

SAFE WELL PROSPEROUS CONNECTED

North Lincolnshire Local Plan (2020-2038)

Gypsy and Traveller Site Delivery Background Document

April 2024

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1. Introduction and Background

- 1.1 The North Lincolnshire Local Plan (2020-2038) was submitted to the Secretary of State for Examination in Public on 11th November 2022. The [Gypsy, Traveller and Travelling Show Person Accommodation Need Assessment \(October 2021\)](#) (GTAA) was updated to support the preparation of the new Local Plan and identified a need for 17 residential Gypsy and Traveller pitches in North Lincolnshire over the plan period. Following the publication of the initial questions (EXAM1) from the appointed Planning Inspectors examining the Plan, the Council has now completed a site assessment process to propose a site allocation for permanent Gypsy and Traveller residential use. A site has been identified at Land east of Mill Lane, Brigg as shown below.

Figure 1: Red line boundary of proposed allocation H6-1, land east of Mill Lane, Brigg



- 1.2 Following an exploratory meeting held between the Council and the Planning Inspectors on 23rd January 2024, the Inspectors wrote to the Council on 7th February 2024 ([EXAM10](#)) and set out the necessary consultation requirements relating to the new site and also provided further guidance on what supporting evidence and information was required. This Gypsy and Traveller Site Delivery Background Document has been prepared in response to the Inspectors' letter and supports the main Gypsy and Traveller Site Focused Consultation document that sets out the Council's proposal to allocate land east of Mill Lane, Brigg for Gypsy and Traveller residential use under the proposed Policy H6-1.
- 1.3 This document considers a number of delivery factors for the proposed land allocation H6-1: Land east of Mill Lane and is set out into three parts; site deliverability, which includes details of land ownership and expected delivery mechanisms, site viability, which includes details of land value and abnormal costs and a flood risk Sequential and Exception test in line with national planning policy in response to the site's location in a high risk flood zone.
- 1.4 The consultation runs for a period of six weeks from **Friday 10th May 2024 to Friday 21st June 2024** (inclusive) by when all comments on the Gypsy and Traveller Site Focused Consultation

document and all supporting documents (including this Background Document) must be submitted. Consultation documents and details of how to respond are available on the Council's website at www.localplan.northlincs.gov.uk. If you have any questions or require assistance, please contact the Spatial Planning team at localplan@northlincs.gov.uk or (01724) 296694.

2. Site Deliverability

- 2.1 The preferred site was selected through a detailed site assessment process that is set out in the Site Assessment Document and published as a background document to this consultation. Deliverability was assessed through a number of availability and achievability criteria including; developer interest, landowner promotion, market attractiveness and delivery factors.
- 2.2 The Site Assessment Document concluded that of all the sites assessed, H6BRG-9 (Land east of Mill Lane, Brigg) was the preferred option for allocation as the Council's Estate team and the landowner are committed to delivering the site as a Gypsy and Traveller allocation. Deliverability of a site is fundamental for allocation, and Land east of Mill Lane is considered the most deliverable above other potential sites as both the Council and landowner are committed to bringing it forward. The site is a natural contender for allocation as it presents an opportunity to extend an existing Gypsy and Traveller site and is well located to the settlement of Brigg and its services and facilities while not dominating the settled community. The site is detached from existing properties on Mill Lane therefore development will respect traveller's nomadic lifestyle and provide a degree of privacy, while ensuring the site is not isolated from the wider community and encourages community cohesion.
- 2.3 Whilst this is the preferred site option, there is still the main issue of it being located within high risk SFRA Flood Zone 2/3a. However, the site has been subject to a sequential and exception test as required by national planning policy, and it is considered flood risk issues can be overcome through mitigation measures and the site is still the best option of all sites assessed and should not cause a barrier to delivery. This is discussed further in [Chapter 4](#) below.
- 2.4 The site is privately owned but the landowner has confirmed they do not object to the Council's proposal to allocate the site for permanent residential Gypsy and Traveller accommodation and is also the landowner to the adjacent existing Gypsy and Traveller site. The landowner has expressed an intention to deliver the site themselves. However, discussions between the Council's Estate Team and landowner are ongoing as to whether the site would be delivered and operated by the landowner or the Council and a Registered Provider. The Council is prepared to negotiate with the landowners to purchase the site voluntarily. Should negotiations fail, it would also be willing to seek council approval to use compulsory purchase powers as a last resort. However, given the landowner and Council have confirmed their commitment to delivering the site it is hoped a compulsory purchase order would not be required. The site could act as a stand-alone private site, or as an extension to the existing adjacent Gypsy and Traveller residential site, Mill View Caravan Park.

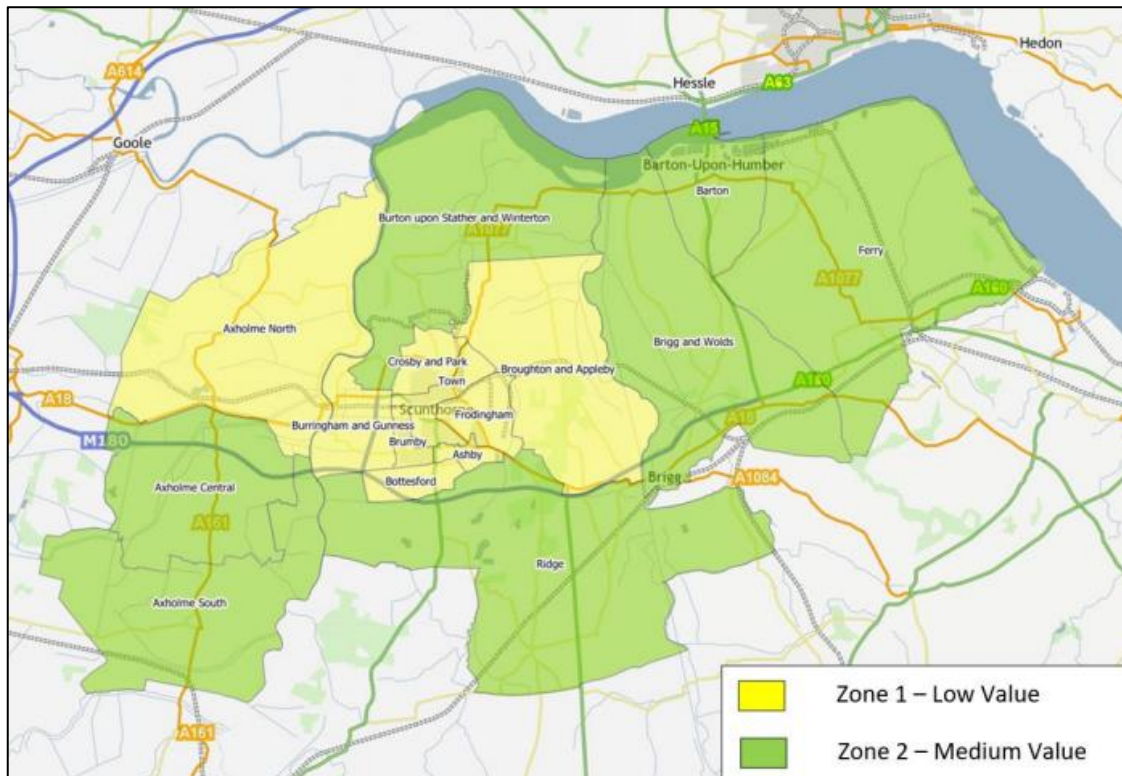
3. Site Viability

- 3.1 The Council has carried out a [Viability Assessment](#) for the Local Plan. In line with paragraph 34 of the National Planning Policy Framework (NPPF) (2023), this was primarily to test whether Local Plan policies setting out the levels and types of affordable housing provision required, along with other infrastructure (such as that needed for education, health, transport, flood and water management, green and digital infrastructure) would undermine the deliverability of the plan. National Planning Policy Guidance (NPPG) Paragraph: 002 Reference ID: 10-002-20190509, further states the role for a viability assessment is primarily at the plan making stage and should not compromise sustainable development. It should be used to ensure that policies are realistic, and that the total cumulative cost of all relevant policies will not undermine deliverability of the plan.
- 3.2 Therefore, the purpose of the Viability Study was to assess the impact of the North Lincolnshire Local Plan (2020 to 2038) to determine if the policies proposed by the plan are viable and deliverable and investigate if any additional viability margin exists to introduce a Community Infrastructure Levy (CIL). The study considers the impact of all policies that affect the cost and value of development (e.g. Affordable Housing and Infrastructure Contributions). The Study does not test the viability of Gypsy and Traveller site provision specifically. In terms of ‘policy impact assumptions’ the study makes provision within Policy H6 on North Lincolnshire’s Travelling Communities and was determined to be a ‘land use matter only’ and not something to be tested in the study. In addition, as the specific allocation for permanent Gypsy and Traveller accommodation was proposed after the Viability Study was completed, then this was not available to ‘test’ as such.
- 3.3 What the Viability Study does do is assess the impact of policies proposed by the plan on the viability of housing development in general. This encompassed consideration of a number of scales of development as well as the two different broad value areas. The results are shown below as a potential ‘headroom’ for CIL. Positive values indicate that development is viable. Negative values indicate development is potentially unviable.

Figure 2: viability appraisal results (source: Viability Assessment, October 2021)

Infrastructure Contribution £5000 per Dwelling					
Value Zone/Base Land Value	Small Scale 10 Units	Small-Medium Scale 25 Units	Medium Scale 50 Units	Large Scale 100 units	Large Scale 200 units
Low Value					
Greenfield	£24	£24	£17	£21	£21
Brownfield	-£20	-£24	-£28	-£25	-£25
Medium Value					
Greenfield	£115	£110	£103	£109	£109
Brownfield	£70	£62	£58	£63	£63

Figure 3: map of residential development value zones (source: Viability Assessment, October 2021)



- 3.4 As a greenfield site of a small-medium scale in a medium value area, the results above show that the scale and location of residential development envisaged by the proposed permanent Gypsy and Traveller accommodation allocation H6-1 is viable by a healthy margin. A potential CIL contribution of £110/m² is shown to be possible. This takes into consideration all of the standard policy 'asks' of residential development, including affordable housing, public open space and biodiversity net gain etc.
- 3.5 As indicated above. The current landowner of the site is supportive of the proposed allocation and intends to deliver the development. They are also the owner of the adjacent Gypsy and Traveller accommodation site, which raises the possibility of the allocation forming a logical extension to that site. The previous delivery of the adjacent site also shows that Gypsy and Traveller accommodation is a viable form of development in this location. As the land is already under the ownership of a landowner supportive of the development, then purchase of the land and therefore land value is potentially far less of an issue.
- 3.6 The Council's Estates Team have confirmed that they are continuing to work to deliver allocation H6-1. They identified the landowner who has confirmed they are in agreement with the Council's proposal to allocate the site for Gypsy and Traveller use and are continuing to liaise with them on the issue. If the site cannot satisfactorily be delivered within the existing ownership, then the Estates Team have confirmed they are willing to enter into negotiations to purchase the site in order to deliver it in conjunction with a Housing Association. As a last resort, the Council would be willing to seek council approval to use compulsory purchase powers, should negotiations fail.
- 3.7 The Levelling Up and Regeneration Act (2023) allows the local authority to apply to the Secretary of State (as the confirming authority for a compulsory purchase order) to ignore the prospect of additional planning permissions being granted in assessing compensation. This applies where land is proposed to be compulsorily acquired for health, education or planning purposes. Accordingly, it will be for the Secretary of State to assess where hope value can be disapplied.

4. Flood Risk Sequential and Exception Test

National Policy Requirements

- 4.1 The NPPF¹ requires Local Plans to apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property and manage any residual risk by applying the Sequential Test and then, if necessary, the Exception Test. The aim of the Sequential Test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated if there are reasonably available sites appropriate in areas with a lower risk of flooding. If it is not possible to locate development in areas of lower flood risk the Exception Test may have to be applied. A Strategic Flood Risk Assessment will provide the basis for applying the Sequential and Exception Tests at the Plan making stage.
- 4.2 The NPPG states that when applying the Sequential Test in the preparation of a Local Plan, a local planning authority should demonstrate through evidence that it has considered a range of options in the site allocation process, using the Strategic Flood Risk Assessment to apply the Sequential Test and the Exception Test where necessary. Where other sustainability criteria outweigh flood risk issues, the decision-making process should be transparent with reasoned justifications for any decision to allocate land in areas at high flood risk in the Sustainability Appraisal report.
- 4.3 The need for the Exception Test will depend on the potential vulnerability of the site and of the development proposed, in line with the Flood Risk Vulnerability Classification set out in Annex 3² of the NPPF. Caravans, mobile homes and park homes intended for permanent residential use are classed as a highly vulnerable use. Table 2 of the National Planning Policy Guidance³ sets out the flood risk vulnerability and flood zone 'incompatibility' and determines if the Exception Test is required as reflected in the Figure 4 below.
- 4.4 The majority of the proposed allocation is located in Flood Zone 3a and partially in Flood Zone 2, and the proposed use is classed as 'highly vulnerable'. Within zone 3a, NPPG considers highly vulnerable development 'should not be permitted'. Within zone 2, an Exception Test is required. The NPPF sets out that in order to pass the Exception Test, it should be demonstrated that both of the following elements can be satisfied for development to be allocated:
- (a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
 - (b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.
- 4.5 A [Sequential Test of the Flood Risk of Potential Development Sites](#) document was published in September 2021 to support the existing proposed allocations in the submitted North Lincolnshire Local Plan. This background document and Sequential and Exception test therefore only relates to the newly proposed Gypsy and Traveller allocation and other reasonable alternatives considered that are published for consultation. This document shows how the selection process has taken flood risk into consideration on a site-by-site basis and why in particular the proposed allocation in an area of high flood risk is preferred to other reasonable alternative sites in areas of lower flood risk.
- 4.6 The potential for flooding forms part of the site selection criteria in the Sustainability Appraisal (SA). This document builds on the findings of the SA and is intended to provide further evidence

¹ [National Planning Policy Framework - 14. Meeting the challenge of climate change, flooding and coastal change - Guidance - GOV.UK \(www.gov.uk\)](#)

² [National Planning Policy Framework - Annex 3: Flood risk vulnerability classification - Guidance - GOV.UK \(www.gov.uk\)](#)

³ [Flood risk and coastal change - GOV.UK \(www.gov.uk\)](#)

relating to the application of the flood risk tests and how this has been used to inform the identification of a Gypsy and Traveller allocation in the submitted North Lincolnshire Local Plan.

Figure 4: Table 2 of the National Planning Practice Guidance

Flood Zones	Flood Risk Vulnerability Classification				
	Essential infrastructure	Highly vulnerable	More vulnerable	Less vulnerable	Water compatible
Zone 1	✓	✓	✓	✓	✓
Zone 2	✓	Exception Test required	✓	✓	✓
Zone 3a †	Exception Test required †	X	Exception Test required	✓	✓
Zone 3b *	Exception Test required *	X	X	X	✓ *

Key:

- ✓ Exception test is not required
- X Development should not be permitted

Sequential Test

- 4.7 The [Gypsy and Traveller Accommodation Needs Assessment](#) (GTAA) highlighted a need for 17 permanent residential pitches in North Lincolnshire over the Plan period (2020-2038) and identified Scunthorpe, Brigg and Barton upon Humber as areas where Gypsy and Traveller sites should be located due to the number of repeat encampments in these general areas. The Council prepared a Draft Gypsy and Traveller Site Assessment Document to consider potential sites for allocation to help meet this need, looking primarily at Brigg and Barton upon Humber as no suitable or available sites were identified for assessment in Scunthorpe. The Council’s area of search for the Sequential Test therefore covers Brigg and Barton upon Humber only.
- 4.8 A total of thirteen sites were considered and sourced by considering the suitability of recycled housing sites that were previously discounted for housing use and assessed as potential Gypsy and Traveller sites. The assessment was undertaken in two stages; stage one being the initial site assessment that acted as a sieving exercise and excluded sites based on intrinsic and absolute constraints, and stage two which involved a more detailed assessment that considered site specific suitability, availability and achievability criteria. Three sites were discounted at stage one due to highway access and safety issues, therefore ten sites were taken forward for a more detailed assessment in stage two.
- 4.9 Of these ten sites, the Council proposes to allocate a Gypsy and Traveller permanent residential site on Land east of Mill Lane in Brigg (site assessment reference H6BRG-9) for inclusion in the submitted North Lincolnshire Local Plan. The nine rejected sites are considered reasonable alternatives for allocation. The proposed allocation and nine rejected sites have been subject to a Sustainability Appraisal, the findings of which have been published alongside this consultation

in a SA Addendum Report and are subject to the flood risk tests set out in this document. Figure 5 below lists the sites and their location in the SFRA Flood Zones.

Figure 5: Sites considered in the flood risk sequential test

Site ref.	Site address	SFRA Flood Risk Zone	Site status
H6BAR-1	Land at Caistor Road, Barton upon Humber	Flood Zone 1	Rejected site, reasonable alternative for allocation
H6BAR-2	Land west of Gravel Pit Road, Barton upon Humber	Flood Zone 1	Rejected site, reasonable alternative for allocation
H6BAR-3	Melrose Farm, Barrow Road, Barton upon Humber	Flood Zone 1	Rejected site, reasonable alternative for allocation
H6BRG-1	Former Public House, Scawby Road, Brigg	Flood Zone 2/3(a) Fluvial (partial)	Rejected site, reasonable alternative for allocation
H6BRG-3	Land east of Scawby Road (Power Station), Brigg	Flood Zone 2/3(a) Fluvial (partial)	Rejected site, reasonable alternative for allocation
H6BRG-4	Land north of Scawby Road (west of A18), Brigg	Flood Zone 1	Rejected site, reasonable alternative for allocation
H6BRG-5	Land north of Scawby Road (east of A18), Brigg	Flood Zone 1	Rejected site, reasonable alternative for allocation
H6BRG-6	Land off Wrawby Road, Brigg	Flood Zone 1	Rejected site, reasonable alternative for allocation
H6BRG-9	Land east of Mill Lane, Brigg	Flood Zone 2/3(a) Fluvial	Preferred site, proposed for allocation
H6BRG-10	Land at Station Road, Brigg	Flood Zone 1	Rejected site, reasonable alternative for allocation

4.10 The Draft Site Assessment Document considered a number of environmental and physical constraints, including flooding. The proposed Gypsy and Traveller residential allocation, Land east of Mill Lane, is located in Flood Zone 2/3a and therefore a Sequential test is required. Despite its location in high flood risk, Land east of Mill Lane was considered the most deliverable of all the sites assessed, as the Council's Estates team and the landowner are committed to delivering the site as a Gypsy and Traveller allocation. The site is also a natural contender for allocation as it presents an opportunity to extend an existing Gypsy and Traveller site and is well located to the settlement of Brigg and its services and facilities. Further details of the Council's rationale and methodology undertaken is available in the Site Assessment Document.

- 4.11 A Sequential Test has been carried out as part of the evidence base of this Gypsy and Traveller Site Focused Consultation with the aim to steer development of a Gypsy and Traveller residential site to an area with the lowest probability of flooding. The Environment Agency's flood risk zones as shown on the [Flood Map for Planning](#) and the Council's [Strategic Flood Risk Assessment](#) have provided the basis for applying the Sequential test. Of the nine other reasonable alternative sites considered for allocation, two are located in SFRA Flood Zone 2/3a and the remaining seven are located in SFRA Flood Zone 1 (low probability of flooding), which are consistent with the requirement of the Sequential test.
- 4.12 Local Planning Authorities are required to demonstrate that there are no reasonably available and suitable sites in Flood Zone 1 when it proposes to allocate a site in Flood Zone 2. Similarly, sites in Flood Zone 3 should only be considered where it has been demonstrated that there are no suitable available sites in Flood Zones 1 and 2. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. This chapter sets out the reasons for discounting the reasonably alternative sites and how they have been considered against the preferred site where flood risk is present.
- 4.13 The 'search area' used to identify alternative sites with a lower risk of flooding was areas in and around Brigg and Barton. The GTAA identified Scunthorpe, Brigg and Barton upon Humber as areas where Gypsy and Traveller sites should be located due to the number of repeat encampments in these general areas. From these findings the Council decided to look primarily at Brigg and Barton upon Humber for suitable sites, using sites previously considered for Gypsy and Traveller use. Only one site was previously considered for Gypsy and Traveller use in Scunthorpe in the 2008 Housing and Employment Land Allocations Development Plan Document (HELA DPD) Additional Issues and Options for Gypsy and Traveller Sites, which was land at Conesby Quarry, Normanby Road. This site was an existing Gypsy and Traveller transit site containing 20 transit pitches with amenity facilities that was Council owned, but was temporarily closed due to vandalism. The Council's Estate team confirmed the site is now permanently closed and sold (subject to contract) for an alternative use. The previous assessment suggested the site could accommodate approximately 12 residential pitches, however at 0.38ha in size it is now considered the site could only accommodate 9.5 pitches at the recommended 400sqm per pitch size.
- 4.14 The site has not been considered further in this document as it was primarily a transit site and only residential pitches are currently required, the site is not large enough to accommodate the identified need of 17 pitches, the site is now permanently closed and out of Council ownership and would require considerable work following vandalism to bring it back into use. No further sites in Scunthorpe have been identified for assessment therefore only sites in Barton upon Humber and Brigg are considered in this Sequential approach.

Barton upon Humber Sites

- 4.15 All three of the reasonable alternative sites for allocation located in Barton upon Humber are located in Flood Zone 1 but have been discarded for allocation in the Local Plan as set out below.

Land at Caistor Road (H6BAR-1)

- 4.16 The site is located to the southeast of Barton upon Humber, is Council owned and was historically used as an unauthorised Gypsy and Traveller encampment. The site was a former landfill site but now consists of overgrown grassland with mature hedgerows on all boundaries and some trees to the north/eastern boundaries.
- 4.17 The site is located in Flood Zone 1 (low flood risk) but the site assessment highlighted a number of sustainability issues associated with the site including:

- The site was a former landfill site and is therefore likely to be contaminated. There may also be geotechnical and land stability (i.e. subsidence) constraints with developing on this site.
- The site is designated green infrastructure network under Policy DQE11 in emerging Local Plan.
- The site contains no previously developed land.

4.18 The site was previously promoted as a possible allocation for Gypsy and Traveller development in the *Gypsy and Traveller Issues and Options Paper (2008)*, and later discounted for residential use in a call for sites exercise in 2018. However, most critically the landowner at the present time has not expressed an interest in Gypsy and Traveller development, nor has any developer. The Council Estates team is not committed to delivering this site as a Gypsy and Traveller allocation.

Land west of Gravel Pit Road (H6BAR-2)

- 4.19 The site is located to the west of Barton upon Humber, is privately owned and was previously a gravel pit that has been infilled and now consists of part agricultural storage and hardstanding, but the majority of the site is overgrown with vegetation.
- 4.20 The site is located in Flood Zone 1 (low flood risk) but the site assessment highlighted a number of sustainability issues associated with the site including:
- The site was a former gravel pit, and Environmental Health officers confirmed the site was formerly heavily contaminated and is likely to have been infilled with unknown material. There may also be geotechnical and land stability (i.e. subsidence) constraints with developing on this site.
 - The site is designated green infrastructure network under Policy DQE11 in the emerging Local Plan.
 - The site is located in the open countryside, out of the settlement of Barton upon Humber. The site is separated from the main settlement by the A15 and is out of reasonable walking distance and public transport times of nearly all local services and facilities.
- 4.21 Most critically, however, the landowner has not expressed an interest in Gypsy and Traveller development, nor has any developer. The Council Estates team is not committed to delivering this site as a Gypsy and Traveller allocation.

Melrose Farm, Barrow Road (H6BAR-3)

- 4.22 The site is located to the east of Barton upon Humber, is privately owned and consists of an existing farmstead including farmhouse and agricultural buildings to the centre of the site, grass fields in the northern and southern portion.
- 4.23 The site is located in Flood Zone 1 (low flood risk) but the site assessment highlighted a number of sustainability issues associated with the site including:
- The southern half of the site and small portion to the north is designated as green infrastructure network under Policy DQE11 of the emerging Local Plan.
 - The site contains no previously developed land (as defined in the NPPF).
- 4.24 Most critically, however, the landowner has not expressed an interest in Gypsy and Traveller development, nor has any developer. The Council Estates team is not committed to delivering this site as a Gypsy and Traveller allocation.

Brigg Sites

4.25 Seven sites in Brigg were considered for allocation, including the preferred site for allocation, Land east of Mill Lane which is located in SFRA Flood Zone 2/3a. Of the seven sites in Brigg considered, three in total are located in SFRA Flood Zone 2/3a and four are located in Flood Zone 1. The reasons why six of these sites have been discarded in the Local Plan and the preferred site is chosen for allocation are set out below.

Former Public House, Scawby Road (H6BRG-1)

4.26 The site is located on the western edge of Brigg to the south of residential properties fronting Scawby Road and is privately owned. The majority of the site is a grass field, however the northeastern corner of the site contains a private tennis court. A portion of the site is situated within SFRA Flood Zone 2/3a (fluvial).

4.27 Site assessment highlighted a number of sustainability issues associated with the site including:

- The site is located within an area of high landscape value in Policy DQE1 of the emerging Local Plan.
- Whilst most of the site is located in Flood Zone 1 (low flood risk), a portion does reside in Flood Zone 3 (high flood risk).

4.28 Most critically, however, despite the site currently being for sale as part of a wider 6.5 acre potential development opportunity, the landowner has not expressed an interest in Gypsy and Traveller development, nor has any developer. The Council Estates team is not committed to delivering this site as a Gypsy and Traveller allocation.

Land east of Scawby Road (Power Station) (H6BRG-3)

4.29 The site is privately owned and located to the southwest of Brigg, and while detached from the main settlement, is partially located within development limits and adjacent to Brigg Renewable Power Station. The western part of the site is in use as an arable agricultural field, whereas the eastern part of the site consists of an area of hard standing for car/lorry parking. The eastern portion of the site is allocated in the adopted Housing and Employment Land Allocations Development Plan Document (HELA DPD) as a proposed employment site (BRIE-1).

4.30 Site assessment highlighted a number of sustainability issues associated with the site including:

- Portion of site located outside of development limit is designated as an area of high landscape value in the emerging Local Plan, and two small patches of vegetation adjacent to the two eastern access gateways are designated in the green infrastructure network under Policy DQE11.
- Whilst most of the site is located in Flood Zone 1 (low flood risk), the northern edge of the site (closest to the adjacent beck) lies in Flood Zones 2 and 3 (high flood risk).

4.31 Most critically, however, the landowner has not expressed an interest in Gypsy and Traveller development, nor has any developer. The Council Estates team is not committed to delivering this site as a Gypsy and Traveller allocation. The site was promoted by the landowner/agent through previous call for sites exercises in 2018 and 2021 for employment use and the site is allocated in the adopted HELA DPD as a proposed employment site.

Land north of Scawby Road (west of A18) (H6BRG-4)

4.32 The privately owned site is located to the west of the main settlement of Brigg, north of Scawby Road and immediately west of the A18, to the northwest of the existing mini roundabout. The site is part of a large, arable, agricultural field and grassland and would present an infill development opportunity between existing linear residential development along Scawby Road and the A18.

4.33 The site is located in Flood Zone 1 (low flood risk) but the site assessment highlighted a number of sustainability issues associated with the site including:

- Eastern portion of the site is within an area of landscape protection, designated as green infrastructure network under Policy DQE11 of the emerging Local Plan.
- The site contains no previously developed land.

4.34 The site was previously promoted by the landowner for residential development through a call for sites in 2017 (ref RC5ZZ) but was discounted as the site was too large. Most critically, however, the landowner has not expressed an interest in Gypsy and Traveller development, nor has any developer. The Council Estates team is not committed to delivering this site as a Gypsy and Traveller allocation.

Land north of Scawby Road (east of A18) (H6BRG-5)

4.35 The privately owned site is located to the west of the main settlement of Brigg, north of Scawby Road and east of the A18. The majority of the site is a large, arable agricultural field but also envelops a single residential property and commercial property fronting Scawby Road.

4.36 The site is located in Flood Zone 1 (low flood risk) but the site assessment highlighted a number of sustainability issues associated with the site including:

- The site is designated as an area of high landscape value in the emerging Local Plan, and a small portion of the site is also designated in the green infrastructure network under Policy DQE11.
- The Historic Environment Records indicate the site contains archaeological features associated with a nearby Scheduled Monument (70m to the east). While mitigation to offset any harm should be achievable, Historic Environment officers confirmed development of the site could cause detrimental impact to the heritage asset and its setting and detailed heritage assessment archaeological field evaluation may be required.

4.37 The site was previously promoted by the landowner for residential development through a call for sites in 2017 (ref 6DPW3) and 2020 (ref CFS030099) but was discounted as the site was too large. Most critically, however, the landowner has not expressed an interest in Gypsy and Traveller development, nor has any developer. The Council Estates team is not committed to delivering this site as a Gypsy and Traveller allocation.

Land off Wrawby Road, Wrawby (H6BRG-6)

4.38 The site is currently in use as a private fishing pond which occupies approximately two thirds of the site and the remainder of the site consists of a flat area of grass and gravel which is immediately accessed from a single track, no through road.

4.39 The site is located in Flood Zone 1 (low flood risk) but the site assessment highlighted a number of sustainability issues associated with the site including:

- Site is wholly located within an area of landscape protection, designated in the green infrastructure network and area of high landscape value.
- The site contains no previously developed land.

4.40 Most critically, however, the landowner has not expressed an interest in Gypsy and Traveller development, nor has any developer. The Council Estates team is not committed to delivering this site as a Gypsy and Traveller allocation.

Land east of Mill Lane (H6BRG-9)

- 4.41 The site is located to the east of Mill Lane, immediately north of and adjacent to an existing permanent residential Gypsy and Traveller residential site (Mill View). The site is currently a grass field used to graze ponies. The site is privately owned by the landowner of the adjacent Gypsy and Traveller site and is located mainly within Flood Zone 3a (high risk of flooding) and partially within Flood Zone 2 (medium probability of flooding).
- 4.42 The site assessment highlighted a number of sustainability issues associated with the site including:
- Site is wholly located within an area of landscape protection in the emerging Local Plan, designated in the green infrastructure network and area of high landscape value.
 - The site is wholly within SFRA Flood Zone 2/3a Fluvial (Flood Zone 2 on western portion of site and Flood Zone 3a on western portion of site). Site has very low risk of surface water flooding.
 - The site contains no previously developed land.
- 4.43 Despite the sustainability issues highlighted, the site is located near to the development limits of Brigg and is well related to the existing settlement and has good access to services and facilities. The site benefits from being located adjacent to an existing and tolerated Gypsy and Traveller encampment and is in a known area of need and is compatible with neighbouring uses.
- 4.44 Most critically, however, the landowner has expressed an interest in Gypsy and Traveller development and the Council Estates team is committed to delivering this site as a Gypsy and Traveller allocation. There is no interest from any landowner, developer or the Council in delivering any of the reasonable alternatives assessed.

Land at Station Road (H6BRG-10)

- 4.45 The site is located on the car park for Brigg Train Station and an unauthorised Gypsy and Traveller encampment occupies the easternmost portion of the site. The site is brownfield and consists of a large area of hardstanding however is relatively overgrown with grass. The site is Council owned and the only potential allocation located wholly within the development limits of the settlement.
- 4.46 The site is located in Flood Zone 1 (low flood risk) but the site assessment highlighted a number of sustainability issues associated with the site including:
- Site is located within an area of landscape protection, designated in the green infrastructure network and area of amenity importance in the emerging Local Plan.
 - The site may have legal restrictions or covenant constraints due to the existing use as a car park for Brigg Train Station.
- 4.47 The site was previously promoted as a possible allocation for Gypsy and Traveller development in the *Gypsy and Traveller Issues and Options Paper (2008)* and part of the site is also on the Brownfield Register. However, most critically the landowner (the Council) at the present time has not expressed an interest in Gypsy and Traveller development, nor has any developer. The Council Estates team is not committed to delivering this site as a Gypsy and Traveller allocation.

Sequential Test Results

- 4.48 There are sustainability issues with all of the sites assessed for potential allocation, including those located in Flood Zone 1. The proposed site for allocation, Land east of Mill Lane, is found to satisfy the Sequential test as the Council and landowner's commitment to delivering the site for Gypsy and Traveller development overcomes the sustainability issues identified, despite being in both Flood Zone 2 and Flood Zone 3a. There is no interest from any landowner,

developer or the Council in delivering any of the reasonable alternatives assessed. Land east of Mill Lane is therefore subject to the Exception test as set out below, as it is the only deliverable site option.

Exception Test

- 4.49 The NPPF sets out in paragraph 169 that if it is not possible for development to be located in areas with a lower risk of flooding (taking into account wider sustainable development objectives), the Exception test may have to be applied. The need for the Exception test will depend on the potential vulnerability of the site and of the development proposed, in line with the Flood Risk Vulnerability Classification. 'Caravans, mobile homes and park homes intended for permanent residential use' as classified as 'highly vulnerable' development. Within flood zone 2, an Exception test is required, in flood zone 3 'development should not be permitted'.
- 4.50 In these circumstances therefore, it is recognised that even though this document seeks to demonstrate that the proposed allocation meets the Sequential and Exception Tests, it does not bring the proposal into line with policy. However, the underlying aims of the tests are to direct development away from areas of higher risk as well as to identify and address associated flood risks. The information provided in this document seeks to demonstrate that it should be regarded as safe within the terms of a sequential, risk-based approach to development. This is considered reasonable in assessing whether this proposal makes appropriate provision in relation to flood risk.
- 4.51 Paragraph 170 of the NPPF states the application of the Exception test should be informed by a strategic flood risk assessment. To pass the Exception test it should be demonstrated that:
- a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
 - b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

Both elements of the Exception test should be satisfied for development to be allocated.

- 4.52 This section of the document therefore subjects proposed allocation H6-1: Land east of Mill Lane to the Exception test process.

Wider sustainability benefits to the community that outweigh the flood risk

- 4.53 Allocation H6-1 is proposed to meet an assessed need for 17 permanent residential Gypsy and Traveller pitches between 2021 and 2038, as identified in the GTAA. As set out above, the proposed allocation is the only site that can potentially meet this need in an area of North Lincolnshire where there is demand for accommodation. This is due to the landowner and the Council indicating an interest in delivering the site. There is no interest from any landowner, developer or the Council in delivering any of the reasonable alternatives assessed.
- 4.54 In addition to meeting the need for this type of accommodation, the site can deliver other important sustainability benefits. This includes having very good access to services and facilities in Brigg Town Centre all available within 1.5km, including bus services and a rail station. The site can accommodate the full need for additional pitches either as a freestanding site, or as an expansion of the adjacent Gypsy and Traveller accommodation site in this area of need in and around Brigg.
- 4.55 Given the lack of other available and deliverable sites for this use, this is the only site that can effectively meet assessed needs. Delivery of the site is therefore likely to reduce the likelihood of members of the gypsy and traveller community resorting to unauthorised camping if this site was not available. As such, a principal benefit to the wider community would be that of providing planned accommodation on a well managed site, thus averting the difficulties which

could be anticipated where a sizeable number of families were seeking accommodation and a settled base in the area. The provision of this site would amount to a significant sustainability benefit.

- 4.56 For the Exception Test to be passed it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk. Proposed allocation H6-1 and reasonable alternatives have been assessed against the Local Plan Sustainability Appraisal Objectives and SA Criteria and the results are shown in Appendix 1.
- 4.57 The SA concluded that *“This addendum to the Sustainability Report has assessed the likely social, environmental and economic impacts of the Gypsy and Traveller site allocation made under policy H6-1 of the North Lincolnshire emerging Local Plan. It has considered a number of alternative sites, and determined that site H6-1, in general, has the lowest impact in terms of social, environmental and economic impacts. Whilst one other site (H6BRG-10) scored similarly, it was not taken forward as the preferred site as its achievability was uncertain.”*

Mitigation to ensure development will be safe for its lifetime without increasing flood risk elsewhere

- 4.58 Discussions with the Environment Agency (EA) have confirmed the defences along the Old and New Ancholme rivers are in a fair condition. They mostly consist of clay and earth embankments, with more solid flood structures within the town itself. When repair is needed, the EA addresses this using their current funding arrangements. Within the Ancholme catchment, there are other parts of the defences away from the site which are lower, meaning that the rivers overtop elsewhere acting as a safety valve that reduces water levels adjacent to the proposed site. It is therefore unlikely that any financial contributions towards repairing or improving the adjacent flood defences would be needed.
- 4.59 A strategy to make the site safe in the event of a breach of the adjacent defences therefore focuses on raising the land up to a suitable level to bring it above the maximum water level of the adjacent watercourses. The raised level would need to be 3 metres AOD (Above Ordnance Datum – height above average sea level), as the Council’s Strategic Flood Risk Assessment (SFRA) confirms a critical flood level for Brigg is 2.7 metres AOD and a 300mm ‘freeboard’ should be applied for residential development. By critical flood level we mean the flood level on which mitigation measures should be based.
- 4.60 The current levels of the proposed site range from 1.41m AOD at its lowest point to 3.09m AOD at its highest point. In general, the site is highest in the western portion where it lies within Flood Zone 2 adjacent to Mill Lane and is lower to the east where it lies in Flood Zone 3. As some parts of the site lie above the required level of 3m AOD, we need to calculate the area of the site below 3m AOD to calculate the volume of infill material required to raise the site to a safe level in times of flood in line with the SFRA. Using LIDAR data at 1m intervals⁴, the approximate area of the site that lies below 3m AOD has been calculated at 8990sqm. The average height of this portion of the site is 2.06m AOD, meaning an average depth of approximately 0.94m AOD needs to be infilled to bring the site up to 3m AOD. By multiplying the height difference by the approximate area of the site that lies below 3m AOD, it is calculated an approximate volume of 8,437 cubic metres of material is required to raise the site to the required safe level of 3m AOD. It is expected this could be achieved at an estimated cost of approximately £320,000 to £360,000 dependent on the type of fill material used⁵. The total cost may vary dependent on the requirement for any excavation work required prior to laying of fill material and disposal of leftover topsoil material.

⁴ SE90 1m interval data source: [Find open data - data.gov.uk](https://data.gov.uk)

⁵ Budget quotation received from local aggregate producer for both crushed brick (secondary aggregate) and quarried chalk (primary aggregate) fill material.

- 4.61 It needs to be confirmed that the raising of the site does not cause a displacement of water that could increase the risk of flooding elsewhere. The approximate area of the site that lies below the critical flood level of 2.7m AOD has been calculated using LIDAR data at 1m intervals to determine the volume of expected displacement. The site area lying below the critical flood level is approximately 8777sqm, and the average height of this portion of the site is 2.04m AOD. The height of the site that would be lost from land raising for potential flood storage is therefore approximately 0.66m AOD. Using these figures, the land raising required is likely to displace a flood storage volume of approximately 5,758 cubic metres within the 2F3 Island Carr flood compartment.
- 4.62 LIDAR data has also been used to determine the current flood storage capacity of the 2F3 Island Carr compartment by calculating the average depth and area of land that lies below the critical flood level of 2.7m AOD. The flood storage capacity of the wider compartment is approximately 378,964 cubic metres, and it is expected the potential displacement of water from uplifting of the proposed site would therefore reduce this storage capacity to approximately 373,206 cubic metres. This is likely to have a negligible effect on water levels within the compartment as a whole during a flooding event. Furthermore, it could be argued that flood water levels would mirror those within the wider Old/New Ancholme in any event, and as such be beyond the influence of any small, localised flood storage capacity, which may currently be present on site.
- 4.63 Calculations for the volume of infill material required, the volume of water displaced and flood storage capacity of the 2F3 Island Carr compartment as set out above are provided in [Appendix 2](#).
- 4.64 The risk for the Ancholme Valley Area principally relates to fluvial flooding from the two branches of the River Ancholme. Previous analysis⁶ of the river catchment area shows that a flood event would likely develop slowly, allowing adequate time for warnings to be given and preparations made. A flood evacuation plan should be implemented on site at planning application stage to ensure residents evacuate safely following an Environment Agency flood warning before flooding takes place. The only suitable evacuation route out of the site is along Mill Lane toward Brigg Town Centre. Environment Agency LIDAR data confirms the whole length of this road up to its junction with the A18 Bridge Street is around the level of 3 metres AOD or over. At its lowest points, Mill Lane is at least 2.7 metres AOD, meaning the road does not fall below the critical flood level and could provide a safe access and egress route in times of flood, as shown in Figure 6. It will be the landowner/applicant's responsibility to ensure a suitable flood evacuation plan is prepared and implemented when the site is developed. This was confirmed by engagement with the Humber Emergency Planning Service who are willing to assist in preparing any necessary evacuation procedures.
- 4.65 It should also be noted the proposed allocation is of a similar level to the existing adjacent permitted Gypsy and Traveller residential site that also lies within Flood Zone 2 and 3a.

⁶ As per appeal decision APP/Y2003/A/12/2184070

Figure 6: LIDAR data showing ground levels of Mill Lane access road



Results

- 4.66 The majority of the site, Land east of Mill Lane, lies within Flood Zone 3a and partially within Flood Zone 2. The average height of the site is 2.06m AOD which is below the critical flood level of 2.7m AOD as set out in the Strategic Flood Risk Assessment, and below the required raised floor levels of 3m AOD. From the findings above it can be concluded that the allocation of Land east of Mill Lane would bring wider sustainability benefits that outweigh the flood risk, and suitable mitigation measures (land raising and flood evacuation plans) are available to make the site safe from flood risk and will not significantly increase flood risk elsewhere. It is therefore considered that Land east of Mill Lane satisfies the Exception Test and should be allocated in the North Lincolnshire Local Plan.

5. Conclusion and Next Steps

- 5.1 The findings of this Site Delivery Background Paper conclude that the proposed allocation, H6-1 land east of Mill Lane, Brigg, is available, deliverable, viable and flood risk issues can be overcome with suitable mitigation measures. The landowner of the site and the Council are committed to delivering the site for Gypsy and Traveller use.
- 5.2 Once the proposed allocation has been consulted on, all consultation responses will be collated and a response from the Council provided. The schedule of proposed main modifications will also be updated to reflect the latest position as necessary. Once complete, all this information will be sent to the Inspectors with a view to the publishing of their Matters, Issues and Questions and the arrangement of the first stage of hearings.
- 5.3 The Council will continue to liaise with the landowner and following the hearing sessions, should the Plan be adopted, and site allocated for Gypsy and Traveller use. Together we will work to deliver the site and necessary pitches to meet the identified need in the area.

Appendix 1 – Wider Sustainability Benefits of Land to the east of Mill Lane

For the Exception Test to be passed it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk. As the information from the Sustainability Appraisal Addendum Report below shows, the proposed allocated site scores highly and had many wider sustainable benefits that outweighed flood risk.

Figure 7: Sustainability Appraisal summary of preferred and alternative sites

Site Ref:	SA Site Assessment Criteria															Environmental features													
	Community facilities																												
H6BA R-1	SAC1	SAC2	SAC3	SAC4	SAC5	SAC6	SAC7	SAC8	SAC9	SAC10	SAC11	SAC12	SAC13	SAC14	SAC15	SAC16	SAC17	SAC18	SAC19	SAC20	SAC21	SAC22	SAC23	SAC24	SAC25	SAC26	SAC27	SAC28	SAC29
	GP Surgery	Health Centre	Dentist	Community Centre	Primary School	Secondary School	Further Education Facility	Town Centre	Employment Centre	Railway Station	Bus Stop	Cycle Route	Open Space	Sports Facilities	Public Rights of Way	Community Recycling Centre	Scheduled Monument	Conservation Area	Nationally Designated Wildlife Site	Ancient Woodland	Locally Designated Wildlife Site	Local Geological Site	WFD Surface Waterbody	Flood Zone	Source Protection Zone	AQMA	Mineral Resources	ALC Grade	Greenfield Land
	Red	Red	Red	Light Green	Red	Light Green	Red	Light Green	Yellow	Red	Light Green	Dark Green	Light Green	Light Green	Dark Green	Red	Dark Green	Dark Green	Red	Dark Green	Dark Green	Light Green	Light Green	Red	Dark Green	Yellow	Red	Red	

H6BA R-2	Red	Red	Red	Yellow	Red	Red	Red	Yellow	Red	Yellow	Red	Red	Yellow	Yellow	Green	Yellow	Green	Green	Red	Green	Green	Green	Green	Light Green	Yellow	Green	Yellow	Red	Red	
H6BA R-3	Red	Red	Red	Red	Red	Red	Red	Green	Red	Red	Red	Yellow	Yellow	Light Green	Red	Green	Green	Red	Green	Green	Green	Green	Green	Light Green	Yellow	Green	Green	Red	Red	
H6BR G-1	Red	Red	Red	Red	Red	Red	Yellow	Yellow	Red	Green	Green	Red	Yellow	Light Green	Light Green	Green	Green	Green	Green	Green	Green	Green	Green	Red	Green	Green	Yellow	Red	Green	
H6BR G-3	Red	Red	Red	Red	Red	Red	Yellow	Yellow	Red	Yellow	Green	Red	Yellow	Light Green	Light Green	Green	Green	Green	Green	Green	Green	Green	Green	Red	Green	Green	Yellow	Red	Red	
H6BR G-4	Yellow	Yellow	Yellow	Red	Red	Red	Light Green	Yellow	Red	Light Green	Green	Yellow	Light Green	Light Green	Green	Yellow	Green	Green	Green	Light Green	Green	Green	Light Green	Green	Green	Yellow	Red	Red		
H6BR G-5	Yellow	Yellow	Yellow	Red	Red	Yellow	Light Green	Light Green	Red	Green	Green	Yellow	Light Green	Light Green	Green	Red	Green	Green	Green	Light Green	Green	Light Green	Light Green	Green	Green	Yellow	Red	Red		
H6BR G-6	Red	Red	Red	Red	Yellow	Yellow	Red	Yellow	Light Green	Red	Yellow	Red	Green	Light Green	Green	Yellow	Green	Green	Green	Green	Green	Green	Light Green	Green	Green	Green	Green	Red	Red	
H6BR G-9 (H6- 1)	Light Green	Green	Light Green	Light Green	Red	Yellow	Red	Green	Green	Light Green	Yellow	Green	Green	Yellow	Light Green	Green	Green	Green	Green	Green	Green	Yellow	Green	Yellow	Red	Green	Green	Yellow	Green	Green
H6BR G-10	Light Green	Light Green	Green	Light Green	Yellow	Yellow	Red	Green	Green	Green	Light Green	Green	Light Green	Green	Green	Green	Green	Green	Green	Green	Green	Red	Green	Light Green	Light Green	Green	Green	Green	Green	

Appendix 2 – volume calculations

Figure 8: calculation of volume of infill material required

Calculation	Result (and unit of measurement)
a) Raised level of site required	3.00m AOD
b) Number of LIDAR point heights below required site level	8990
c) Approx. area of site below required site level (= b * area of single LIDAR cell 1m ²)	8990m ²
d) Average height of site area below required site level (= total sum of LIDAR data point heights <3.0m AOD / b)	2.0615m AOD
e) Difference in site levels to be infilled (= a - d)	0.9385m AOD
f) Volume of infill material required (= c * e)	8437m ³

Figure 9: calculation of expected volume of water displacement

Calculation	Result (and unit of measurement)
a) Critical flood level	2.7m AOD
b) Number of LIDAR point heights below critical flood level	8777
c) Approx. area of site below critical flood level (= b * area of single LIDAR cell 1m ²)	8777m ²
d) Average height of site area below critical flood level (= total sum of LIDAR data point heights <2.7m AOD / b)	2.0439m AOD
e) Height displacement (= a - d)	0.6561m AOD
f) Volume of water to be displaced (= e * c)	5758m ³

Figure 10: flood storage capacity of the 2F3 Island Carr flood compartment

Calculation	Result (and unit of measurement)
a) Critical flood level	2.7m AOD
b) Number of LIDAR point heights below critical flood level	474,531
c) Approx. area of site below critical flood level (= b * area of single LIDAR cell 1m ²)	474,531m ²
d) Average height of site area below critical flood level (= total sum of LIDAR data point heights <2.7m AOD / b)	1.90m AOD
e) Height difference (= a - d)	0.8m AOD
f) Current flood storage capacity (= e * c)	378,964.7m ³
g) Expected flood storage capacity following site infill (= f – volume of water to be displaced (5758 m ³))	373,206.7 m ³