



28/08/2021

Bank Holiday Post Service 1<sup>ST</sup> Class Postage

Mr Mark Niland  
Planning Case Officer PA/2021/1330  
Church Square House  
30-40 High Street  
Scunthorpe  
DN15 6NL

I object on the grounds that the existing sewerage infrastructure does not have sufficient capacity to support the proposed additional dwellings especially when the accumulative effect is taken into consideration with other pending developments all accessing onto the A159 Primary Trunk Road.

There are already daily sewerage tanker movements to support the current McLean Housing Estate this will obviously increase their sewerage problems and therefore have a detrimental impact on the quality of life for those living near to these surcharge sites in Messingham.

There is nothing the developer can do directly to increase waste water treatment capacity; it is beyond their power to bring about it is a matter for Seven Trent Water Ltd.

The implications for the village and the local area of a new development(s) on the adjoining A159 have simply not been properly considered by all of the statutory and non-statutory bodies, everything is looked at in isolation, then when the accumulative consequence appear at a later date the decision making responsible authorities are surprised and perplexed by the problems they have created but the public are not .

There is considerable local opposition as evidenced by the number of objections submitted in response to the numerous recent outline applications for planning approval in principle and all lack specific detail such as elevation. There are no exceptional circumstances to justify any of them as all were outside the development boundary in the open countryside. The village has exceeded its housing quota set out in previous local plans and NLC has now met the Government allocation requirement of a 5.6 Housing Land Supply for the future.

The part-time GP surgery is full. The sewage treatment holding plants are operating at over capacity levels, resulting in sewage spilling into the local environment, streams regularly. Sewage to be taken away by tanker from the McLean Estate. Seven Trent Water have recognised that there is insufficient capacity in the public sewer network for these developments and the local M.P. has very recently raised the issue with the relevant authorities.

Planning Policy – “permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of”:

- a) the need for the development, including in terms of any national/local considerations, and the impact of permitting it, or refusing it, upon the local community, NHS health services, public services, transportation and economy;
- b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

Existing facilities and services are scaled for the needs of a village (Messingham is not a Town): they have already been put under strain by recent development and would not be able to accommodate such a large influx of residents. There are very limited local employment opportunities and no secondary schools within walking distance children have to use school bus service. Public transport services in Messingham is limited with no night service. There is no railway station and buses run infrequently after peak hours and are reduced at weekends. Residents of Messingham have little choice but to use their cars to travel to population centres (main medical centre Bottesford for specialist clinics) and additional development would therefore simply add to the volume of traffic on the congested High Street, A159 and local roads, adding to congestion and pollution with more CO2 emissions adding to climate change. There is no justification for a development of this size in a LC11 allocated location so poorly served by public transport. The largest employer is the steel works but the shift pattern does not assist workers to use public transport because there is no night service or direct link service to the Steel Works.

**There is no environmental benefit to the proposed outline developments only more sewerage flooding into local homes, ditches, highway drains thereby contaminating the Natural environment and ecosystems.**

**This inconsistent approach by the Planning Authority and other government statutory agencies including the Planning Inspectorate allowing developments outside of the development Boundary (twice) has resulted in a lack of trust between residents and their not to be relied on public servants involved in the planning process.**

**All the ditches and highway drains (baskets removed and emptied) in the neighbourhood are not efficiently cleared anymore many are choked with litter and weeds not to mention other detritus following a flood! On the 30<sup>th</sup> July Westfield Drive Messingham was flooded yet again. I reside in Westfield Drive so I am well conversant with sewerage flooding and the terminology flooding elsewhere... the flooding elsewhere on this occasion was in Westfield Drive, Church Street, Saltergate, Well Street, Wendover, Eastfield, Gelderbeck and the A159 Scotter Road.**

**Plots of the LC11 land have been sold some only recently by Mr Raddish to adjoining McLean Estate dwellings and require a change of use planning application from agricultural use to garden use there has been no planning enforcement control measures they hope to gain permission be Council default. That is why the Planning Inspectorate Appeal Decision APP/Y2003/W/20/3265136 had the following problem quote "The submitted documentation refers to a smaller size of site (0.98ha) however this is inconsistent with the application details. There is no evidence before me to confirm the actual size of the site and as such I am minded to refer to the 1ha set out in the description". End quote LC11 planning condition of the McLean Estate to provide Open Space together with LC15, LC15 never implemented by Planning Enforcement.**

**Here is the evidence of the sewerage flooding on the 30<sup>th</sup> July 2021. No doubt a planning officer and planning inspector will say "I've seen no evidence of Flooding"! Alternatively flooding can be controlled by Planning Conditions such as those applied to the McLean Housing Estate. Well they have not been effective.**



Unfortunately there is a history of sewerage and surface water flooding in Messingham over many years but regrettably the Local Planning Authority have on several occasions completely disregarded the ongoing issue in their planning decisions to Grant Approval for more and more connections to the besieged sewerage system.

So if one is looking to apportion responsibility and blame for flooding you should start with the Planning Authority and the Planning Inspectorate both of whom apparently support the private financial interests of the Water Company Seven Trent first and foremost over and above Government Legislation and Local Policy Guidance.

I have lost count of the number of pending outline applications needing access onto the A159 within less than a few hundred of metres of each other and other established access points. Any reasonable individual would be alarmed by that number and the accumulative consequences for Highway Safety and Design and unimpeded primary trunk road traffic flow which is a lawful requirement.

Cleaning up the mess from the sewerage and trying to keep oneself and the home environment free from contamination and infection is not easy and of course we received no assistance from the NLC Public Health Department. However they have no difficulty whatsoever in submitting a "No Objection" comment to add more and more dwellings in a known sewerage flood area like Messingham. The overloaded sewerage system cannot deal with anymore connections thus the Public Health Department is causing further misery associated with sewerage surcharging.

The Appraisal score for the Public Health Department is 'Very Negative' (Zero out of 10) the available planning submission evidence merely confirms all their shortcomings including a failure to prevent and protect public safety yet again on the 30<sup>th</sup> July 2021. Their inability in preventing harm and the apparent lack of foresight attached to PH planning commentary is beyond any reasonable persons understanding. The Public Health Department should perform a 'Screening for Health' evaluation on all major housing proposals to provide an essential public health and Wellbeing 'prevention' intervention measure at the beginning of the planning process to identify - for example where sewerage surcharge are frequently happening - potential health issues that may arise, in order that health impacts are avoided, reduced or mitigated, and that health and wellbeing is promoted across all aspects of the planning function. The process applies to planning policies and plans, and planning applications. It may well occur in other Counties but it does not do so in North Lincolnshire although we are paying for that standard of Public Health service.

### **Sewer Surcharge.**

For the benefit of the Public Health Department Sewer surcharge refers to the overloading of the sewer beyond its design capacity due to inflow and infiltration of surface water. A surcharging sewer often results in sewer overflow at manholes into the surrounding environment.

**Statutory Legislation Section 38 (6) of the Planning and Compulsory Purchase Act 2004 (PCPA 2004)** provides: If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise. The Statutory Legislation as mentioned above takes precedence over planning policies and planning guidance. The Courts will require an extremely blameless justification to pay no heed to or discount Legislation. Planning Inspector Appeal Decision APP/Y2003/W/20/3265136 Quote" There is a road linking the site to Willow Drive which benefits from street lighting and footways". There is no lighting and there is a **RANSOM STRIP** belonging to McLean Homes Ltd, therefore access from Willow Drive is a matter dependent upon a private legal process it has nothing to do with the Council or Planning Inspectorate. The Access point is the A159.

**Drainage is a material planning consideration.** New development should not be at risk from flooding, materially increase the probability of flooding elsewhere or increase areas of land susceptible to flooding.

**Highway Safety.** It should be noted that the fundamental and overriding consideration when introducing a new pedestrian crossing facility must be the safety of pedestrians. The justification for any pedestrian crossing must be that it makes crossing the road safer for users. Pedestrian crossings do not automatically make crossing the road safer. Badly sited, underused or misused crossings can detract from road safety, as can an inappropriate choice of crossing facility. Whilst the current pedestrian demand is not considered sufficient to justify the introduction of a formal Pelican pedestrian facility, these outline applications should not preclude this location being reviewed at a future date, particularly given these expected changes to usage levels this should be included in a Legal Agreement. Pedestrian Refuge island Pedestrian refuge islands consist of kerbing, bollards and signs in the middle of the road to enable pedestrians to cross more easily in two stages. Pedestrian refuges can provide a series of crossing points along a road where it would be impractical to install Zebras or signal controlled crossings at each crossing location. Pedestrians do not have priority at refuges and therefore the onus is on them to establish a safe gap in the traffic before crossing. The absolute minimum width (across the road) for a pedestrian refuge is 1.2m, and the recommended minimum is 1.5m, although 2m is preferred to accommodate pushchairs, wheelchairs and cycles. The minimum through lane width for traffic is normally 3 to 3.5m. In certain circumstances, it may be possible locally to widen the road to accommodate a central refuge but this would obviously incur additional expense and should not result in substandard footway widths of less than 1.8m. Zebra crossing Zebra crossings are indicated by black and white bands painted on the road surface and by flashing orange "Belisha" beacons. Zigzag markings are provided on both approaches to alert drivers to the crossing and prevent parking. Drivers are required, under the Highway Code, to stop for pedestrians on Zebra crossings. Legally, pedestrians have to establish precedence by setting foot on the crossing. Zebra crossings are considered inappropriate on high speed roads or roads with high volumes of traffic. They can also be inappropriate where heavy flows of pedestrians such as children leaving school would cause unacceptable delays to drivers on a primary traffic route A159.

Yours sincerely

