wider rights of way networks*
- *Further restoration/remedial work will be required for the south western area of the site before that part can be developed*
- *An Heritage Assessment will be required to demonstrate that the development will have no adverse impact on the historic environment. Particular regard will need to be undertaken of the impact of any proposals upon those elements which contribute to the significance of the Scheduled Monument to the west of this allocation and to the moated site which lies within this site. Development proposals should ensure that those elements which contribute to their significance are conserved.*
- *A comprehensive landscaping scheme, including biodiversity enhancement, is required.*
- *Biodiversity enhancements to be incorporated into the site design. These should be sympathetic to the habitats present within the Local Wildlife Site and the Local Nature Reserves.*
- *An Ecology Survey will be required*
- *Design must be in accordance with Core Strategy Policy CS5*
- *Development proposals should not have an adverse impact on the Phoenix and Phoenix Parkway Local Nature Reserves or the Slag Banks Local Wildlife Site. Ecological compensation and mitigation should be provided in order to off-set the loss of any habitats, and any enhancements should result in a net gain in biodiversity.*

4.3 Material Planning Considerations

4.3.1 Other Material Considerations, include consideration of the following policy guidance documents as well as emerging Local Plan policy:

- The National Planning Policy Framework
- The New North Lincolnshire Local Plan – Issues and Options Draft 2018

4.3.2 The main policies of relevance to the consideration of the Application are provided to follow.

The National Planning Policy Framework 2012

4.3.3 At a national policy level, the NPPF and accompanying Technical Guidance set out the overarching planning policy that shall be implemented through the development plan and

determination process. The NPPF constitutes a material consideration in the determination of planning applications.

- 4.3.4 Paragraph 6 of the NPPF states that ‘the purpose of the planning system is to contribute to the achievement of sustainable development’. The NPPF (paragraphs 18-219) taken as a whole constitutes the Government’s view of what sustainable development in England means in practice for the planning system. Specifically, paragraph 7 states that:

‘there are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- *An economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;*
- *A social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being; and*
- *An environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.’*

- 4.3.5 Furthermore, paragraph 14 advises that the presumption in favour of sustainable development should be seen as a golden thread running through decision taking. For decision taking, this means approving development proposals that accord with the development plan without delay, and where the development plan is absent/silent/or relevant policies are out of date, granting permission unless:

- 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; or
- Specific policies in this Framework indicate development should be restricted.

- 4.3.6 NPPF provides twelve core planning principles that generally aim to promote sustainable development and include a requirement that every effort should be made objectively to meet the development needs of an area. This is reiterated in paragraph 19 which requires that:-

“Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.”

- 4.3.7 Paragraph 109 states that ‘the planning authority should contribute to and enhance the natural and local environment by; preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability.’ Proposals should remediate and mitigate despoiled, degraded, derelict, contaminated and unstable land where appropriate.
- 4.3.8 Paragraph 111 states that ‘planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value.’
- 4.3.9 Paragraph 122 stated that ‘local planning authorities should focus on whether the development itself is an acceptable use of the land, and the impact of the use, rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes. Local planning authorities should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities’.
- 4.3.10 The NPPF highlights the importance of existing, planned and potential sites for concrete batching and other concrete products as well as including guidance on sustainable transport, promoting good design, and enhancing the natural and historic environments.

The New North Lincolnshire Local Plan – Issues and Options Draft 2018

- 4.3.11 The emerging North Lincolnshire Local Plan will eventually form the core development plan document for North Lincolnshire. The Local Plan is currently being prepared; two publications of the Local Plan have been produced so far for public consultation. Following an initial consultation exercise between February – April 201, the latest consultation was the Regulation 18 ‘Issues and Options’ consultation which ended in March 2018.
- 4.3.12 Due to the current very early stage in the preparation of the Local Plan, there are no draft policies yet contained within the Local Plan.

4.4 Local Enterprise Partnerships

- 4.4.1 The application site is located within the spheres of influence of two Local Enterprise Partnerships (LEP); the Greater Lincolnshire Local Enterprise Partnership and the Humber Local Enterprise Partnership.
- 4.4.2 Both LEPs have produced guidance which aim to promote economic growth in the LEP areas, including focus on inward investment and encouraging business start-up and retention. Both published responses to central Government’s consultation on the draft *Building Our Industrial Strategy* Green Paper published in April 2017. The Greater Lincolnshire LEP also

published a formal response to the final *Industrial Strategy: Building a Britain fit for the future* published 27th November 2017.

- 4.4.3 The responses to the Green Paper and response to the final White Paper are relevant to this planning application as they outline the support for appropriate industrial development within the LEP areas. The responses are supportive of the growth-focused agenda from central Government which encourages investment in infrastructure and businesses in the region. The Humber LEP response to the Green Paper draws upon the opportunities for growth within the LEP area brought about by factors effecting the area such as improvements to the skill level of the workforce, and the availability of workers as areas of worklessness exist across the local area.
- 4.4.4 The White Paper itself confirms that each local area is to develop a Local Industrial Strategy that will build on local strengths and deliver on economic opportunities. Ursula Lidbetter MBE, Chair of the Greater Lincolnshire LEP commented in support of the White Paper: “at its heart the Industrial Strategy focuses on improving skills and infrastructure and creating a supportive environment in which businesses can flourish. That is a focus which we support and welcome”.¹
- 4.4.5 In addition to published support for investment in infrastructure and business in the LEP areas, the Greater Lincolnshire LEP have published a Strategic Economic Plan 2014-2030 which was refreshed in spring 2016. Similarly, the Humber LEP have published a Strategic Economic Plan 2014-2020, which was last reviewed in 2016. These plans are discussed below.

Greater Lincolnshire Strategic Economic Plan

- 4.4.6 The Greater Lincolnshire Strategic Economic Plan outlines five key outcomes and strategies that the Plan aims to deliver, two of which are ‘growing Greater Lincolnshire’s businesses’ and ‘Greater Lincolnshire’s emerging sectors’. A strong manufacturing base is highlighted within the Strategic Economic Plan as a leading area to deliver the economic prosperity championed within the Plan.

Humber Strategic Economic Plan

- 4.4.7 The Humber Strategic Economic Plan aims to maximise the potential of the LEP area’s economic opportunities over the Plan period to 2020. The overarching vision for the Humber in 2020 is a place in which “many thousands of jobs will have been created” partly achieved through strengthening of the region’s key economic sectors.

¹ Greater Lincolnshire LEP Industrial Strategy: The LEP’s Response
<https://www.greaterlincolnshirelep.co.uk/whats-new/industrial-strategy-the-leps-response/>

4.5 Main Planning Policy Considerations

- 4.5.1 From a review of the main Planning Policy applicable in consideration of the application, it is considered that the main considerations relate to the environmental impact of the development and ensuring, through appropriate mitigation, that the development does not cause detrimental impact upon the local environmental or amenity.
- 4.5.2 National and local planning policy / guidance outline that in the determination of the application, regard should be had to the environmental acceptability of the proposal alongside consideration of the likely economic and social impact(s) of the development.

5 Screening Under the Town & Country Planning (Environmental Impact Assessment) Regulations 2017

5.1 Introduction

5.1.1 In accordance with Regulation 5 of the Town & Country Planning (Environmental Impact Assessment) Regulations 2017 ('the EIA regulations'), on 27 April 2018 Heaton Planning Limited formally made a request for screening opinion from North Lincolnshire Council (NLC) in connection with the proposed development.

5.1.2 This request was supplemented by the information required under Regulation 6(3) of the EIA regulations which comprised a site plan and other relevant information sufficient to describe the development proposal.

5.2 The Council's Adopted Screening Opinion

5.2.1 The Council confirmed its Screening Opinion by letter dated 24 May 2018. A copy is enclosed as an Appendix to this statement.

5.2.2 The Council has confirmed that no Environmental Impact Assessment is required to accompany this planning application. In doing so and in adopting an opinion under the EIA regulations, the Council does not anticipate significant environmental impacts will occur.

6 Landscape and Visual Considerations

6.1 Policy Context

6.1.1 The saved policies of the 2003 North Lincolnshire Local Plan and the NPPF contain policies and text concerning the potential for landscape and visual impact in connection with development proposals. In particular:

- North Lincolnshire Local Plan saved policies IN3, LC11, LC15; and
- NPPF Section 7 and 11

6.1.2 The thrust of these policies encompasses the advice in NPPF to protect, maintain and enhance the landscape, particularly landscape with specific designation or identified opportunities for enhancement.

6.2 Consideration of the Potential for Impact

Methodology

6.2.1 In order to consider the impact of the proposed development on the site and surrounding environment the likely direct and indirect effects of the proposal on the landscape and population (visual impact) have been assessed by Kedd Limited. The detailed findings of the Landscape and Visual Impact Assessment (LVIA) are attached in Technical Appendix A.

6.2.2 The LVIA has been prepared in accordance with the Landscape Institute and the Institute of Environmental Management and Assessment Guidelines for Landscape and Visual Impact Assessment (GLVA 3), Photography and Photomontage in Landscape and Visual Assessment and Natural England, An Approach to Landscape Character Assessment.

6.2.3 The LVIA has considered the potential for the proposed development to impact on the landscape in which the site is situated and the broader landscape as a resource. In addition, in accordance with the Guidelines for Landscape and Visual Impact Assessment, the LVIA prepared has considered the potential visual effects of the proposal, i.e. the effects on views and visual amenity.

6.2.4 The guidelines explain that both landscape and visual effects are dependent on the sensitivity of the landscape resource or visual receptors and the magnitude of impact. The 'assessed overall level of significance of impact' is the final judgement about whether each effect identified is significant or not in terms of the importance/gravity of the environmental effect.

Landscape Designations and Character

6.2.5 At the very broadest landscape scale, the site and much of its setting lies within Natural England's National Character Area (NCA) 45 'North Lincolnshire Edge with Coversands'. There is no regional level landscape assessment for the area.

- 6.2.6 At a local level, the site is located within the Lincolnshire Edge Landscape Character Area, as stated in the North Lincolnshire Landscape Character Assessment and Guidelines (1999). The Landscape Strategy and Landscape Guidelines for this landscape type state that the landscape is 'blighted by the legacy of former heavy industries, landscape strategies should be aimed at landscape creation and conservation of developing ecological resource'. The guidelines for the landscape area outline that the landscape context of the application site is one of opportunity with 'significant scope for landscape enhancement and the creation of new landscape'.
- 6.2.7 There are no designations of relevance to landscape and visual resources within or adjacent to the site e.g. National Parks, AONBs, Registered Parks and Gardens. There are five listed buildings within 1km of the site, mostly located in the village of Flixborough to the north and one to the north-east at Normanby Lodge Farm. There are no Conservation Areas in the vicinity of the Site.
- 6.2.8 A Scheduled Ancient Monument known as 'Flixborough Saxon Nunnery and the site of All Saints Medieval Church and Burial Ground' is located to the west of the site down an escarpment. The moated area to the north-east of the site is not a statutory designated feature.
- 6.2.9 A Local Nature Reserve (Phoenix Parkway) surrounds the wider site and to the south is another Local Nature Reserve (Atkinsons Warren). The Humber Estuary at the lower Trent Valley Plain is a designated Site of Special Scientific Interest (SSSI).
- 6.2.10 The site itself is heavily influenced by the former steel works land use and has been subject to heavy industrial use in the past. The site has been disturbed in landscape terms by the previous land use of the site. As a result of the proposed development, the local landscape character could be changed through the following:
- A change in land use from currently vacant, rough and unplanted ground to an industrial building and associated activities
 - The size, scale and nature of its built form
 - The introduction of movement associated with operations/vehicles entering and leaving the site
 - A contrast in land use and its surroundings
 - Changes to the setting of local heritage assets

Visual Baseline

- 6.2.11 Desktop and site survey works have identified the areas of landscape and visual receptor locations from which the existing site and the proposed development may be visible along with the different groups of people who may experience views of the development and its

specific elements and features, along with the viewpoints affected and the nature of the views at these points.

- 6.2.12 This baseline and assessment work has been carried out by initially mapping the geographical extent of the study area where receptors have the potential to view the current Site and for the proposed development. This was carried out digitally through the production of Zones of Visual Influence (ZTVI).
- 6.2.13 The findings of the ZTVI are illustrated on Drawing No. KD.NEP.004 (Technical Appendix A Appendix A). As shown, the associated ZTVI has the greatest geographical locations where views of the current site area and topography are likely to have the highest magnitude of impact are located within and immediately surrounding the site itself. The current visual influence of the site is very limited to its adjacent surroundings. The potential visual influence of the proposed development has been assessed using the ZTVI, including the main production building, office and welfare facilities at 15m in height and external storage area.
- 6.2.14 An illustration of the ZTVI of the proposed development is shown on Drawing No. KD.NEP.005 (Technical Appendix A Appendix A) and has shown that the greatest geographical locations where views of the proposed development are likely to have the highest magnitude of impact are again located within and immediately surrounding the site itself. The potential intensity of the given field of view is greater than the current situation with potential for higher magnitudes of impact up to 3km away to the west, south and north and 2km to the east (not taking into account built and vegetative structures). There area also pockets of potential visual influence of lower magnitude at 3km away from the site from higher ground to the east and north and up to 4km away based upon lower lying ground with receptors looking up towards the site from the west.
- 6.2.15 A detailed site survey has been undertaken based on the desktop research undertaken and the current and proposed ZTVIs. The site survey considered the viewpoint from which the current situation and the proposal will actually be seen by differing groups of people, including:
- Residential visual receptors in private properties
 - Public viewpoints e.g. public rights of way, inward waterways and public open space
 - Workplaces
 - Transport routes where there may be views from private vehicles and from different forms of public transport
- 6.2.16 In addition to the identification of visual receptors, the overall significance of visual effects has been considered by combining the separate judgements on the sensitivity of each receptor and the magnitude of the visual impact/effects as a consequence of the proposed development.

Visual Sensitivity to Proposed Development

6.2.17 A summary of the overall assessment of sensitivity of each visual receptor identified is outlined below alongside the assessed significance of visual effect from the proposed development:

Receptor Ref No.	Description of Visual Receptor	Overall Assessment of Sensitivity	Assessed Significance of Visual Effect from Proposed Development
1	Users of PRoW in proximity to the proposed site entrance	Medium	Moderate Adverse
2	Users of Moat Road	Low	Very Slight Adverse
3	Workplace receptors located to the south & east of the site	Medium	Slight Adverse
4	Users of informal pathway on raised bund running along eastern boundary of the site	Low	Slight Adverse
5	Users of informal pathway to west of the site/ edge of Trent Ridge	Low	Very Slight Adverse
6	Users of informal pathway in proximity to the Moat	Low	Very Slight Adverse
7	Users of PRoW / cycle path to the south/ south-western area of the site	Medium	Moderate Adverse
8	Residents/ Users of PRoW off Strather Road, Flixborough	High/Medium	Neutral
9	Users of Strather Road, towards eastern edge of Flixborough Ind Est & workers at Flixborough Ind Est	Low	Slight Adverse
10	Users of A1077 Phoenix Parkway	Low	Minimal Adverse
11	Residents located along the northern edge of Charnwood Park	Medium	Slight Adverse
12	Users of informal PRoW along flood defence boundary east of Keadby	Low	Minimal Adverse

13	Users of informal PRoW / riverbank east of Amcotts	Low	Minimal Adverse
14	Users of Meredyke Road in proximity to B1392	Low	Minimal Adverse
15	Users of Meredyke Road east of Luddington village	Low	Minimal Adverse

- 6.2.18 The table above considers the assessed sensitivity of each receptor, determined by each receptor's assessed susceptibility to change and the assessed value of the view. Susceptibility of each receptor is assessed in line with GVL A guidance as *"the occupation or activity of people experiencing the view at particular locations and the extent to which their attention or interest may therefore be focused on the view and visual amenity they experience at particular locations"* (page 113).
- 6.2.19 The significance of the visual effect in the table above has taken into account the magnitude of the proposed visual effect on each receptor. Magnitude has been determined through consideration of the size/scale, geographical extent, duration and reversibility of the proposed development. The overall 'assessed significance of visual effect' column of the above table incorporates the mitigation measures proposed within the assessment of proposed visual impact. The features designed-in to the proposed scheme to address the visual impacts and wider landscape impacts of the proposed development are outlined in the section below.
- 6.2.20 In terms of overall visual impact, it is considered from the ZTVI information produced combined with the site survey that the existing site and the proposed activities are / will be very well screened and contained by existing built structures, landform and vegetation on the northern, eastern and southern boundaries. The site is however, more open and exposed as result of changes in landform from a ridge on which the site is located to a scarp slope down on the Trent Plain to the west. This change in landform corresponds with increasing distance from the site which combined with potential receptor views looking eastward and up towards the site, means that the proposed development is but one small component of the wider panoramic view.
- 6.2.21 Additionally, the LVIA undertaken has considered the potential for the proposed development to impact cumulatively upon the identified visual receptors and the wider landscape.

6.3 Consideration of Potential Mitigation

- 6.3.1 To reduce the potential for adverse visual change / effect on local receptors resulting from the proposed development, a number of visual mitigation / enhancement measures are to be integrated within the scheme. These measures have been designed to address the visual

impact on specific localised receptors as well as ‘blend’ the proposed development into the surrounding landscape.

- 6.3.2 The main potential for visual effects resulting from the proposed development is from the erection of the production building which is of up to 15m in height and 115m in length. The potential adverse visual impact of the building is to be minimised by locating the building away from the actual ridge line, and use of mixed vertical and horizontal panelling and colour combined with structure planting. The existing skyline backcloth of built structures and tree blocks will further reduce the presence of the proposed production building.
- 6.3.3 Nevertheless, the panelling/ façade of the built structure is designed to reflect similar local structures in proximity to the site within the Foxhills Industrial Estate which will utilise vertical elements to break up the form of the structure.
- 6.3.4 Colour is to be used with darker panelling on the higher elements of the building to visually define and sink the building into its local visual setting and the use of ‘hit and miss’ colour panelling of darker and lighter grey tones to break up the mass of the built structure.
- 6.3.5 Structure planting will also take place along the western site boundary to provide a vertical vegetative element which will part screen the development and also horizontally help assimilate it into both its local setting and the backdrop to North East Scunthorpe and Lincoln Edge Plain.

6.4 Landscape and Visual Conclusions

- 6.4.1 In order to determine the potential visual effects of the proposed development on visual receptors to the application site and the wider landscape, a Landscape and Visual Impact Assessment has been undertaken by Kedd Limited. The LVIA outlines the baseline landscape and visual resources and receptors within the area and assesses their value and sensitivity to change. Likely impacts on the resources/receptors been identified along with the level of significance on the likely effects on landscape and visual matters (both potentially adverse and beneficial).
- 6.4.2 The site comprises a relatively flat landform with scrub grassland vegetation. The site is not located within a designated landscape. Adjacent and local cultural and environmental assets include five listed buildings within 1km, two Local Nature Reserves ‘Phoenix Parkway’ and ‘Atkinsons Warren’, and a Scheduled Ancient Monument to the west of the site on and below an escarpment known as Flixborough Saxon Nunnery. In addition, a non-designated moat is located to the north-east of the site. The proposed development is not likely to have a significant impact on any designated asset in terms of landscape and visual impact.
- 6.4.3 The landscape of the site has been assessed to be of low to medium sensitivity to change. The sensitivity to change has increased as new development and ecological habitat creation has improved the quality of the local landscape. Although, the local Landscape Character Area includes the site within a Despoiled Landscape Type. The potential magnitude of effect

resulting from the proposed development on the landscape character and type as medium beneficial.

- 6.4.4 The impact of the proposed development on the wider landscape is considered to be beneficial when considered with the mitigation and enhancement measures incorporated into the scheme. The proposed development includes structure planting and landscaping that both links to the existing woodland edge planting along Lincoln Edge and creates an enhanced habitat and landscape setting for the proposal.
- 6.4.5 The ZTVI produced has been combined with the site survey to identify potential visual receptors of the existing site and proposed development. Works have determined that the site and the proposed activities are very well screened and contained by existing built structures, landform and vegetation on its northern, eastern and southern boundaries. The site is however, more open and exposed as a result of changes in landform from a ridge on which the site is located to a scarp slope down onto the Trent Plain to the west. This change in landform corresponds with increasing distance from site which combined with potential receptor views looking eastward and up towards the site means that the proposed development area but one small component of the wider panoramic view. This decreases the potential for visual effect and its level of significance to potential visual receptors.
- 6.4.6 The main potential for visual effects resulting from the proposed development is from the proposed building structure of up to 15m in height and 115m in length. Proposed mitigation measures of locating the building away from the actual ridge line, use of mixed vertical and horizontal panelling and colour combined with structure planting will minimise the potential for adverse visual effects. The potential is further reduced by the existing skyline backcloth of existing built structures and tree blocks.
- 6.4.7 Overall, it is concluded that the proposed development is acceptable in respect of landscape and visual matters.

7 Nature Conservation and Ecology

7.1 Legislative and Policy Context

7.1.1 In order to consider the impact of the proposed development on habitats and species an ecological appraisal of the site and surrounding area (study area) has been undertaken and the likelihood and significance of disturbance to ecological interests have been assessed alongside identification of any opportunities for biodiversity enhancement.

Legislative context

7.1.2 The relevant legislative context includes the following:

- EU Habitats Directive (92/43/EEC);
- EU Birds Directive (2009/147/EC);
- Conservation of Habitats and Species Regulations 2017 (as amended);
- Wildlife and Countryside Act 1981 (as amended); and
- Natural Environment and Rural Communities Act 2006.

Habitats Directive

7.1.3 The Habitats Directive provides for the establishment of protected sites (Special Areas of Conservation (SAC)) as part of the Natura 2000 network, to protect habitats and species of Community interest listed on Annex I and Annex II respectively of the Directive. It also provides for strict protection of species of Community interest listed in Annex IV(a) of the Directive ('European Protected Species').

7.1.4 Article 12 of the Habitats Directive sets out the system of strict protection which Member States are required to adopt for animal species listed on Annex IV(a). Article 12(1)(b) prohibits '*deliberate disturbance of these species, particularly during the period of breeding, rearing, hibernation and migration*'; Article 12(1)(d) prohibits '*deterioration or destruction of breeding sites or resting places*'.

Birds Directive

7.1.5 The Birds Directive provides for the conservation and management of all wild bird species naturally occurring in the European Union, their nests, eggs and habitats. The Birds Directive bans activities that directly threaten birds (e.g. deliberate killing and destruction of nests and young), regulates hunting of selected species, bans non-selective and large scale killing of birds, and promotes research for bird conservation and management.

7.1.6 Article 4(1) provides for special conservation measures for species listed in Annex I to ensure their survival and reproduction within their range; Article 4(2) provides for similar measures for regularly occurring migratory species. This is principally through the establishment of

Special Protection Areas (SPAs), which form part of the Natura 2000 network of European protected sites. Article 4(4) requires that in SPAs “appropriate steps are taken to avoid pollution or deterioration of habitats or any disturbances affecting the birds”; outside the SPA network member states “should strive to avoid pollution or deterioration of habitats.”

Habitats Regulations

7.1.7 The Habitats Directive is implemented in England and Wales by the Conservation of Habitats and Species Regulations 2017 (as amended) (the ‘Habitats Regulations’). Regulation 41 implements the system of strict protection applied to European Protected Species. Regulations 61 – 62 address the requirements to undertake an appropriate assessment of plans or projects which have a likely significant effect on European conservation sites, including Special Protection Areas.

7.1.8 The Conservation of Habitats and Species (Amendment) Regulations 2017 provide a fuller transposition of the Birds Directive into English law. Regulation 8 introduces a new Regulation 9A to the Habitats Regulations for duties of appropriate authorities in relation to wild bird habitat. Regulation 9A(3) addresses the transposition of Article 2 of the Birds Directive, while Regulation 9A(8), requiring competent authorities to “*use all reasonable endeavours*” to “*avoid any pollution or deterioration of habitats of wild birds.*”

Wildlife and Countryside Act

7.1.9 The Wildlife and Countryside Act 1981 (as amended) provides the principal legislation for designation of nationally important conservation sites and the protection of species. Section 28 provides powers for designation of Sites of Special Scientific Interest (SSSIs), while subsequent amendments, including those enacted by the Countryside and Rights of Way Act 2000 and the Natural Environment and Rural Communities Act 2006, strengthen the protection of SSSIs.

7.1.10 Section 14 of the Wildlife and Countryside Act also provides legislation controlling the introduction and spread of non-native invasive species, listed on Schedule 9.

Natural Environment and Rural Communities Act

7.1.11 Section 40 of the Natural Environment and Rural Communities Act 2006 sets out the duty of public authorities to conserve biodiversity in the exercise of their functions, through “*having regard, so far as is consistent with the proper exercise of their duties, to the purpose of conserving biodiversity*”. Biodiversity conservation is further defined as including the restoration or enhancement of a population or habitat.

7.1.12 Section 41 requires the Secretary of State to publish a list of species and habitats which are of principal importance for the conservation of biodiversity in England (i.e. ‘priority species and habitats’), and to take and promote the taking of “*reasonably practicable*” steps to further their conservation.

Policy Context

NPPF

- 7.1.13 The National Planning Policy Framework (NPPF) for England sets out a number of policies for conserving and enhancing the natural environment in Section 11 (paragraphs 109-125).

Local Planning Policies

- 7.1.14 Local nature conservation policies of relevance to this proposal are currently contained within the North Lincolnshire Local Plan saved policies, the North Lincolnshire Core Strategy and the North Lincolnshire Housing and Employment Land Allocations Development Plan Document. Specific policies include:

- North Lincolnshire Local Plan saved policy LC11
- North Lincolnshire Core Strategy Policy CS17; and
- North Lincolnshire Housing & Employment Land Allocations DPD Policy SCUE-1

- 7.1.15 The thrust of these policies encompasses the advice in NPPF to protect, maintain and enhance nature conservation and biodiversity.

7.2 Consideration of the Potential for Impact

- 7.2.1 An Ecological Appraisal of the site and surrounding area of ecological influence has been undertaken by FPCR Environment and Design Ltd. The Ecological Appraisal is attached at Technical Appendix B.

- 7.2.2 An Extended Phase 1 Habitat Survey has been carried out including initial observations of any suitable habitats for, or evidence of, protected species. The Phase 1 Habitat Survey undertaken builds upon information collected at a Phase 1 Habitat Survey previously carried out by North Lincolnshire Council in May 2015 in relation to the outline planning permission for the entire 27-hectare NEP7 site.

- 7.2.3 Overall, the application site is comprised of land formerly in use as a material storage site which has since been colonised by semi-improved grassland habitats. The site is undulating and characterised by humps and hollows with ephemeral pools forming following periods of rainfall during the winter months. The site survey showed evidence of early scrub encroachment across the site including immature scattered scrub present throughout the grassland sward.

- 7.2.4 The wider search area for biodiversity information was related to the significance of designated sites and species, and potential zones of influence, as follows:

- 5km around the application area for sites of International Importance (e.g. Special Area of Conservation (SACs), Special Protection Areas (SPAs), Ramsar Sites).

- 2km around the application area for sites of National or Regional Importance (e.g. Sites of Special Scientific Interest (SSSIs)).
- 1km around the application area for sites of County Importance (e.g. Local Nature Reserves (LNRs) / Local Wildlife Sites (LWSs) and species records (e.g. protected, Species of Principal Importance under the NERC Act 2006 or notable species).

7.2.5 A site survey has been carried out which identified flora/habitats and fauna across the application site. As well as identifying specific habitats and features of ecological interest, the site was inspected for the presence of any invasive weed species. No invasive plant species have been identified on the site, the closest being Nuttall's Waterweed (2x records) located 160m north of the site. No invasive species of amphibian/mammal/invertebrate has been identified within 500m of the site.

7.2.6 The site survey considered the actual and potential presence of species protected under the Wildlife and Countryside Act 1981 (as amended), the Protection of Badgers Act 1992, and the Conservation of Habitats and Species Regulations 2017. Consideration was also given to the existence and use of the site by other notable fauna such as Species of Principal Importance NERC (2006), or Red Book Data (RBD) species.

Potential for Impact on Statutory Designated Sites

7.2.7 The location of designated sites within the ecological appraisal study area are shown on Figure 1 'Designated Sites & Protected/Notable Species Plan'.

7.2.8 One statutory designated site of international importance is located within 5km of the site boundary – the Humber Estuary SPA/Ramsar/SAC. The designation is located approximately 1.6km to the west of the application site boundary at its closest point. The ecological asset is designated due to its qualifying features, listed as its estuarine habitats and notable bird assemblages in Table 2 of Technical Appendix B.

7.2.9 One statutory designated site of national importance was located within 2km of the site boundary: the Humber Estuary SSSI. Three LNRs are located within 1km of the site: Phoenix LNR, Phoenix Parkway LNR, and Conesby Quarry LNR. These are locally-significant ecological assets. The closest of these to the site is Phoenix LNR, which is located adjacent to the northern boundary of the site. Phoenix LNR is an important archaeological site which provides grassland, wetland and scrub habitats for a range of species including ringlet butterfly and common toad. Phoenix Parkway LNR, located slightly further afield at 103m east of the site, is designated for its mix of native woodland and sand which attract a range of mammals, birds and insects with woodland flora including orchids, viper's bugloss and common centaury.

7.2.10 As there are no statutory designated sites within the application area, the on-site activities connected with either the construction or operational phases of the proposed development

will not directly impacted upon statutory designated sites. Implementation of the mitigation measures recommended in the Ecological Appraisal will ensure no unacceptable direct or indirect impact on any statutory designated sites.

Potential for Impact on Non-Statutory Designations

- 7.2.11 The location of designated sites within the ecological appraisal study area are shown on Figure 1 'Designated Sites & Protected/Notable Species Plan'.
- 7.2.12 A total of three Local Wildlife Sites were located within 1km of the site. Approximately 400m² of the Slag Banks LWS lies within the site boundary. The habitats that comprise this part of the LWS are consistent with the grassland that dominates the application site boundary comprising species-poor semi-improved grassland that is of limited ecological value. The area of the LWS within the site boundary will see its ecological value and integrity retained through the erection of fencing. Given the overall limited botanical diversity recorded, the small area to be lost on the peripheries would not adversely affect the designation of the LWS.
- 7.2.13 Should the area of LWS within the site be lost, proposed habitat creation in the west of the site will more than adequately mitigate for the loss of this area. Suitable habitat links are to be provided to maintain and enhance ecological connectivity. This will be achieved through linking ecological enhancements in the west of the site with Slag Banks LWS.
- 7.2.14 The Phoenix Parkway LWS largely falls within the boundaries of the Phoenix Parkway LNR. The proposed development will not have any direct or indirect impact on the habitats present within the Phoenix Parkway LWS. Implementation of the mitigation measures recommended in the Ecological Appraisal will ensure no unacceptable direct or indirect impact on any habitats at Local Wildlife Sites within the study area of 1km.

Potential for Impact on Habitats

- 7.2.15 The majority of the application site comprised species-poor semi-improved grassland dominated by a limited number of grasses and common herb species of limited interest. Its loss would not be expected to adversely affect the nature conservation value of the local area and should not be considered a constraint to development.
- 7.2.16 Aquatic habitats are limited to shallow ephemeral pools where surface water collects across the previously disturbed ground. Aquatic habitats present are of limited value and their loss as a result of the proposed development is not a constraint to development.
- 7.2.17 The Phase 1 Habitat Survey undertaken in 2015 identified areas of the south of the site as Open Mosaic on Previously Developed Land, a Habitat of Principal Importance. Habitats within the site boundary itself previously comprised early stage grassland colonisation that have already advanced significantly to a semi-improved sward that is characterised by low botanical diversity.

7.2.18 However, while parts of the site comprise shorter grassland and occasional patches of bare ground, the majority of the site boundary now comprises a homogenous sward that does not meet the criteria for Open Mosaic on Previously Developed Land.

Potential for Impact on Specific Species

7.2.19 The legislative background and guidance regarding proposals with the potential for impact on protected species is that the presence of such species is a material consideration in any planning decision.

7.2.20 Records of species within the site boundary from the last 10 years include small heath *Coenonympha pamphilus*, grayling *Hipparchia semele* and wall *Lasiommata megera* butterflies. In addition, records of common toad *Bufo bufo* and smooth newt *Lissotriton vulgaris* within the site are present from 1998. Records of protected and notable species identified between 2008 and 2018 are provided below.

Species	Number of Records 2008-2018	Distance of closest record to the site
Amphibians		
Common Toad <i>Bufo bufo</i>	1	600m north-east
Common Frog <i>Rana temporaria</i>	4	990m east
Mammals		
European Water Vole <i>Arvicola amphibious</i>	2	290m south
Unidentified Bat <i>Chiroptera</i>	9	770m south
West European Hedgehog <i>Erinaceus europaeus</i>	1	640m west
Brown Hare <i>Lepus europaeus</i>	11	900m south-west
European Otter <i>Lutra lutra</i>	1	740m north-east
Pipistrelle Bat species <i>Pipistrellus</i>	6	610m north
Common Pipistrelle <i>Pipistrellus pipistrellus</i>	15	630m north-west
Brown Long-eared Bat <i>Plecotus auritus</i>	3	870m south-east
Invertebrates		
Small Heath <i>Coenonympha pamphilus</i>	37	On site
Grayling <i>Hipparchia semele</i>	50	On site

Wall <i>Lasiommata megera</i>	40	On site
Knot Grass <i>Acronicta rumicis</i>	1	200m south-west
Garden Tiger	1	15m south
Latticed Heath <i>Chiasmia clathrate</i>	3	260m north
Shaded Broad-bar <i>Scotopteryx chenopodiata</i>	4	630m east
Blood-vein <i>Timandra comae</i>	1	15m south
Cinnabar <i>Tyria jacobaeae</i>	13	260m north
Plants		
Bluebell <i>Hyacinthoides non-scripta</i>	6	420m south
Invasive Species		
African Clawed Toad <i>Xenopus laevis</i>	3	530m west
Nuttall's Waterweed <i>Elodea nuttallii</i>	2	160m north

Bats

- 7.2.21 All bat species and their habitats are protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017. In summary, these make it an offence to damage, destroy or obstruct any place used by bats for breeding and shelter, to disturb a bat, or kill, injure or take a bat.
- 7.2.22 The Phase 1 Habitat Survey carried out by North Lincolnshire Council in 2015 concluded that there were no buildings or mature trees located within the site boundary. A single mature ash tree present adjacent to the western boundary of the site exhibited several features suitable for roosting bats. These features were considered to support moderate/high roosting potential. On the application site itself, the homogenous nature of semi-improved grassland habitats were considered to be of limited suitability for foraging bats with the lack of floral diversity unlikely to provide a rich source of invertebrates as a foraging resource. Off-site boundary habitats provided more suitable foraging habitat with links to the wider area.
- 7.2.23 A licensed bat ecologist from FPCR assessed all trees on-site for their potential to support roosting bats during the Phase 1 Habitat Survey carried out on 30th June 2016. The survey considered all potential roosting features for bats such as holes, cracks/splits, partially detached or loose/platy bark, cankers, ivy stems with a diameter in excess of 50mm with roosting space behind, and bat/bird boxes.

- 7.2.24 In order to prevent any impacts on suitable foraging habitat within the wider landscape, particularly those within the Phoenix LNR to the north of the site, a sensitive lighting regime including the avoidance of direct lighting of existing or proposed areas of potential bat habitat.
- 7.2.25 Lighting of the proposed development will include directional low level lighting and the avoidance of mercury/halide lamps. Lighting will only be used where necessary.

Birds

- 7.2.26 The Wildlife and Countryside Act 1981 is the principal legislation affording protection to UK wild birds. Under this legislation all birds, their nests and eggs are protected by law and it is an offence, with certain exceptions to recklessly or intentionally injure, kill or take any wild life, or take/damage/destroy the nest of a wild bird or their eggs.
- 7.2.27 The grassland habitats within the site boundary are capable of providing breeding habitat for ground nesting species such as skylark, meadow pipit and reed bunting. The application boundary is considered to include habitat suitable for lapwing and little ringed plover. Furthermore, while wetter areas of the site may provide some suitability as breeding habitat for snipe, it is considered unlikely that snipe will have colonised the application site as breeding habitat as none were identified during the 2015 breeding bird surveys and the common passage migrant in Lincolnshire is a rare breeding species.
- 7.2.28 The loss of poor semi-improved grassland habitat will have a potential impact on probable breeding species within the application site boundary however, suitable habitat is retained off site within close proximity to the site at Phoenix LNR.
- 7.2.29 The creation of species-rich grassland and wetland habitat in the west of the site will continue to provide breeding habitat for reed bunting that, while being smaller in overall area, will be of better quality for this predominantly wetland species. The habitat created in the west will also provide opportunities for the generalist assemblage recorded within the adjacent habitats and breeding habitat for other wetland species.
- 7.2.30 Any removal of woody vegetation including hedgerow sections and trees will occur outside of the bird breeding season (March to August inclusive) to minimise the risk of disturbance to breeding birds. If this is not possible, such vegetation should be checked prior to removal by a suitably experienced ecologist. If active nests are found, vegetation should be left untouched and suitably buffered from works until all birds have fledged. Specific advice will be sought prior to undertaking the clearance.
- 7.2.31 Wild birds are to be encouraged to use the site through the installation of a range of bird boxes across the green infrastructure proposed. The proposed bird boxes consist of a mixture of small hole boxes (26mm and 32mm) to provide nesting opportunities for blue tit and great tit, and small open fronted nest boxes which typically attract robin and blackbird. These measures are in line with the recommendations of FPCR.

Great Crested Newts (GCN)

- 7.2.32 Great Crested Newts and the places they use for shelter or protection are protected under European law through Annexes 2 and 4 of the EU Habitats and Species Directive, the Bern Convention and the Conservation of Habitats and Species Regulations 2017; and in the UK through Schedule 2 of the Wildlife and Countryside Act 1981 (as amended). In summary, it is an offence to deliberately or recklessly to take, injure or kill a great crested newt, or to intentionally or recklessly damage/destroy/obstruct access to any structure or place used for breeding, shelter or protection by the species. It is also an offence to intentionally or recklessly disturb while it is occupying a structure or place which it uses for such purpose, or intentionally take or destroy the eggs of a great crested newt.
- 7.2.33 At the time of the 2015 Phase 1 Habitat Survey undertaken by North Lincolnshire Council the site was considered to be of limited suitability for GCN or other reptiles. However, the Ecological Appraisal undertaken has identified a total of 13 ponds located on and/or within 500m of the site. Aquatic surveys have confirmed the presence of a large population of GCN within the study area.
- 7.2.34 GCN breeding ponds have been identified within a reedbed in the east of the site, a shallow pool in the south of the site, and within off-site permanent waterbodies to the south and north of the application area.
- 7.2.35 The proposed development will include the loss of terrestrial habitat and two ponds supporting GCN. Typically, GCN breeding pond loss requires replacement on a two-for-one basis, with associated terrestrial habitat. In order to derogate from the relevant legislation and for works to occur, a European Protected Species Licence (EPSL) will be required. In order to approve such a Licence, Natural England will need to assess the proposals against a number of tests including the Favourable Conservation Status (FCS) test. A mitigation strategy will therefore be provided to Natural England demonstrating that the FCS of the local GCN population will be maintained (and where possible enhanced) should the proposed development take place.
- 7.2.36 The strategy for GCN will include measures to ensure that no newts are harmed during construction and detail the provision of extensive areas of suitable habitat that will ensure connectivity to other areas of suitable habitat for GCN. Measures to ensure the connectivity of GCN habitat will then be retained to ensure maintenance of GCN habitats.
- 7.2.37 Should the proposed development be approved, both prior to construction works and during works, mitigation measures under licence will include the exclusion of newts from the working areas located within 500m of GCN breeding ponds identified (where appropriate). This will be achieved through trapping and translocation of GCN out of the working areas with the installation of temporary amphibian fencing to exclude newts from the site prior to construction with pitfall trapping to catch any newts remaining on-site. Trapped GCN will be transferred to an appropriate receptor pond. To ensure that the receptor pond has sufficient

capacity to accommodate newts, it will be subject to enhancement through the creation of hibernacula, prior to the commencement of trapping.

- 7.2.38 As an additional measure to maintain connectivity between the sub-populations on and off-site, it is proposed to create species-rich grassland and wetland habitat through appropriate planting around identified GCN ponds.

Reptiles

- 7.2.39 All common reptile species, including grass snake, slow worm, common lizard and adder are partially protected under the Wildlife and Countryside Act 1981 (as amended). In summary this legislation protects the species from intentional killing, injury or sale, offering for sale, or possessing, transporting or publishing advertisements for the purposes of sale.
- 7.2.40 On-site habitats were largely dominated by homogenous grassland that, due to its undulating nature, provided some suitability for reptile species. Despite this however, given the recent disturbance of the site and the recent establishment of grassland habitat as evidenced by the higher prominence of bare ground habitat during the survey carried out in 2015, it is considered extremely unlikely that reptiles will have colonised the site. It is possible however that individuals, in particular grass snake could make occasional use of the site if they are present within suitable habitats in the wider area.
- 7.2.41 Based on the conditions of the site, it is considered within the Ecological Appraisal that best practice is used to clear the on-site habitat. A process of displacement is to be undertaken in order to minimise the risk of causing any harm or killing of reptiles on-site. Prior to any clearance works, habitats will be assessed by a supervising ecologist to determine the areas of suitable habitat to be removed. This will include any areas of tall vegetation including the semi-improved grassland that dominates the site.
- 7.2.42 Removal of habitat will then involve a suitably qualified ecologist supervising the directional strimming of the suitable ground vegetation as follows:
- Passive displacement shall only be undertaken during suitable weather conditions, i.e. daytime temperature 11°C or higher, with the reptile active season (mid-March to mid-October).
 - Ground vegetation will first be cut to a height of 200mm and 24 hours later will be reduced to 100mm to allow reptiles to move out of the working area.
 - Strimming will be undertaken in the direction of off-site retained habitat within the Phoenix LNR to the north of the site to encourage reptiles to move into these commuting habitats and towards suitable offsite habitats elsewhere.
 - If a vehicle mounted mower is used a working speed of no greater than walking pace is to be used to allow for any reptiles present to move out of the path of the mower.

- All arisings will be removed from the working area to prevent potential areas of refugia from being used by reptiles moving across the area.
- Following this, any potential hibernation sites including the dead wood pile present in the south eastern corner of the site shall be removed carefully under supervision of a suitably qualified ecologist.
- Additional attenuation features will, where possible, be designed to hold a degree of standing water and incorporate features of conservation interest such as native planting, species-rich grassland, scalloped edges and varying depths in order to encourage their use not only by reptiles but also amphibians.

7.2.43 The above measures will not result in any unacceptable impact on reptiles that may be found on-site or in close proximity to the site.

Water Voles

7.2.44 Water voles are fully protected under Section 9 of the Wildlife and Countryside Act 1981 (as amended). This makes it an offence to intentionally kill, injure or take water voles, possess or control either live or dead water voles or derivatives, or to damage/destroy/obstruct access to any structure or place used by water voles for shelter or protection. It is also an offence to disturb water voles whilst they are using any structure or place for shelter/protection.

7.2.45 During GCN surveys of the wider area, a water vole burrow was identified on the banks of the Moat c. 140m to the north of the site within the Phoenix Parkway LNR. The site itself offers extremely limited suitability for this species owing to the shallow ephemeral nature of the pools present and this species therefore does not pose a constraint to the proposed development.

Otters

7.2.46 Otters are protected under Section 43 of the Conservation of Habitats and Species Regulations 2017, which transposes into UK law the EC Habitats Directive (92/43/EEC). This species is also protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). Otters are protected under these laws from killing, harm or disturbance as well as protecting their shelter, resting and breeding places.

7.2.47 No evidence of otter was observed during the assessment of the site. As with water voles, habitats within the site offer extremely limited suitable for otters and this species does not pose a constraint to development.

Other Species

7.2.48 Hedgehog were identified as being present within the local area during desktop study consultation and the hedgehogs present around the site boundary provided some suitability for hedgehog as foraging and shelter habitat. It is recommended that small gaps (minimum

of 15cm by 15cm) are included within the base of any fences built within the proposed development to allow movement of hedgehogs through the site.

- 7.2.49 Species rich grassland planting should aim to provide a variety of grass species that will provide egg laying habitat for the butterfly species identified on-site during consultation with LERC. This, in conjunction with a diverse sward of flowering food plants, will continue to provide suitable habitat for these species.

7.3 Mitigation, Biodiversity Enhancement and Ecological Conclusions

- 7.3.1 In accordance with national planning policy, aside from those set out in the mitigation measures for the site discussed above, opportunities for biodiversity enhancement have been implemented into the scheme for the site. Additional proposed measures are set out below.
- 7.3.2 Landscape planting will use native species of local provenance, in association with any area of Public Open Space (POS) or areas adjacent to existing retained features such as hedgerows and the Gravel Pit Field LWS. Where the use of native species is not practical/desirable within the built areas, such as in areas of ornamental spaces, preference should be given to species which offer indirect biodiversity benefit, such as night scented or fruit bearing trees in order to attract insects that support bat and bird populations.
- 7.3.3 In order to create new east-west habitat linkages, green space is to be incorporated across the site. The habitat linkages will be connected with retained boundary habitats where possible, such as linking ecological enhancement areas in the west of the site with Slag Banks LWS. Species-rich grassland and wetland habitat to be created in the west of the site will maintain breeding habitat for birds such as reed bunting that, although smaller in area when compared with the grassland habitat to be lost to accommodate the proposed development, will be of superior quality habitat for predominantly wetland species.
- 7.3.4 A sensitive lighting regime will be implemented across the site, lighting used will include directional low level lighting only and will only be used when necessary.
- 7.3.5 Bird boxes will be installed where appropriate across the green infrastructure proposed to encourage wild birds to use the site.
- 7.3.6 To mitigate the impact of the proposed development on the identified population of GCN across the application site and beyond the site boundaries, a detailed strategy for GCN will be agreed with the Council and Natural England. This will include measures to minimise harm to newts during construction will also detail the provision of areas of suitable habitat that will ensure connectivity to other areas of suitable habitat for GCN. Measures to ensure the connectivity of GCN habitat will then be retained to ensure the maintenance of suitable GCN habitats.

- 7.3.7 Surface water attenuation features will, where possible, be designed to hold a degree of standing water and incorporate features of conservation interest such as native planting, species-rich grassland, scalloped edges and varying depths in order to encourage use by groups such as amphibians and reptiles. A mitigation strategy will be provided to Natural England demonstrating that the Favourable Conservation Status of the local GCN population will be maintained in order for the body to approve a European Protected Species Licence that will allow the mitigation measures proposed to be implemented.
- 7.3.8 Trapping and translocation of newts will take place during the construction period of development through the installation of temporary amphibian fencing to exclude newts remaining on-site. Trapped GCN will be transferred to an appropriate receptor pond which has sufficient capacity to accommodate newts. Where necessary, receptor ponds will be subject to enhancement through creation of hibernacula.
- 7.3.9 A process of displacement is to be undertaken in order to minimise the risk of causing harm or killing reptiles on-site. Prior to any clearance works, habitats are to be assessed to determine suitable areas to be removed involving a suitably qualified ecologist who will supervise the directional strimming of ground vegetation. Supervised strimming will be undertaken in accordance with the mitigation measures outlined earlier in this Chapter.
- 7.3.10 All retained and new habitats will be managed sensitively to maintain their long-term viability and maximise their biodiversity value. This should focus on maintaining and reinforcing the connectivity of habitats within the Phoenix and Phoenix Parkway LNRs.
- 7.3.11 In overall conclusion, the proposed development proposes to mitigate the potential impacts on protected species as well as implement measures to encourage the continued use of the site by both protected and non-protected species. Measures are proposed to be implemented at the construction and operational phases of the proposed development that would make acceptable any affect on species directly, or through habitat loss.
- 7.3.12 The proposed development will maintain ecological links and connectivity with off-site habitats and includes the provision for the creation of species-rich grassland and wetland habitat to be created in the west of the site.
- 7.3.13 Although there are three LNRs located within 1km of the site, there are no statutory designated sites within the application area. Additionally, there are three LWSs within 1km of the application area; approximately 400m² of the Slag Banks LWS lies within the site boundary. The integrity of the LWS on-site and all statutory and non-statutory designated sites identified are not significantly adversely affected by the proposed development.
- 7.3.14 The proposed development accords with national and local planning policies for nature conservation and biodiversity and can be undertaken by avoiding unacceptable risks to protected species.

8 Cultural Heritage

8.1 Policy Context

8.1.1 The NPPF and the North Lincolnshire Core Strategy contain policies and text concerning cultural heritage in relation to new development proposals. In particular:

- NPPF Section 12, paragraphs 128 and 132-135; and
- North Lincolnshire Core Strategy Policy CS6.

8.1.2 The thrust of these policies encompasses the advice in NPPF to protect, conserve and enhance diverse historic character and manage change in such a way that respects local character and distinctiveness.

8.2 Consideration of the Potential for Impact

8.2.1 The potential for direct and indirect impact on heritage assets has been previously assessed in line with national guidance and other relevant policy in connection with the initial allocation of the site within the development plan policies and latterly the outline and full planning approvals for the site and its surroundings.

8.2.2 The potential for significant environmental impacts with this regard has also been considered within the recently adopted EIA Screening Opinion which finds that:

There are no scheduled monuments or listed buildings on the application site. However the site does lie adjacent to a Scheduled Ancient Monument to the west and a non-designated heritage asset to the east as described above. The proposed development, and particularly the production building, will impact upon the settings of these assets. However the site also lies adjacent to and forms an extension to the existing industrial development of Normanby Enterprise Park and will be viewed in the context of this development and other industrial developments in the area. This will mitigate the impact of development on cultural heritage to some degree. On this basis it is considered that the proposed development is unlikely to have significant environmental impact with regards to heritage that would necessitate an EIA" (HPL emphasis underlined).

8.2.3 Copies of relevant assessments from the most recent outline planning approval are included within Technical Appendix C.

8.2.4 It is considered that the heritage baseline is well understood based on these previous assessments which reflect both the policy contained within the NPPF, the development plan and other primary legislation.

8.2.5 As such, it is considered appropriate in this case to rely upon their findings and recommendations for the purposes of this planning application.

- 8.2.6 The delegated report associated with planning permission reference PA/2016/1544 confirms that:

“The application site is located in close proximity to a number of heritage assets. These include scheduled ancient monuments and sites of known archaeological interest. The applicant has commissioned trial trenches within the wider site and has supplied detailed documentation which address the heritage impacts of the scheme. Historic England have subsequently confirmed they have no objections to the scheme. The applicant has supplied a revised layout plan during the consideration of the application which indicates that buildings which affect the setting of the nearby ancient monument will be limited in height. The application is also now supported by a “Design Code” which provides a set of design criteria and parameters which any detailed design proposal (at reserved matters stage). This document has been agreed with the Council’s HER advisor and subject to condition would provide a suitable guide for the future development at the site” (HPL emphasis underlined).

- 8.2.7 Condition 22 to outline planning permission PA/2016/1544 confirms the role of the Design Code and its function in framing detailed design for the site and requires the subsequent detailed design of to comply with its aspirations.

- 8.2.8 However, those aspirations must be balanced with achieving commercially viable development that can deliver much needed social and economic benefits for the area.

- 8.2.9 Whilst this development proposal is being brought forward as a full planning application in its own right (rather than through a reserved matters application), the Design Code has been an influence on the preparation of this development proposal.

- 8.2.10 The function of the Design Code is further confirmed within the quoted reason for the aforementioned condition 22 which states that it is required:

“In the interests of the preservation of the setting of the nearby scheduled ancient monument and to accord with policies HE8 of the North Lincolnshire Local Plan and CS6 of the North Lincolnshire Core Strategy”.

- 8.2.11 It is notable that this reason only refers to the designated heritage asset nearest the site and as makes no mention to other non-designated assets.

- 8.2.12 Further consideration of the design response and its relationship to heritage assets (both designated and non-designated) is provided below.

8.3 Consideration of Potential Mitigation and Cultural Heritage Conclusions

- 8.3.1 As noted above, alongside the wider assessment work, the previously approved Design Code for the NEP7 site (under reference PA/2016/1544) provides some aspirations for development and what is considered appropriate given the nearby designated and non-designated heritage assets.

- 8.3.2 Section 3.5 of this statement confirms that the Layout of development is informed by operational requirements and the need to adopt a ‘linear’ working direction from the input of raw materials in the North West, to the point where they leave the site in the south eastern corner of the site onto Moat Road.
- 8.3.3 The siting of buildings corresponds to the broad parameters and areas of built development envisaged and established by the grants of outline planning permission for the wider NEP7 site. Both the approved illustrative masterplan and its associated Design Code envisage built development in the general vicinity of the proposed production building.
- 8.3.4 The siting of the external working and storage areas, although served by gantry cranes, provides a form of development which retains a degree of visual permeability in the absence of large “over dominating structures” (as envisaged by the Design Code).
- 8.3.5 The possibility of the degradation of the cultural heritage features associated with their character and setting has been considered in devising the layout. As identified within the evidence considered previously by the Council, there are listed buildings located in Flixborough located approximately 0.5km to the north west of the site. The setting and character influences of these buildings is very much enclosed and contained within the curtilage of the village setting and not the wider environment.
- 8.3.6 The Scheduled Ancient Monument (SAM) has no setting intervisibility with the other identified non designated cultural/ historic local feature of the Moat located to the north east of the site. Notwithstanding this, the proposed production building has been moved within the site to a position which better reflects the aspirations of the approved Design Code to be balanced with achieving a commercially viable development scheme.
- 8.3.7 The Scale of built development is also informed by the design code which requires built development within the northern part of the site not to exceed 15m in height. The proposed development complies with this criteria.
- 8.3.8 The Appearance of the development largely follows its industrial function. Guidance from applicant’s landscape architect has resulted in the adoption of visual mitigation/ enhancement measures are to be integrated within the scheme which balance the need achieve a successful commercially viable development whilst acknowledging the assessments that have preceded this proposal.
- 8.3.9 Taken as a whole it is submitted that this development proposal continues to achieve the aspirations established before. As such, it is considered that the development does not result in harm to the setting of designated or non-designated heritage assets that exist nearby.
- 8.3.10 Should the contra view be taken, particularly with regard to the non-designated Moat site lying closest to the development, “a balanced judgement will be required” in line with paragraph 135 of the NPPF.

8.3.11 In this context we do not consider that should harm be identified “the scale of any harm or loss and the significance of this non designated heritage asset” would be of such magnitude as to warrant the refusal of planning permission when weighed as part of an overall planning balance.

9 Ground Conditions

9.1 Policy Context

9.1.1 The NPPF and the North Lincolnshire Core Strategy contain policies and text concerning ground conditions and contamination in relation to new development proposals. In particular:

- NPPF Section 11, paragraphs 120-121; and
- North Lincolnshire Core Strategy Policy CS18.

9.1.2 The preamble to Core Strategy Policy CS18 seeks the use of previously developed contaminated land where it is sustainably located and. The thrust of the NPPF guidance seeks to prevent unacceptable risk from pollution and land instability

9.1.3 Additionally, Part IIA of the Environmental Protection Act 1990, inserted into the Act by Section 57 of the Environmental Act 1995 provides the main regulatory regime for the identification and remediation of contaminated land. The determination of contaminated sites is based on a 'suitable for use' approach, which involves managing the risks posed by contaminated land on the basis of a source-pathway-receptor approach.

9.2 Consideration of Potential for Impact

9.2.1 Geotechnical and Environmental Associates Limited (GEA) have prepared a Ground Investigation Report in relation to the proposed development in order to determine the ground conditions at the application site, provide a preliminary assessment of the extent of any contamination and to provide information to assist with the design of suitable foundations. The Report is attached at Technical Appendix D.

9.2.2 The Report presents the relevant background of the site with respect to previous contaminative uses and outlines recommendations for ABM on the appropriateness of the proposed site and regarding design matters.

Methodology

9.2.3 In order to present appropriate findings regarding the existing ground conditions at the application site, GEA undertook research of the site through a desktop study, followed by a ground investigation. To assess the potential for impact, GEA have:

- Reviewed geological and topographical maps;
- Reviewed reports of previous remediation of the site;
- Reviewed historic OS maps and environmental searches sourced from the Envirocheck database;
- Conducted a walkover survey of the site carried out in advance of the fieldwork;

- Drilled two boreholes advanced to a maximum depth of 8m by means of a cable percussion drill rig;
- Drilled a series of 12 boreholes advanced to a maximum depth of 5.45m by open-drive sampling methods;
- Carried out standard penetration tests (SPTs) at regular intervals in the boreholes, to provide quantitative data on the strength of the soils;
- Installed five combined gas and groundwater monitoring standpipes, to depths of between 3m and 7m, and four subsequent monitoring visits over a three-month period; and
- Laboratory tested selected soil samples for geotechnical purposes and the presence of contamination.

9.2.4 Borehole records and results of the laboratory analyses are appended to Technical Appendix D together with a site plan indicating the borehole locations.

9.2.5 In line with Part IIA of the Environmental Protection Act 1990, the assessment of potential for impact has considered the risk of contamination through the source-pathway-receptor approach.

Existing Site and Background

9.2.6 The site at present was found at the walkover to be levelled with evidence of previous remedial treatment / earthworks. The site is sensibly level with long mounds of soft material roughly 300mm high that stretch across the site. Cobbles and boulders of slag were found infrequently scattered across the site and areas were significantly waterlogged with water no more than 100mm deep.

9.2.7 As previously stated, the site has been in historic land use connected with the Normanby Steel Works which closed in 1981. Complete demolition of the steel works only took place by 2000, when an industrial estate and enterprise park are shown on historic mapping to have been constructed on the former steel works. The site itself remained covered with slag heaps on an aerial photograph dated 1999 and is noted on such maps up to 2006.

9.2.8 A assessment of the site '*Report on Remediation Works Carried out on the Works Tip, Normanby Business Park Phase 3 and the Resultant Land Quality*' by FWS Consultants Ltd was published in 2003 and included reference to slag, metals and asbestos as well as a tar lagoon. The Report does indicate that the area which is assumed to include the site has been subject to remediation and contaminant concentrations measured during validation comply with site-specific targets and Contamination Land Exposure Agreement (CLEA) guidance for commercial/industrial development.

9.2.9 The desk study research undertaken by GEA has consider that the site has had historic industrial uses and a potentially highly contaminative history. Potential contaminants could

derive from the heaps of slag on-site, a former tar lagoon and asbestos dump. However, the remediation of the site is reported to have addressed those contaminants and on that basis, no potential sources of contamination are assumed to remain on-site. In addition, other than the odd fragment of slag being present, no visual or olfactory evidence of contamination was identified during the site walkover.

- 9.2.10 As well as assessment of the site's historic uses, a full search of public registers and databases has been undertaken using the Envirocheck database. The search has analysed nearby land uses with the potential for impact on the application site's ground conditions. The searches have shown that the nearest edge of a landfill site is 18m from the site's south-eastern boundary. It is listed as Normanby Park Slag Bank and received inert and industrial waste between 1947 and 1986. The landfill is considered to be a potential source of soil gas. However, as the proposed built development is located over 300m from the landfill and the intervening soil is anticipated to be the Scunthorpe Mudstone, it is inconceivable that soil gas would migrate horizontally through the stiff clay to reach the buildings. It is highly unlikely that soil gas constrains the proposed development.
- 9.2.11 Nevertheless, gas monitoring has been undertaken by GEA. The maximum concentration of carbon dioxide was recorded at 1.8% at 'Borehole 4' as located within the Appendix of Technical Appendix D. Methane was not detected at any of the standpipes, indicating a concentration below the detection limit of 0.1% vol. No positive flow was measured within any of the standpipes suggesting that significant volumes of gas are not being generated and that the measured gases are not moving under significant advective flow. Additional gas monitoring is proposed to be undertaken in due course.
- 9.2.12 A plasterboard recycling plant is located 264m south-east of the site. Other than the above, no landfill, waste management, transfer or disposal sites are located within 500m.
- 9.2.13 There have not been any recorded pollution incidents to controlled waters within 350m of the site and there are no recorded contaminated land registered sites within 500m.
- 9.2.14 There are no Local Authority Pollution Prevention Controls (LAPPC) in place on sites within 800m of the site and there are no discharge consents within 250m of the site. No water abstraction licences are held within 500m of the site.
- 9.2.15 The site is located in an area where less than 1% of homes are affected by radon emissions as classified by the Health Protection Agency. Therefore, no radon protective measures are required.
- 9.2.16 No superficial soils are shown to be present upon analysis of British Geological Survey (BGS) mapping of the area.
- 9.2.17 The GEA Ground Investigation Report considers that there is a low risk of there being a significant contaminant linkage at the site, which would result in a requirement for major remediation work. Furthermore, as there is not considered to be a viable pathway, there is

not considered to be a significant potential for hazardous soil gas to be present on or migrating towards the site.

- 9.2.18 In terms of receptors, workers in the manufacturing unit and office areas are relatively low sensitivity receptors. Groundwater and surface water warrant consideration given the previous pollution of Bottesford Beck which occurred 357m from the site and reflected leachate from the former tip entering on the far side of the landfill. The presence of nearby surface water features add to the requirement to consider groundwater and surface water.
- 9.2.19 New buried services are likely to come into contact with any contaminants present within the soils through which they pass and site workers are likely to come into contact with any contaminants present during construction works.

Ground Conditions

- 9.2.20 The exploratory borehole works undertaken by GEA have encountered the expected ground conditions in that, below a generally limited but locally moderate thickness of made ground, the Scunthorpe Mudstone was encountered as firm and stiff clay with limestone gravel, underlain by very stiff clay and mudstone with layers of limestone.
- 9.2.21 Made ground was found to extend to depths of between 0.15m and 1.8m but only exceed 1m in two places. Made ground was generally found to comprise pale reddish brown clayey sand and sandy clay with scattered fragments of slag, clinker and occasionally brick. The risk of slag causing heave is considered negligible as scattered slag will be removed along the made ground within the footprint of the building. Additionally, no visual or olfactory evidence of significant contamination was observed within the soils.
- 9.2.22 Beneath the made ground, firm rapidly becoming stiff brown and grey slightly sandy clay with layers of scattered fragments of limestone was encountered, extending to depths of between 1.65m and 4.5m across the site; extending to between 3.4m and 4.5m in the area of the proposed building. A single borehole, labelled 'Borehole 9' in the Ground Investigation Report, found stiff sandy clay underlain by stiff orange-brown sandy clay with abundant fragments of ironstone and graded into clayey sand gravel of ironstone below 1.3m. The encountered material is consistent with the Frodingham Ironstone and SPT 'N' values indicate that this material may be a pocket of the natural material but given that it was only encountered at a single location it could represent a pocket of made ground. It is proposed to confirm this through additional investigation in due course.
- 9.2.23 Borehole 9 also measured an artesian water level of 0.11m above ground level. Groundwater was encountered at four of the 14 boreholes at depths of between ground level and 5m. The water levels recorded are therefore not considered to represent a continuous groundwater level. It is considered that the levels recorded in the standpipes are as a result of the perched groundwater inflows or surface water inflows from the surface immediately after installation but before bentonite packing around the standpipe had hydrated sufficiently to form a seal.

- 9.2.24 It is proposed that the second gas and groundwater monitoring visit by GEA will include baling water from the standpipes to assess the nature of groundwater ingress. Monitoring of the standpipes will also be continued to determine equilibrium groundwater levels during the soil gas monitoring in order to fully appreciate the existing conditions.
- 9.2.25 The risk of potential asbestos contamination is considered to be limited due to the lack of any evidence of asbestos following chemical testing and microscopic analysis of 13 samples of made ground and the single sample of natural soils.

9.3 Consideration of Potential Mitigation

- 9.3.1 Overall, specific remedial measures for the site are not considered to be required in respect of the proposed development, although consideration will need to be given to the site workers as discussed below. General good-practice measures will be employed and can be factored into the design of the proposed development, as also outlined below.
- 9.3.2 Site workers are to be made aware of the historic setting of the site, and the potential, albeit limited, for remnant contamination to be present and a programme of working should be identified to protect workers handling any soil. The method of site working should be in accordance with the guidelines set out by HSE and CIRIA and the requirements of the North Lincolnshire Council Environmental Health Officer.
- 9.3.3 GEA have provided comprehensive written advice and recommendations within their Ground Investigation Report. It has been noted from the exploratory works undertaken that even small disturbances to the ground were sufficient to significantly soften the site surface such that rigs were difficult to manoeuvre and access to much of the site was impossible. However, if sufficient site preparatory work is undertaken in advance of the main build, a stable weatherproof surface could be formed and would be of great benefit to the construction as well as forming the foundation layer of the storage area.
- 9.3.4 A watching brief will be maintained during the groundwork, and if suspicious soils are encountered then a suitably qualified engineer should inspect the soils and further testing carried out if required.
- 9.3.5 To avoid rapid softening of the natural Scunthorpe Mudstone formation, care is to be taken to avoid prolonged exposure of the natural formation.
- 9.3.6 Prior to commencing any site stabilisation as necessary, cobbles and boulders of slag will be removed to avoid damage to equipment typically used to prepare a site surface for any lime or cement stabilisation that may take place.
- 9.3.7 Further investigation is recommended with regard to the condition of the site surface as areas proposed for laydown and storage have not been fully investigated. It is proposed to further investigate these areas using a 360° tracked excavator to advance additional trial pits.

- 9.3.8 Following the removal or replacement of made ground with compacted granular material or by lime/cement stabilisation then lightly to moderately loaded ground bearing floor slabs could be adopted.
- 9.3.9 To address the generally low to moderate concentrations of total sulphate measured in samples of the made ground and natural soils, buried concrete is to be designed in accordance with Class DS-2 conditions of Table C2 of BRE Special Digest 1: SD1 Third Edition (2005). The measured pH conditions are alkaline and on the basis of mobile groundwater conditions being assumed for buried concrete an ACEC classification of AC-2 may be adopted. Guidelines contained within the Digest will be followed in the design of foundation concrete.
- 9.3.10 Due to the shallow ponded water across the site and the cohesive nature of the soils encountered, they are unlikely to be unsuitable for supporting soakaway drainage. Provision is to be made for on-site attenuation to assist in the drainage of surface water.
- 9.3.11 The GEA report recommends that ground conditions should be subject to review as the work proceeds to ensure that any variations from the Ground Model are properly assessed by a suitably qualified person.
- 9.3.12 With regard to pavement design, it is recommended that all such formations should be subjected to a proof rolling exercise and soft spots revealed should be removed and replaced with lean mix concrete or suitable compacted granular fill.

9.4 Conclusions on Ground Conditions

- 9.4.1 A Ground Investigation Report has been prepared by GEA which has included desktop assessment of the site along with a site walkover and exploratory work. The Report has been prepared in order to fully comprehend the application site as existing along with its background, and to understand the existing ground conditions on-site.
- 9.4.2 The Report has concluded that the application site is reported to have been remediated following used as slag heaps associated with Normanby Steel Works. Contamination test results confirm the remediation in that no elevated concentrations of contaminants have been identified. A watching brief during groundworks is proposed to ensure that no isolated pockets of contamination exist. Notwithstanding the above, the preparation of the site by either removal of any remnant concentrations or the binding of the contaminants within the stabilised soil will be sufficient to count as source removal or prevent the contamination from being in an available form.
- 9.4.3 The potential for impact on end users is not a constraint to development as concentrations measured in the contamination testing are below those allowable for the end use.
- 9.4.4 Attenuation of surface water run-off and disposal to the main drainage system result in a negligible risk of contamination of surface waters close to the site.

- 9.4.5 Whilst there is a potential source of soil gas in the landfill to the east of the site, there is not considered to be a viable pathway for gas to migrate onto the site and the monitoring results thus far do not indicate concentrations that require gas protection measures. Outstanding visits by GEA will confirm this.
- 9.4.6 In overall conclusion, based on the information gathered by GEA through extensive desktop and on-site investigations, there are known elements of the proposed development that would result in an unacceptable impact on ground conditions.

10 Noise

10.1 Legislative and Policy Context

10.1.1 The NPPF and saved policies of the North Lincolnshire Local Plan 2003 contains policies and text concerning the protection of amenity in pollution control with development proposals. Of particular importance are:

- NPPF Section 11, and Technical Guidance 27-31; and
- North Lincolnshire Local Plan Saved Policy DS1

10.1.2 The thrust of the national guidance and local policy is to ensure that development does not cause an unacceptable adverse impact in terms of noise and to ensure the protection of sensitive receptors and users.

10.1.3 Similarly, the long-term vision of Government noise policy is set out in the Noise Policy Statement for England (NPSE) as published by Defra in 2010. The vision aims to effectively manage noise within the context of Government policy on sustainable development. The vision is supported by the following aims:

- Avoid significant adverse impacts on health and quality of life;
- Mitigate and minimise adverse impacts on health and quality of life; and
- Where possible, contribute to the improvement of health and quality of life.

10.2 Consideration of Potential for Impact and Mitigation

10.2.1 Cundall have undertaken an assessment of the potential sound impact generated by the proposed development, and the potential for the proposal to impact upon any sound-sensitive receptors. The complete Environmental Noise Assessment Report can be found at Technical Appendix E.

10.2.2 In particular, consideration has been given to the assessment of the following potential effects:

- Effects on occupants of existing sensitive receptors due to noise from operational activities associated with the operation of the proposed development
- Effects on occupants of existing sensitive receptors associated with increased noise from changes in traffic flows due to the proposed development.

Methodology

10.2.3 The potential for noise impacts has been assessed through evaluation of prevailing sound levels at existing identified sound-sensitive receptors, and comparison against the level of sound which would be generated by the proposed facility. The overall scope and approach of the assessment has been agreed with North Lincolnshire Council.

10.2.4 The approach undertaken in the assessment has been informed through agreement with the Environmental Health Officer at North Lincolnshire Council, whereby the following approach was agreed:

- Carry out baseline noise surveys at the nearest noise-sensitive receptors to document prevailing conditions;
- Carry out measurements at ABM's Tuxford facility to determine source noise levels for the proposed noise generating operations at the application site;
- Based upon source measurements and architectural information, construct a 3D noise model of the site and surroundings. Run noise model to determine noise propagation to nearby sensitive receptors;
- Apply relevant "acoustic feature corrections" to predicted noise levels and carry out a BS 4142 assessment to determine significance of noise effects at receptors;
- Provide mitigation measures (if required) to avoid sensitive adverse effects i.e. a BS 4142 assessment to not exceed the background noise levels.

10.2.5 In order to assist with the sound impact predictions, manufacturers', measured and library noise level data for proposed noise-generating activities has been predicted using a 3D modelling software. Where manufacturers noise level data is unavailable, source level measurements of representative items of existing plant across the ABM site in Tuxford have been undertaken.

10.2.6 British Standard 4142:2014 provided methods for rating and assessing sound of an industrial and/or commercial nature, including many of the activities proposed within this planning application. In terms of assessing the potential for impact, whilst typically, the greater the difference between the background and rating level, the greater the magnitude of impact. However, BS 4142 emphasises that that approach is highly context-specific. As a guideline, BS 4142 states that:

- The difference (between the background and rating level) of around +10 dB or more is likely to be indicative of significant adverse impact, depending on context;
- The difference (between the background and rating level) of around +5 dB or more is likely to be indicative of adverse impact, depending on context;
- The lower the rating level relative to the background level, the less likely it is that the specific sound will have an adverse impact;
- Where the rating level does not exceed the background level, this is an indication that the specific sound will have a low impact, depending on context.

- 10.2.7 Definitions of the ‘background level’ of noise and ‘rating level’ are contained within the Environmental Noise Assessment Report (Technical Appendix E), along with definitions of specific sound, residual sound, and ambient sound.
- 10.2.8 The methodology is based on the assessment measures to be taken as agreed with North Lincolnshire Council and following the requirements of planning condition 2 of the outline permission for the NEP7 site.
- 10.2.9 As the closest noise-sensitive receptors to the proposed development are residential dwellings on Lodge Lane, Flixborough, located approximately 650m to the north of the site, and properties located c. 1,500m south of the site, immediately south of the A1077 Phoenix Parkway, this is where noise measurements have been recorded to assess the background noise levels. The built development in the immediate vicinity of the application site consists of the wider Normanby Enterprise Park / Foxhills Industrial Estate and is not considered to be sensitive to noise.
- 10.2.10 Noise measurements have been undertaken by Cundall using precision sound level meters which were calibrated before and after with no significant drift to ensure accuracy. A summary of the findings is outlined below.

Background Sound

- 10.2.11 Attended daytime and night-time noise surveys have established the prevailing background sound levels between approximately 1100 on 17th April 2018 and 0300 hours on 18th April 2018. Figures 2 and 3 of Technical Appendix E show the exact location of the noise monitoring equipment. Full noise survey data is shown at Appendix II of Technical Appendix E, however, a summary is provided below.

Location	Daytime	Night-time
South of A1077 Phoenix Parkway	The noise climate was dominated by road traffic noise from A1077, with occasional contributions from cars and people passing by on Primrose Way	The noise climate was dominated by road traffic noise from A1077
Adjacent to Lodge Lane, Flixborough	Generally quiet, with distant faint road traffic noise from B1430 Normanby Road and occasional cars passing on Lodge Lane	Generally quiet, with distant plant noise from the south and occasional cars passing on Lodge Lane

- 10.2.12 From the above table and analysis of full noise survey data it can be concluded that the level of prevailing background sound ($L_{A90, 15min}$ dB) at the monitoring location south of Phoenix Parkway has been found to be consistent regardless of time period. The results measured

during the night were noted to be entirely dictated by plant to the south of the location, assumed to be associated with local farming operations.

- 10.2.13 In contrast, at Lodge Lane the prevailing levels of background sound vary significantly with time periods. Subjective impressions from the Cundall engineer in attendance noted that the prevailing noise conditions at this location were dictated by road traffic noise on A1077 Phoenix Parkway and from the distinct local road network. It can be seen that the background sound ($L_{A90, 15min}$ dB) drops once road traffic flows have reduced during the night-time period.
- 10.2.14 Based on the results of the noise monitoring undertaken and the resulting identified background levels, it is possible to compare between the ‘representative’ background levels and the predicted impacts emanating from sound sources at the proposed development. Comparison of the two levels is required by BS4142.
- 10.2.15 Table 3 of Technical Appendix E is shown below and presents the representative prevailing background sound levels at the nearest noise-sensitive receptors, along with the proposed limiting sound levels for all new items of services plant or operations associated with the proposed development (i.e. not exceeding the background level), when measured 1m from their facades.

Receptor	Period	Representative background sound level ($L_{A90, 15min}$ dB)	Proposed BS 4142 rating level noise limit, ($L_{Ar,Tr}$ dB)
Residential properties to the south of the site	Daytime (0700 – 2300)	42	42
	Night-time (2300 – 0700)		
Residential properties to the north of the site	Daytime (0700 – 2300)	48	48
	Night-time (2300 – 0700)	35	35

- 10.2.16 The above limits are applicable to the cumulative noise level from all new items of fixed and mobile plant, when running under normal operation.

Specific Sounds

- 10.2.17 Additionally, an attended noise survey at ABM’s facility in Tuxford informed the 3D modelling used to examine the potential sources of noise that would arise from the proposed

development. The SoundPLAN software used concluded that the maximum predicted $L_{Ar,Tr}$ dB at each of the representative nearest properties to the site (south and north of the site) would be:

- South of the development site: 28 $L_{Ar,Tr}$ dB
- North of the development site: 35 $L_{Ar,Tr}$ dB

Rating Levels

10.2.18 However the Environmental Noise Assessment Report produced has considered the tonality, impulsivity and intermittency of the sounds sourced at the proposed development and the potential for impact upon the identified receptors. The Report has considered that the tone of sounds associated with the proposed development will be sufficiently distinct to have the potential to be perceived against the residual sound climate. Similarly, none of the sound from the proposed operations/plant will have impulsive characteristics.

10.2.19 As a worst-case, it assumed that the site will operate continuously with minimal ‘down time’. However, it is typical for HGV movements to employ intermittency characteristics due to repeated engine switch on and off, similarly to the fixed batching plant.

10.2.20 Based upon the SoundPLAN data gathered, the predicted noise to be generated, and corrections made to account for ‘perceptible’ sound (+3dB for tonality and +4dB for intermittency, the specific sound levels at the identified noise sensitive receptors are set out below:

Receptors	Worst-case specific sound level, $L_{Aeq,Tr}$ dB	Tonality corrections, dB	Intermittency corrections, dB	Rating Level, $L_{Ar,Tr}$ dB
South of the development site	28	+ 4 dB correction due to contributions from: <ul style="list-style-type: none"> • Fixed batching plant (external) • Bogeys (external) • Cement mixer vehicle movements (external) 	+3 dB correction due to contributions from: <ul style="list-style-type: none"> • Fixed batching plant (external) • Bogeys (external) • Cement mixer vehicle movements (external) 	42
North of the development site	35			33

- 10.2.21 Overall, the rating sound levels above are either at the identified background level (for receptors north of the development site) or below the identified background level (for receptors south of the development site). Therefore, noise from the site is not predicted to have a significant impact on/at residential properties at Lodge Lane due to insufficient noise being generated onsite which could cause nuisance to the properties. At the receptors located south of the A1077 noise monitor, the noise generated from site operations is predicted to be at 15 dB below the day-time background level, and 2 dB below the night-time background level.
- 10.2.22 Based on the above, there exists the potential for low noise impact as a result of the proposed development of on residential properties at Lodge Lane as a result of predicted site operations. This potential is a based on a worst-case scenario.
- 10.2.23 Also considered within the Report is the potential for noise impact as a result of increases in traffic flows following completion of the proposed development. Baseline and operational traffic flow data has been considered and is presented at Appendix V of Technical Appendix E. The Environmental Noise Assessment Report has assumed the presence of highly sensitive receptors on all of the assessed road links. The Report has concluded that the significance of effect of operational traffic noise will be negligible.
- 10.2.24 As a result of the findings of the Environmental Noise Assessment Report, no specific mitigation measures are required in order to make the proposed development acceptable with regard to noise/sound emanating from the site operations and traffic associated with the proposed development.

10.3 Noise Conclusions

- 10.3.1 In order to assess the potential noise impacts of the proposed development, Cundall have undertaken background/prevaling sound levels at the identified most vulnerable receptors to site noise and traffic operations associated with the development site. Noise measurements have also been made identifying the sound generated by site activities that are proposed to take place, such as noise generating 'specific sounds' e.g. moving cement mixers and fixed batching plant.
- 10.3.2 An assessment of worst-case sound impact levels has been carried out in accordance with BS4142:2014. The results of this assessment have shown the rating level to be equal to the existing levels of background sound at the residential properties at Lodge Lane, and approximately 2 dB under the existing levels of background sound at residential properties immediately south of A1077 Phoenix Parkway.
- 10.3.3 The predicted rating levels at both representative receptors' locations are sufficiently low to comply with the North Lincolnshire Council's noise criteria and it is considered that mitigation measures are not required.

10.3.4 Additionally, a noise assessment of the anticipated increase in road traffic flows indicates that the significance of effect of operational traffic noise will be negligible.

11 Surface Water Management and Flood Risk

11.1 Policy Context

11.1.1 The NPPF and the North Lincolnshire Housing and Employment Land Allocations DPD contain policies and text concerning water resources and flood risk. In particular:

- NPPF Section 10 and Technical Guidance paragraphs 2-19; and
- North Lincolnshire Housing & Employment Land Allocations DPD Policy SCUE-1

11.1.2 The thrust of these policies encompasses the advice in NPPF and the associated technical appendix regarding development and the prevention of pollution, protection of water quality and flood risk. The policies seek to promote the sustainable management of water resources.

11.2 Consideration of Potential for Impact

11.2.1 Envireau Water has undertaken a Flood Risk and Drainage Assessment in relation to the proposed development at land off Moat Road. The full Report can be found at Technical Appendix F.

Baseline Conditions

11.2.2 The site is located on a levelled 'plateau' of former slag heaps and workings at circa 50m to 52m AOD. South-west of the site the ground level slopes steeply down the escarpment to the floodplain of the River Trent which lies at about 3m to 5m AOD. South of the site, the ground level slopes gently to 46m AOD at the northern boundary of the Foxhills Plantation. The River Trent itself is located 1.9km west of the site. The site is bounded to the north-west and north-east by roughly 6m high earth bunds.

11.2.3 The geological setting of the site and surrounding area has been identified from BGS 1:50,000 scale England and Wales Sheet 89 (Kingston upon Hull). Superficial deposits are shown to be absent from the site. Land remediation works on site have found that the superficial deposits generally across the central and south-eastern part of the area have a maximum thickness of circa 1.65m. Site specific ground investigation works have found made ground to extend to depths of between 0.15m to 1.8m, generally comprising clayey sand and sandy clay with scattered fragment of slag, clinker and occasional brick.

11.2.4 The bedrock geology underlying the site and land to the south on the Trent Valley escarpment is shown to comprise thick layers of Mudstone Formation (Lias Group) – interbedded mudstone and limestone. Bedrock was encountered at a shallow depth over the Slag Banks reclamation area of between 0.65m and 3.0m during the land remediation works.

11.2.5 Beneath the variable thickness of made ground at the site, the site specific ground investigation works found firm to stiff clay with limestone gravel underlying stiff clay and mudstone representing the Scunthorpe Mudstone.

- 11.2.6 Soils at the site are classified by the Soilscales Land IS map developed by Cranfield University to be 'freely draining, slightly acid sandy soils'. However, wet/marshy areas of land were noted at various locations at the Slag Banks area during the site walkover by Envireau Water. The permeability of soils on-site are expected to be variable.

Hydrogeology

- 11.2.7 The EA Aquifer Designation Map has been used to as part of the desk-based assessment of hydrogeology at the application site. The made ground at the site is a non-aquifer. The superficial deposits off-site (Blown Sands) are classified as Secondary (A) aquifers by the EA. These are expected to be of a relatively high permeability.
- 11.2.8 The bedrock geology (Scunthorpe Mudstone Formation) is classified as a Secondary (B) aquifer consisting of predominantly of layers of low permeability.
- 11.2.9 The site specific ground investigation works undertaken encountered groundwater in four of the fourteen boreholes drilled at depths of between ground level and 5m. This range of groundwater levels is believed to reflect the variation in low permeability deposits at the site producing perched water systems and saturated deposits impeded drainage. However, it is considered that these levels do not represent the regional groundwater table.
- 11.2.10 In general, the clay and mudstone layers act as an aquitard which forms a barrier to the vertical passage of water. Clays and made ground would produce a high runoff with limited and low infiltration.

Hydrology

- 11.2.11 The site lies at the top of a hydrological catchment that drains to the Trent Valley (River Trent) and Foxhills Beck. The flow directions from the site are shown on Figure 3 of Technical Appendix F.
- 11.2.12 There are no watercourses located on the application site. However, a number of small ponds were recorded by Envireau Water during the site walkover. Some of these ponds are considered to be perennial, some are considered to be ephemeral. Two additional ponds were located circa 450-500m south of the site during the walkover survey.

Potential for Impact

- 11.2.13 The proposed development involves the erection and installation of built development incorporating hardstanding and impermeable surfaces across a currently undeveloped site. Overall, it is proposed to increase the impermeable surface area of the site by 7.62 ha.

11.3 Consideration of Potential Mitigation

- 11.3.1 The *CIRAI C753 SuDS Manual 2015* and *Buildings Regulations 2010 (2015 Edition)* Part H3- Drainage and Waste Disposal state that a surface water drainage system shall dispose of runoff to one of the following, listed in order of priority:

- Into the ground (infiltration) – an adequate soakaway or other infiltration system, or, where it is not reasonably practicable; (most desirable)
- A watercourse or surface water body, or where it is not reasonably practicable;
- A public sewer.

11.3.2 In line with the SuDS hierarchy, each surface water discharge method has been considered for the site in sequential order.

Surface Water Drainage Scheme

11.3.3 The proposed surface water drainage scheme for the site is shown at Appendix D of Technical Appendix F.

11.3.4 The general proposed elevations across the site are provided on the outline drainage scheme plan, ranging from 50.35m AOD to 52.75m AOD. The scheme for drainage across the proposed site is as follows, split into three distinct sections of the proposed development (batching plant area, manufacturing/office area, and external storage area):

Batching Plant Area

- Runoff captured by a sewer that feeds into an interceptor tank which then feeds into a main sewer running adjacent to the southern boundary.

Manufacturing/Office Area

- Collected roof water feeds into an underground rainwater harvesting tank to enable harvested rainwater to be used in the manufacturing process. Once at full capacity, water will pass through the tank and to the southern boundary sewer.

External Storage Area

- The concrete trackways that make up the external storage area will be lined with permeable infill between the trackways to enable drainage to the surface water drainage system. A series of sub-base infiltration areas and perforated pipes between concrete runners will be utilised, allowing product storage in a well drained area. The perforated pipes will flow into the southern boundary sewer.

11.3.5 An oil/silt interceptor is to be utilised at the southern boundary sewer. The outfall from the oil interceptor will be to an attenuation basin.

11.3.6 The drainage design has been modelled using Causeway Flow v6.0 which included drainage from the boundary access road subject to a separate planning application in order to assess the capacity of the required attenuation basin. The proposals for the drainage network and attenuation storage cater for critical storm events, with peak rainfall intensity and climate change predictions incorporated.

- 11.3.7 The total storage capacity required is considered to be 4,330m³, of which 330m³ consists of interception storage and 4,000m³ consists of attenuation storage.

Foul Water

- 11.3.8 Foul water from the site is proposed to be connected to the off-site network at one of two potential connections, both of which have been previously proposed in the wider NEP7 planning application.

11.4 Flood Risk Considerations

- 11.4.1 Envireau Water have undertaken a site specific Flood Risk Assessment (FRA) for the proposed development site. The FRA has been written and submitted in accordance with the NPPF and accompanying NPPG: Flood Risk and Coastal Change 2014 (Ref. 2).
- 11.4.2 The application site is located wholly within Environment Agency (EA) Flood Zone 1. This represents land with the lowest risk of coastal and fluvial flooding. This is consistent with the location of the site on an area of high ground to the east of the escarpment to the Trent Valley.
- 11.4.3 The proposed use of the site as a precast concrete manufacturing facility is considered to be a 'less vulnerable' land use to flooding within the Flood Risk Vulnerability Classifications detailed within NPPF. As set out in Planning Practice Guidance, 'less vulnerable' development is appropriate in Flood Zone 1.
- 11.4.4 Analysis of the North and North East Lincolnshire County Council Strategic Flood Risk Assessment (SFRA) shows that there have been no major reported flooding incidents thin the boundary of the application site or in the vicinity of the site.
- 11.4.5 Given the site's location inland and on elevated ground within Flood Zone 1, it is concluded that there is no risk of flooding from tidal or fluvial sources.
- 11.4.6 Similarly, the risk of pluvial (surface water) flooding at the site is considered to be very low. Areas of the site thought to be at higher risk are confined to small topographical depressions or low points. There are no significant overland pathways shown to enter the site boundary with the majority of surface water shown to flow overland to lower ground located to the south and south-west. The surface water drainage scheme outlined above will reduce the risk of surface water flooding occurring at the site and to areas downgradient.
- 11.4.7 The risk of groundwater flooding from the site is considered to be very low. This is largely down to the perched water system encountered at the site associated with low permeability deposits not reflecting the wider regional groundwater levels. The site is underlain at depth by low permeability mudstones. The risk of groundwater in the area is considered to be greater west of the site within the Trent Valley, whereas the application site is located at a much higher elevation, separated from the valley by a nearby escarpment.

11.4.8 In terms of flooding to/from public sewers, the site is located at the top of a hydrological catchment with no foul or surface water sewer draining to the site. The proposed development is not expected to have any impact on flood risk to local public sewers. The risk of flooding of the site from public sewers is considered to be very low.

11.4.9 The site is not constrained by any risk of flooding from artificial waterbodies such as reservoirs or canals. Similarly, the proposed surface water drainage scheme will capture, control and attenuate surface water to such an extent that the risk of flooding to roads in the vicinity of the site is considered to be very low.

11.5 Surface Water and Flood Risk Conclusions

11.5.1 The surface water drainage scheme and other measures designed-in to the proposed development propose the management of surface water to such an extent that there will be no detrimental impact on drainage and flood risk at or from the site, providing that foul and surface water are managed as proposed.

11.5.2 It is proposed that surface water runoff generated over the development area is intercepted and conveyed by a combination of piped drainage, interceptor tanks, harvesting tanks and an attenuation basin. No runoff will pass directly to local watercourses for rainfall depths of 5mm or less and will restrict flows from the site to the Greenfield Runoff Rate.

11.5.3 Due to the low permeability of clayey soils, the preferred method of discharge of surface water from the proposed attenuation basin would be of the nearest receiving watercourse, known as Foxhills Beck. This method will require a formalised discharge route from the site to the watercourse.

11.5.4 It is proposed that a separate foul water system at the site connects into the existing local Severn Trent Water public foul sewer system for the sole purpose of discharging foul flows. Surface water would be managed separately and independently of the public foul sewer. Should the connection to the Severn Trent Water foul network not be achievable, it is proposed that foul water is accommodated by way of an on-site package treatment plant with treated water discharged to the surface water sewer.

11.5.5 Overall, the FRA has concluded that the proposed development is not significantly vulnerable to flooding and will not increase the risk of flooding at the site or elsewhere. The proposed development is appropriate for the Flood Zone 1 location, with the risk of flooding from all sources to the site considered to be very low / no risk, provided that the proposed surface and foul water management schemes are implemented.

11.5.6 With the appropriate implementation of the water management systems, the proposed development will remain operational and safe during times of flood, will result in no loss of floodplain storage, will not impede water flows and will not increase the risk of flooding at the site or elsewhere.

12 Transport Assessment

12.1 Policy Context

12.1.1 The NPPF, saved policies of the North Lincolnshire Local Plan 2003, the North Lincolnshire Core Strategy, and the North Lincolnshire Housing and Employment Land DPD all contain policies and text concerning the potential for transport impacts in connection with the development proposals. In particular:

- NPPF Section 4;
- North Lincolnshire Local Plan Saved Policies T1 and T2;
- North Lincolnshire Core Strategy Policy CS25; and
- North Lincolnshire Housing & Employment Land Allocations DPD Policy SCUE-1

12.1.2 The thrust of these policies encompasses the advice in NPPF regarding the potential environmental disturbance caused by traffic. Paragraphs 29 to 41 set out the Government's development planning policies with respect to transport. These paragraphs focus on, and emphasise, the promotion of sustainable transport. NPPF states that plans and decisions should take account of whether:

- The opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- Safe and suitable access to the site can be achieved for all people; and
- Improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are 'severe'.

12.1.3 The key policy test in the NPPF is that transport impacts are not 'severe'. This is confirmed by the NPPG that states: "Transport Assessments and Statements can be used to establish whether the residual transport impacts of a proposed development are likely to be 'severe', which may be a reason for refusal, in accordance with NPPF."

12.1.4 Similarly, adopted Development Plan policies seek to restrict development that would cause demonstrable harm to the function of the highways network and promote traffic management measures to concentrate road freight on the strategic highway network. The policies also require the preparation of a Transport Assessment and Travel Plan prior to the development of the allocated site known as NEP7.

12.1.5 The purpose of this Chapter is to identify and assess the anticipated highways and transport impacts associated with the proposed development. In order to assist with the identification

of highways and transport issues connected with the proposed development and to assess their magnitude/severity of impact (if any), a Transport Statement has been prepared by AECOM. The full Transport Assessment can be found at Technical Appendix G. A summary is provided below.

12.2 Existing Situation and Methodology

- 12.2.1 A Transport Statement has been produced to assess the impact of the proposed development on the local highway network. This approach was approved by the local highway authority, which requested a Transport Statement to be produced with the aim of updating the information contained within a Transport Assessment prepared in 2015.
- 12.2.2 The 2015 Transport Assessment (Local Transport Projects, 2015) was submitted accompanying an application for outline planning permission for B1/B2/B8 land-use classifications on the NEP7 site. Planning permission was subsequently granted on 5th July 2017 (reference PA/2016/1544). The supporting Transport Assessment considered a development scenario of 9,450m² of B1 (Business and Light Industrial), 28,350m² of B2 (General Industrial), and 56,700m² of B8 (Storage and Distribution) uses.
- 12.2.3 The estimated trip generation for this level of development showed the total number of trips during the morning peak hour (0800 – 0900) as 294 arrivals and 105 departures. Total trips estimated for the evening peak hour (1700 – 1800) were 64 arrivals and 275 departures. The trip estimates were based on the development of the entire NEP7 site for the mix of use classes above.
- 12.2.4 Whilst the Transport Assessment supporting planning permission PA/2016/1544 stated that “the local highway network has been built to accommodate the Enterprise Park at full occupation, therefore it may be reasonable to assume that the infrastructure should be able to accommodate the additional vehicle movements associated with the proposed development.” Nevertheless, traffic surveys have been undertaken to inform AECOM’s latest Transport Statement.
- 12.2.5 Traffic surveys have been undertaken in the month of April, in accordance with *How the National Road Traffic Estimates are Made* (Department for Transport (DfT), 2007) that states traffic counts are normally undertaken during the ‘neutral’ months of March, April, May, June, September and October (but outside of school holidays). Three automatic traffic counts (ATCs) were undertaken, along with one manual classified count (MCC).
- 12.2.6 ATCs were undertaken over a 7-day period (Tuesday – Monday) and the MCC was undertaken over a twelve hour period (0700 – 1900) on a single Tuesday. The locations of the traffic counts undertaken are shown on Figure 2.2 of Technical Appendix G.
- 12.2.7 In order to provide a fully informed overview of the existing/baseline highways and traffic situation, road safety collision statistics have been obtained from the DfT (via the Crashmap

database) from 1st January 2012 to 30th September 2017. These figures are the most up to date available at the time of preparing the Transport Statement.

12.2.8 The Transport Statement at Technical Appendix G has been based on a review of the existing/baseline situation and anticipated change in network traffic conditions arising from the proposed development.

12.3 Assessment of Traffic Impact

12.3.1 No new access is required to be laid to accommodate the proposed development as the site benefits from an existing access from the Moat Road / Park Farm Road roundabout junction. Therefore, it is considered that the aspects of the proposed development that would have the potential to impact upon public highways is the increase in vehicles using the highway network surrounding the site and the use of the highway network by over-sized/abnormal loads in connection with the proposed development.

12.3.2 It is proposed to amend this road to better serve the proposed facility. Scheme drawings showing the highways improvements are submitted accompanying this planning application (Drawing No. xxx). The proposed design/layout of the highway is such that it can both accommodate the traffic generation by the wider site (once developed) and over-sized vehicles / abnormal loads expected to utilise the highway to access the application site.

12.3.3 In relation to the wider highway network, the site is located within the Normanby Industrial Estate, which is accessed from the A1077 by two roundabout junctions. The A1077 provides a direct route to the M181 which in turn is a spur of the M180. Appendix A of Technical Appendix G outlines the suitability of the route between the M180 and the proposed development site for over-sized vehicles and abnormal loads. The route is considered to be acceptable in highway safety terms.

12.3.4 The results of the traffic surveys undertaken are outlined on the table below.

ATC Location	Weekday AM Peak (0800 – 0900hrs)	Weekday PM Peak (1700 – 1800hrs)	12hr Average Weekday (0700 – 1900hrs)	Annual Average Daily Traffic (AADT)	Average Weekday HGV %
A1077 (East)	1,339	1,273	11,992	13,333	3%
A1077 (South)	1,081	1,222	11,590	12,621	2.5%
Normanby Road	743	731	6,393	7,596	3%

12.3.5 The MCC at the A1077 / Normanby Road roundabout junction recorded a total inflow over the 12-hour period was 18,617 vehicles.

12.3.6 To assess the traffic impacts of the proposed development, the proposed volume of traffic likely to be generated by the proposed development has been considered against the existing/baseline volume of traffic. The proposed development is likely to generate 65 HGV loads per day (totalling 130 HGV movements), and 220 staff vehicles.

12.3.7 The traffic impacts for each identified location at which ATC data was collected assume that all HGVs and staff vehicles route the same way, which is a conservative test as HGVs and abnormal loads will be constrained to the strategic highway network, but staff vehicles may disperse over different routes. Based on the estimated increase in vehicles in connection with the proposed site activity, the total change in traffic flow at each ATC and MCC location will be as follows:

Count Location	12hr Average Weekday (0700 – 1900hrs)	With Development Traffic Flows	% Change
ATC at A1077 (East)	11,992	12,562	+ 4.8%
ATC at A1077 (South)	11,590	12,160	+ 4.9%
ATC at Normanby Road	6,393	6,963	+ 8.9%
MCC at A1077 / Normanby Road roundabout junction	18,617	19,194	+3.1%

12.3.8 HGV arrivals will be spread throughout the working day (and would be all arriving / departing along the specified route), whereas staff trips would be spread over different arms on the inbound direction and concentrated on Normanby Road as they depart the site, although some are also likely to joint the A1077 at the nearby Clayfield Road roundabout junction if they choose to route through the industrial estate itself.

12.3.9 The impacts of the proposed increase in traffic flow are the potential for impact in terms of noise, vibration, visual effects, severance, driver delay, pedestrian delay, pedestrian amenity, fear and intimidation, accidents and safety, hazardous loads, air pollution, dust and dirt, ecological effects, and impact on heritage and conservation areas. These potential impacts are set out within the Institute for Environmental Assessment (IEA) *Guidelines for the Environmental Assessment of Road Traffic*.

12.3.10 The IEA Guidelines go on to state that: “at a basic level, it should... be assumed that projected changes in traffic of less than 10% create no discernible environmental impact.”

Furthermore, the IEA Guidelines state "previous research has indicated that the most discernible environmental impacts of traffic are noise, severance, pedestrian delay and intimidation," and that "other environmental impacts are less sensitive to traffic flow changes, and that it is recommended that, as a starting point, a 30% change in traffic flow represents a reasonable threshold for including a highway link within the assessment."

- 12.3.11 Given the changes in traffic flow anticipated, and the location of the proposed development within an existing industrial context, it is not anticipated that any environmental impacts would be created as a consequence of increased traffic volumes. Nevertheless, the noise assessment submitted with the planning application (Technical Appendix F) considers the noise impact of additional vehicle movements (and is based on data collected as described above).
- 12.3.12 In terms of road safety impacts, the previous Transport Assessment undertaken for the site to support the application for outline planning permission was informed by data from May 2010 to June 2014. The Transport Assessment found that "analysis of the study collisions has not revealed any identifiable existing collision issues associated with the expected movements of the proposed development, therefore it is considered that there are no existing road safety issues pertinent to the development of the site." In this instance, "the site" refers to the development of the entire 27-hectare NEP7 allocation, and not just the application site.
- 12.3.13 The recent data obtained from DfT between January 2012 and September 2017 shows that there have been five collisions on Normanby Road and eight collisions on Park Farm Road over the study period. Nine collisions were recorded at the A1077 / Normanby Road roundabout. Of the recorded collisions, 19 have been classified as 'slight' and 3 have been classified as 'serious' under the definitions given in *Road Accidents and Great Britain* (published by the DfT).
- 12.3.14 The site is located within an existing employment area and is considered to be accessible by non-car modes. The Normanby Industrial Estate is served by the Number 4 bus service and the Number 60 also operates in close proximity. In addition, the site is located adjacent to a formal cycle route known as Route 169 which connects Scunthorpe town centre to the south with Normanby to the north. The majority of the route is off-road which makes the route attractive to cyclists and pedestrians.

12.4 Travel Plan

- 12.4.1 According to the DfT, a travel plan is "a package of measures produced ... to encourage ... (the) use (of) alternatives to single-occupancy car-use". The NPPF goes on to say that a Travel Plan is a "long-term management strategy for an organisation or site that seeks to deliver sustainable transport objectives through action and is articulated in a document that is regularly reviewed."

- 12.4.2 A Travel Plan is to be implemented at the proposed development aimed at minimising the single occupancy vehicle use through promotion and support for the use of alternative modes of transport. The management arrangements for the Travel Plan will be two-tier with ABM providing Strategic Support and a Travel Plan Co-Ordinator role. Strategic Support is carried out to ensure appropriate resources for the Travel-Plan Co-Ordinator, who implements the work of the Travel Plan on a day-to-day basis and acts as the main contact for the overall development. The specific roles and responsibilities of the Strategic Support and Travel Plan Co-Ordinator are outlined within Section 3 of the Transport Statement at Technical Appendix G.
- 12.4.3 In order to address single-occupancy car use as a method of commuting to the proposed development, targets for the site are to be set once the area from which employees are drawn is known. As per the monitoring strategy, three months following opening, a staff travel survey will be undertaken to determine how staff travel to/from work.
- 12.4.4 From the outset at the commencement of manufacturing operations on-site, the Travel Plan will be implemented with particular focus on providing accessibility to the site by bicycle, public transport and car share. Specifically, the measures below will be implemented:
- 12.4.5 To encourage cycling:
- Provide secure, sheltered onsite cycle parking;
 - Provide staff with lockers and changing (including shower) facilities; and
 - Arrange for the visit by a local “Dr Bike” to help staff with any cycle maintenance issues.
- 12.4.6 To arrange public transport:
- Advise staff of public transport options from the site; and
 - Advertise Traveline East Midlands Journey Planner.
- 12.4.7 To encourage car share:
- Set up a car share database to identify which of its staff could feasibly share their journeys to/from work; and
 - Provide preferential car parking spaces to those staff that drive to/from work by car share.
- 12.4.8 The Travel Plan for the site will be monitored for a period of five years, with a Monitoring Report produced annually to assess the effectiveness of the Travel Plan and address any issues arising. The Monitoring Report will be distributed to staff and the local planning and highway authority to provide up to date information and to enable transport related issues to be addressed and the effectiveness of previous measures to be scrutinised.

12.5 Transport Conclusions

- 12.5.1 The Transport Statement prepared by AECOM has assessed the potential impacts of the proposed development on the local highway network. The existing / baseline traffic and transport situation at the site and surrounding highways have been assessed by analysis of traffic counts and collision statistics information collected. These studies have been undertaken to build upon a Transport Assessment undertaken 2015 in relation to the outline planning permission for the site (ref. PA/2016/1544).
- 12.5.2 The key transport related aspects of the site were considered at the time of the outline planning permission. A review of public transport services indicates that these are unchanged and there has been little change in the road safety record of the local highway network.
- 12.5.3 The Transport Statement has concluded that the additional traffic movements related to the proposed development would not result in any environmental impacts. Furthermore, a Travel Plan is to be implemented at the proposed development which would encourage the use of sustainable modes of transport and car-sharing for employees.
- 12.5.4 The proposed development is considered to be acceptable in both highway safety terms and in relation to the traffic flow and HGV movement implications of the proposal.
- 12.5.5 Given the above, the proposed development of the facility could not be considered to be 'severe' under the NPPF policy and would be consistent with the Local Plan.

13 Planning Balance and Overall Conclusion

13.1 Introduction

- 13.1.1 In this section the overall planning balance is undertaken, this is required to consider whether the application proposals represent sustainable development when considered against the provisions of the development plan and material considerations. Given that the proposals are within proximity to heritage assets (designated and non-designated) there is also a requirement to pay due regard to their importance.
- 13.1.2 Section 38(6) of the Planning and Compulsory Purchase Act (2004) and Section 70(2) of The Act (1990), requires the determination of this application to be in accordance with these identified policies within the Local Plan unless material considerations indicate otherwise.
- 13.1.3 Paragraph 215 of the NPPF requires the decision maker to assess the degree of consistency between relevant policies in existing development plans with the policies of the NPPF and the greater the consistency that exists between these policies, the greater weight that they may be given.
- 13.1.4 At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. Paragraph 7 of the NPPF clarifies that there are three dimensions to sustainable development: economic, social and environmental.
- 13.1.5 Paragraph 8 of the NPPF then states that the economic, social and environmental roles should not be undertaken in isolation, because they are mutually dependent. Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system.
- 13.1.6 In terms of decision taking, paragraph 14 of the NPPF states that the presumption in favour of sustainable development means:
- approving development proposals that accord with the development plan without delay; and
 - where the development plan is absent, silent or relevant policies are out of date, granting permission unless:
 - 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 or
 - specific policies in this Framework indicate development should be restricted.

13.1.7 It is considered that in the context of this proposal the first bullet point of Paragraph 14 is engaged because the development complies with relevant development plan policies. However, it is still important to weigh the benefits of the proposal against any harm arising and undertake an overall planning balance judgement.

13.2 The Economic Role.

13.2.1 Section 1 of the NPPF refers to “Building a strong, competitive economy” and highlights the Government’s strong commitment to securing positive economic benefits from development and growth. Paragraphs 18-22 set out how the Government considers the planning system will contribute to this.

13.2.2 It is generally accepted that new commercial and employment development will provide an economic benefit in a number of ways, including:

- An increase in local employment comprising:
 - Construction phase jobs
 - Over 200 Direct and Indirect Operational Employees from the following
 - Administration (sales, finance, procurement, manufacturing, quantity surveying, production management & engineering)
 - CAD Technicians
 - Casting operatives
 - Operational & Commercial Management
 - Pattern/Mould Makers
 - Plant Operations & Maintenance
 - Pre-stressing engineers
 - Steel fixers
 - Quality Assurance Checkers and Supervisors
 - Quantity Surveyors:
- An increase in local expenditure; ABM currently (on a per annum basis) spends over £5m within its local economy in North Nottinghamshire, it is anticipated that arising from the development at NEP7 this would rise to around £7.5m. Key areas of spending include:
 - Transport

- Raw materials
- Quarried products
- Cements
- Reinforcing steel
- Equipment supply and fabrication
- Formwork manufacture
- Specialist manufacturing maintenance
- Professional services

13.2.3 There would also be clear wider “multiplier effects” arising from additional significant employment growth within NEP7 that would be felt by other local supplying businesses.

13.2.4 These factors above are clearly material to the overall determination of the sustainability credentials and in line with paragraph 19 of the NPPF should be given “*significant weight*” as “*The Government is committed to ensuring the planning system does everything it can to support sustainable economic growth*” and “*Planning should operate to encourage and not act as an impediment to sustainable growth*”.

13.2.5 It is therefore clear that there will be significant economic benefit associated with this development and this accords with this dimension of sustainable development as outlined in the NPPF. This should be afforded significant positive weight in the determination of this application.

13.3 The Social Role

13.3.1 Paragraph 7 of the NPPF sets out the “social role” in achieving sustainable development, it states that the role will contribute by:

“supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being”.

13.3.2 The areas of the NPPF most applicable to satisfying this role can be found at Section 1 which refers to “Building a strong, competitive economy”.

13.3.3 Paragraphs 19-21 confirm that:

“*The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act*

as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system”

And

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

And

“Investment in business should not be over-burdened by the combined requirements of planning policy expectations. Planning policies should recognise and seek to address potential barriers to investment, including a poor environment or any lack of infrastructure, services or housing”

- 13.3.4 The social dimension in this instance is intrinsically linked to the economic baseline, the availability of labour and the role industry plays in the socio-economic wellbeing of the area as a whole.
- 13.3.5 As part of data obtained from the North Lincolnshire Data Observatory, Mid-2016 population estimates suggest that the total population of North Lincolnshire is 170,786 of which 104,387 are of working age (16-64).
- 13.3.6 There are 82,100 economically active people in North Lincolnshire. 78,500 are in employment and 3,500 are unemployed.
- 13.3.7 The Manufacturing industry in North Lincolnshire accounts for 20.1% of employees. This is a far higher proportion when compared to the regional and national rates of 11.8% and 9.2%. One of the key strengths of North Lincolnshire’s economy is the availability of labour.
- 13.3.8 Manufacturing is far more predominant in North Lincolnshire with one in five people in employed in the manufacturing sector. There is a high level of self-containment – around 80 per cent of the people employed in North Lincolnshire are from the area. North Lincolnshire has below average levels of economic inactivity.
- 13.3.9 The site has historically been in economic/employment uses, situated on land that formed part of the Normanby Park Steel Works which closed in 1981. Since then it has been subject to progressive restoration by North Lincolnshire Council and other agencies. The Normanby Enterprise Park forms a major employment area containing a number of distribution, manufacturing, food and drink companies including Bulten Ltd, Nisa (Headquarters and Ambient Distribution Centre) and CorrBoard UK Ltd. It is also home to Normanby Gateway; 30,000 sq. ft. of council owned and managed workspace.
- 13.3.10 The investment by ABM will secure a significant contribution to overall employment land supply within the local area. It will assist in projecting the role of North Lincolnshire in contributing to national infrastructure and civil engineering projects. As well as direct and

indirect investment into the local economy through staff wages, the development will secure further manufacturing employment within North Lincolnshire.

- 13.3.11 When considered in line with the economic dimension, it is readily apparent that this development will also meet the social role by contributing towards meeting identified needs for economic growth in a location which is acknowledged to be appropriate and is proven to be successful in attracting other significant employers and where industry has an established track record of providing employment for local people. The social benefits of achieving this should be afforded great weight in the determination of this proposal.

13.4 The Environmental Role

- 13.4.1 Paragraph 7 of the NPPF sets out the “environmental role” in achieving sustainable development, and it states that the role will contribute by:

“contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy”

- 13.4.2 Firstly, the Council has confirmed that no Environmental Impact Assessment (EIA) is required to accompany this planning application. In doing so and in adopting an opinion under the EIA regulations, the Council does not anticipate significant environmental impacts will occur.
- 13.4.3 There are in fact numerous environmental benefits offered by the proposed development, which include the identified ability to utilise an area of previously developed land which the local Landscape Character Area identifies the site within a “Despoiled Landscape Type” thus severely diminishing its overall value.
- 13.4.4 However, it is acknowledged that there is some environmental sensitivity arising from the proposals in respect of their proximity to designated and non-designated heritage assets. There are also implications arising from the presence of protected species (Great Crested Newt) for which mitigation measures will be required to be secured through established licence regimes.
- 13.4.5 Dealing with heritage implications, it is acknowledged that the introduction of built form will cause a change to the landscape as it is interpreted. However, the potential for direct and indirect impact on heritage assets has been previously assessed in line with national guidance and other relevant policy in connection initially with regard to the allocation of the site within the development plan policies and latterly the outline and full planning approvals for the site and its surroundings.
- 13.4.6 It is considered that the heritage baseline is well understood based on these previous assessments which reflect both the policy contained within the NPPF, the development plan and other primary legislation.

- 13.4.7 As such, it is considered appropriate in this case to rely upon their findings and recommendations for the purposes of this planning application.
- 13.4.8 The possibility of the degradation of the cultural heritage features associated with their character and setting has been considered in devising the layout. As identified within the evidence considered previously by the Council, there are listed buildings located in Flixborough located approximately 0.5km to the north west of the site. The setting and character influences of these buildings is very much enclosed and contained within the curtilage of the village setting and not the wider environment.
- 13.4.9 The Scheduled Ancient Monument (SAM) has no setting intervisibility with the other identified non designated cultural/ historic local feature of the Moat located to the north east of the site. Notwithstanding this, the proposed production building has been moved within the site to a position which better reflects the aspirations of the approved Design Code to be balanced with achieving a commercially viable development scheme.
- 13.4.10 The scale of built development is also informed by the design code which requires built development within the northern part of the site not to exceed 15m in height. The proposed development complies with this criteria.
- 13.4.11 The appearance of the development largely follows its industrial function. Guidance from applicant's landscape architect has resulted in the adoption of visual mitigation/ enhancement measures are to be integrated within the scheme which balance the need achieve a successful commercially viable development whilst acknowledging the assessments that have preceded this proposal.
- 13.4.12 Taken as a whole it is submitted that this development proposal continues to achieve the aspirations established before. As such, it is considered that the development does not result in harm to the setting of designated or non-designated heritage assets that exist nearby.
- 13.4.13 Should the contra view be taken, particularly with regard to the non-designated Moat site lying closest to the development, "a balanced judgement will be required" in line with paragraph 135 of the NPPF.
- 13.4.14 In this context we do not consider that should harm be identified "the scale of any harm or loss and the significance of this non designated heritage asset" would be of such magnitude as to attract substantial weight in the overall planning balance. Rather a neutral impact is applied and therefore the relevant policies of the NPPF are complied with.
- 13.4.15 In addition to assessments relating to Heritage and Ecology, technical considerations relating to Transport, Flood Risk, Noise and Ground Conditions have also concluded that the proposed development can proceed without having any adverse significant impacts upon the natural or built environment.

13.4.16 The environmental credentials need to be balanced against the other benefits of the scheme and therefore it is considered that this matter should be given neutral weight to this aspect of achieving sustainable development.

13.5 The Benefits of the Proposal

13.5.1 In the immediate sections above the economic, social and environmental credentials of the development have been considered. These can be broadly summarised into a number of derived benefits that can be considered as part of the overall planning balance:

- In identifying the NEP7 site ABM have confirmed it meets their requirements for a new production facility. The NEP7 site provides:
 - Access to major road network for specialist heavy delivery vehicles (up to 50m loads over 100 tonne)
 - Level site allowing 'linear' production and storage (ideally 15 acres/6 hectares)
 - Local availability of suitable supply chain for key materials, cement, steel and aggregates
 - Access to labour experience in a large scale engineering environment
 - Location to allow access to all UK markets
- There will be an increase in local employment comprising:
 - Construction phase jobs; and,
 - Over 200 Direct and Indirect Operational Employees.
- The development will contribute towards meeting identified employment land requirements within North Lincolnshire in a location which is acknowledged to be appropriate and is proven to be successful in attracting other significant employers. There is also an established track record of the manufacturing sector providing employment for local people; and,
- Technical considerations relating to Cultural Heritage, Landscape, Transport, Flood Risk, Ecology, Noise and Ground Conditions are all subject of adequate assessment and are addressed with sufficient rigor.

13.6 The Planning Balance

13.6.1 The combined benefits of the proposal in economic, social and environmental terms are substantial and must be given due weight. The economic benefits in particular must be given significant weight.

- 13.6.2 In considering whether there are any aspects of the NPPF (footnote 9 to paragraph 14) which indicate development should be restricted it is acknowledged that the proposals will impact upon designated heritage assets. However, it is considered that this proposal reflects necessary steps to minimise harm to an acceptable degree and should be given neutral weight when assessed against the other benefits of the scheme.
- 13.6.3 For these reasons it is considered that the planning balance weighs decisively in favour of granting planning permission because:
- There are compelling economic and social benefits associated with the delivery of this facility; and
 - Analysis of the sustainability of the proposal demonstrates that in the absence of wider economic, social and environmental objections the proposal would represent sustainable development.
- 13.6.4 Weighing all the above factors into the planning balance, and having regard to the advice in the NPPF as a whole, the adopted development plan policies, and in applying Paragraph 14 of the NPPF the applicant considers that the proposal represents sustainable development.
- 13.6.5 As such it is respectfully requested that the application be approved and planning permission be granted for this development.
- 13.6.6 Should any aspects of this Planning, Design & Access Statement require clarification, please contact Heaton Planning Limited.

Appendix

North Lincolnshire Council Screening Opinion by Letter dated
24th May 2018