

Housing and Employment Land Allocations DPD

Response to Inspector's Issues and Questions

Land allocation SCHU – 17, Land off Queensway and
Dudley Road

Representation on behalf of
St Modwen Ventures Ltd

Pegasus Planning Group
Pavilion Court,
Green Lane,
Garforth,
Leeds
LS25 2AF

Telephone: 0113 287 8200
Facsimile: 0113 287 8229

COPYRIGHT

The contents of this document must not be copied or
reproduced in whole or in part without the written
consent of **Pegasus Planning Group Ltd**

1.0 Introduction and Background

- 1.1 This Statement is prepared by Pegasus Group on behalf of our client, St Modwen Ventures Ltd. The representation considers the content within the 'North Lincolnshire Housing and Employment Land Allocations DPD which is due to be considered at Examination in January 2015. In compiling this representation Pegasus Group have considered the question raised by the Examination Inspector in regard to the proposed allocation for housing development at Site reference SCUH – 17 Land off Queensway and Dudley Road.
- 1.2 This submission adds to and supplements the points raised by Pegasus in response to the draft allocation at the Submission Draft stage in June 2014.
- 1.3 The site is located to the West of Scunthorpe and is a brownfield site within the urban area of the town. The site was formerly an electricity company depot and office. The site has been vacant since prior to it being purchased by the appellant. Buildings on the site were initially marketed by the appellant for employment purposes but were demolished having become significantly degraded through vandalism.
- 1.4 Since becoming derelict the site has suffered from further vandalism. CCTV has been installed, fencing erected around site and an on call security service commissioned at considerable cost. The site remains attractive to vandals and those wanting to carry out anti-social behaviour, despite further additional fencing being installed to the vacant site.

2.0 The Site Allocation and Previous representations

2.1 The proposed allocation (reference SCUH-17) is for residential development of 63 dwellings. The Policy SCUH-17 wording states:

'Land at Former Yorkshire Electricity Depot, land off Dudley Road (1.67ha) is allocated for housing (63 dwellings). The site will be developed in accordance with the following site specific criteria:

- *A mix of housing size and tenure should be provided on the site and developed at approximately 40 dwellings per hectare*
- *Affordable housing provision will be negotiated at the time of planning application, having regard to any abnormal costs, economic viability and other requirements associated with the development and in accordance with Core Strategy Policy CS9*
- *Vehicular access points to the site will need to be agreed with the Highway Authority*
- *Good footpath and cycle provision should be provided throughout the site, linking the development with local services and employment areas*
- *A Transport Assessment will be required*
- *Off-site highway improvements will be required*
- *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.*
- *An Air Quality Assessment, Noise Impact Assessment and a Contaminated Land Assessment will be required*
- *A comprehensive landscaping scheme, including biodiversity enhancement is required*
- *An Ecology Survey is required, focusing on open mosaic habitats*
- *Design must be in accordance with Core Strategy Policy CS5.'*

2.2 The delivery of housing land is phased to ensure that North Lincolnshire has a continuous five-year supply of deliverable sites available to meet the annual housing requirements. The Housing Delivery Framework identifies when each of the allocations will be delivered through the following three phases:

- Phase 1 (2014-2019)
- Phase 2 (2019-2024)
- Phase 3 (2024-2026)

-
- 2.3 The Housing and Employment Land Allocations DPD Revised Submission Draft April 2014 states that the *'Development of Policy SCUH-17 is to be brought forward by the developer. The delivery of the site is expected in Phase 3 of the plan period (2024-2026).'*
- 2.4 In summary the representation made in June 2014 noted the following points with regard to the allocation of site SCUH-17 for residential development:
- Our client supports the allocation for residential development;
 - The SCUH-17 allocation has not allocated the entire site that was originally applied for outline planning permission. Our client questions why the site boundary has been reduced and proposes that the entire site is included in this site allocation;
 - The delivery of the housing allocation site SCUH-17 has been phased in the later part of the plan period, Phase 3. Our client objects to the site being placed into Phase 3 due to the ongoing vacancy of the site and the reliance on, and ability to deliver the projected number of homes per year for the Lincolnshire Lakes project. Our client proposes to bring this site forward to Phase 1 to assist in the delivery of the 5 year housing supply;
 - Our client is concerned with the degree of uncertainty with submitting a planning application for residential development, despite the housing allocation, due to ongoing issues relating to odour and air quality;
 - Considering the negotiated position reached when applying for outline planning permission on the site resulting in a reduction in the amount of onsite affordable dwellings from 15 to 9 dwellings. i.e. 20% to 11% affordable housing. It is considered by our client that attaching Policy CS9 to the site allocation would make the site unviable for the development of residential properties, and therefore proposes that Policy CS9 is removed from the allocation, or the amount of affordable housing required is reduced; and
 - Scope should be made to include wider uses for the site including retail development to assist in delivery of the site sooner, address odour and air quality issues surrounding residential development on the site, contributing to the need for additional retail floor space across North Lincolnshire and meeting requirement for retail on eastern side of Scunthorpe.

-
- 2.5 The Inspector's Issues and Questions Document was issued on 10 November 2014 and confirmed that the DPD Examination will commence on 13 January 2015, with specific days allotted to the proposed housing allocations sites, commencing on 14th January 2015.
- 2.6 With regard to site SCUH – 17 at Quesway / Dudley Road the Inspector has asked the following question:
- *Are adequate requirements set out within policy SCUH – 17 to provide and safeguard good residential amenities at the site?*
- 2.7 The policy includes the following criterion which would address the residential amenity aspects of the site:
- An Air Quality Assessment, Noise Impact Assessment and Contaminated Land Assessment will be required
 - A Comprehensive Landscape scheme, including bio-diversity enhancement is required
 - Design must be in accordance with Core Strategy policy CS5
- 2.8 These issues are considered in further detail below. However it is also relevant to note that additional assurance on these matters is provided by the NPPF. Paragraphs 118 to 125 of the NPPF address issues of biodiversity, pollution, land contamination, noise, air quality and light pollution. Adherence to the NPPF on these matters should ensure that amenity issues would be appropriately addressed in determining a planning application for the development of the site. The suggested criteria of SCUH – 17 will ensure that the planning application would meet with the NPPF requirements.

3.0 Amenity Issues

Air Quality

- 3.1 The site lies just within the western boundary of zone 1 of the Scunthorpe Air Quality Management Area (AQMA). Within this area the Council have a long standing strategy of seeking to work with industrial occupiers in order to reduce the occurrence of events where air quality exceeds the objective levels set within the AQMA strategy, in particular with reference to PM10 emissions.
- 3.2 The proposed policy requirement for an air quality assessment at the time of the development being progressed accords with the statement within the NPPF paragraph 124 that planning policies should incorporate measures to contribute towards meeting target levels. There is a significant prospect that the objectives of the AQMA action plan will enable a favourable air quality assessment to be prepared for the site enabling development to progress well within the plan period.

Noise

- 3.3 The requirement for a noise assessment to be submitted in support of a planning application accords with paragraph 123 of the NPPF and would ensure that the amenity of prospective residents would be suitably addressed.
- 3.4 There is a range of potential noise attenuating mitigation measures which could be implemented in the event that the noise assessment suggests that this is required. Measures might include noise attenuating boundary treatments and detailed internal design measures. Such measures can be achieved either through a planning application or pursuant of appropriate planning conditions.

Contaminated Land

- 3.5 A phase 1 contamination assessment was carried out in respect of part of the site in support of an earlier planning application in 2011. This is an appropriate approach in respect of the earlier outline planning application. The planning officers recommended that further investigation and mitigation could be suitably provided in discharging a planning condition.
- 3.6 Annex A of Circular 11/95 provides model planning conditions (which have been retained, despite the circular itself being superseded by the National Planning Guidance). This provides suggested planning conditions for dealing with further

contamination investigations and mitigation following the grant of planning permission.

- 3.7 St Modwen is a highly experienced regeneration specialist with extensive experience of remediating complex sites. The findings of the investigations undertaken to date have not raised issues which suggest that the remediation of the site at Dudley Road would render it incapable of being suitably developed for residential use.

Landscaping

- 3.8 The proposed density for the development of the site is sufficient to ensure that a suitable landscaping scheme can be prepared, providing private amenity space and public space within the proposal, to meet residential requirements. The previous application for development of the site in 2011 included an indicative layout which the planning authority was agreeable to. A copy of this indicative layout is provided at Appendix 1.
- 3.9 The requirement within the policy for the submission of a comprehensive scheme serves to underpin the NPPF and other policies in the plan, and provides assurance that this matter will be addressed.

Design

- 3.10 The criterion in respect of requiring design considerations in compliance with Core Policy CP5, provides additional clarification within the policy, although it may be argued that this is unnecessary duplication. Any proposal would by default need to comply with the adopted core strategy policy, unless other material considerations suggest otherwise.

4.0 Conclusions

- 4.1 The suggested criteria included within the policy accord with the appropriate assessment of the site and reflect the requirements arising from national policy within the NPPF.
- 4.2 These criteria will ensure that the residential amenity of residents of the site is appropriately assessed and protected at such time as a planning application is brought forward. The requirements do not place restrictions which would impede the deliverability of residential development on the site within the plan period. As suggested in our previous representations such development could be as part of either a wholly residential or a mixed use scheme.

Appendix 1

Indicative Site Plan

This drawing is the property of ARCHITEK DESIGN & PLANNING. Copyright is reserved by them and the drawing is issued on the condition that it is not copied, reproduced, retained or disclosed to any unauthorised person, either wholly or in part without consent in writing to do so. Do not scale off this drawing other than for planning purposes. All dimensions and setting out to be verified on site. If in any doubt contact the originator for clarification.

Name	Type	Bed / Person	Stories	Total Units
Type 1	House	3B/5P	2	5
Type 3	House	2B/4P	2	16
Type 4	House	2B/4P	2.5	1
Type 5	House	3B/5P	2	19
Type 6	House	3B/5P	2	5
Type 7	T/House	4B/7P	2.5	18
Type 8	House	2B/4P	2	1
Type 9	House	4B/7P	2	4
Type 10	House	3B/5P	2	3
Type 11	House	4B/8P	2	3
Type 14	House	4B/7P	2	2
Total				77

Total Units - 77
Gross Area - 2.12 hectares
Gross Area - 5.24 acres
Gross Density - 36 units per hectare

Mix

2b - 18 units — 25%
3b - 32 units — 40%
4b - 27 units — 35%

 ST.MODWEN

ARCHITEK
DESIGN & PLANNING

Dudley Road
Scunthorpe
Site Layout

Scale 1:500

Date 07.02.11

Drawn sc

ARCHITEK DESIGN & PLANNING
3 ST JAMES TERRACE - SELBY - NORTH YORKSHIRE - YO8 4HL
t - 01757 290031 - 07881 554676
e - info@architekdesignandplanning.co.uk
w - www.architekdesignandplanning.co.uk

Drawing No.

Revision

ADP11/P03/02

QUEENSWAY

21.8m

+ 20.8m

CR

292

294

Gos
Governor

Word Bdy

12

NEWTON ROAD

DUDLEY ROAD

Parkland
LEAP

Homezone

Homezone