



Planning Committee

5 April 2017

Subject: Central Lincolnshire Food and Enterprise Zone Local Development Order (LDO)

Report by:	Director of Commercial and Economic Growth
Contact Officer:	Eve Fawcett-Moralee Director of Commercial and Economic Growth 01427676535 eve.fawcett-moralee@west-lindsey.gov.uk
Purpose / Summary:	West Lindsey District Council proposes a Local Development Order (LDO) be made to support and encourage development related to the Food Enterprise Zone (FEZ) at Hemswell Cliff, Lincolnshire. An LDO is a tool to simplify the planning requirements for development within a defined area and for defined parameters.

RECOMMENDATION(S):

- (1) That Members note that the Central Lincolnshire Food and Enterprise Zone Local Development Order (LDO) is currently undergoing public consultation and will conclude 14 April 2017.**

IMPLICATIONS

Legal:

The draft Local Development Order (LDO) would, if adopted, grant outline planning permission for the development of an “agri-food business cluster” at Hemswell Cliff that would support the government’s national agenda to driving the growth of food and farming. The LDO requires further future submission of Reserved Matters applications to provide details of development and this will be carried out using Council’s existing statutory powers in planning.

The Hemswell Cliff FEZ site incorporates the full area, and maintains the key boundaries, of the 26ha site identified in the emerging Central Lincolnshire Proposed Submission Local Plan, with an additional tract of land within the existing business park area included to the northeast.

The ‘Examination in Public’ of the local plan took place during November and December 2016 where there were supportive comments for the site at Hemswell Cliff and wider growth levels planned in the village.

A number of modifications to the local plan were identified during the examination (the modifications are principally to ensure that the plan reflects any legislation changes since it was submitted in June last year, plus a number of tweaks to add clarity to policies). None of the proposed modifications discussed during the examination relate to this Employment Site. The timetable for adoption of the local plan remains in the control of the Planning Inspector leading the examination, however it is still fully expected that the Inspector’s final report and subsequent adoption of the plan by the Joint Committee will take place in late March or April 2017 as planned.

The land within the Hemswell Cliff FEZ site is owned by four main landowners, of which one is currently a West Lindsey Member – Cllr Adam Duguid . The Council has prepared a Memorandum of Understanding (MoU) as a means of working with the landowners to facilitate the development in a delivery consortium.

Financial : FIN/126/17

£50,000 grant award was received in 2015 by Defra to support additional resources for the delivery of the LDO.

The Capital Programme 2016/17 includes a budget of £0.25m, with the full scheme totalling £2m, (£0.5m funded from our own earmarked reserves and the remaining amount subject to the success of a grant bid).

The Council will seek to recoup some of these costs from the local land owners. Officers have also submitted a funding bid to the Greater Lincolnshire Local Enterprise Partnership to support the delivery of infrastructure to bring the site forward. The scheme has been shortlisted, awaiting a formal offer of funding.

Staffing :

In terms of resources the Council has had full capacity both internally and externally to progress the LDO. Colleagues in the Spatial Planning Team are providing support and expertise to represent the Local Planning Authority (LPA) throughout the LDO process. the Growth Team has also a dedicated LDO and Major Projects Officer in addition to the FEZ Project Lead Officer. Drafting of the LDO/Statement of Reasons and EIA associated work includes support from specialist consultants.

Equality and Diversity including Human Rights :

This report has no direct equality and diversity implications.

Risk Assessment :**Delivery and Implementation**

Sustainability and Environmental effects –

An Environmental Impact Assessment (EIA) has been produced to support this LDO, and the conclusions and findings of the EIA have contributed to the formulation of the development parameters and conditions. The conditions and development parameters have been refined in order allow for sufficient control and mitigation, with a view to meeting the goals of the LDO, whilst retaining flexibility where appropriate in order to maximise the attractiveness of the site for development which meets to the aims of the LDO.

New mechanism – Reserved Matters applications pursuant to the Outline planning permission granted by this LDO will be assessed in terms of their conformity to the development parameters detailed in the LDO Statement of Reasons document, and will need to satisfy detailed planning considerations, including those specified in the conditions attached to this LDO.

Viability – a delivery strategy plan that will include a detailed viability appraisal and commercial support options for site development is currently underway. Enabling infrastructure works will require “gap” funding to pump prime this development. We are seeking funds from the GLLEP to help enable this development and the scheme has secured - together with the other two Enterprise Zones in Holbeach and Grimsby – a total investment of £6.5m as part of the Growth Deal 3 submission.

Climate Related Risks and Opportunities : Proposed development at the Hemswell Cliff LDO/FEZ site lies within Flood Zone 1, and is therefore considered to be at low risk of flooding from fluvial and tidal sources.

Title and Location of any Background Papers used in the preparation of this report:

Hemswell Cliff FEZ Draft Local Development Order and Statement of Reasons (Appendix 2)

Technical Background Information (available through marina.disalvatore@west-lindsey.gov.uk)

Call in and Urgency:

Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes

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No

x

Key Decision:

A matter which affects two or more wards, or has significant financial implications

Yes

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No

x

Executive Summary

On 12th February 2015 the government announced proposals for 11 Food Enterprise Zones across the country, including 3 within Lincolnshire, with a view to attracting investment and encouraging closer ties between food and farming businesses to boost the domestic food and farming sector. The Central Lincolnshire Food and Enterprise Zone Local Development Order (LDO) seeks to capitalise on the opportunities associated with the existing businesses/premises at Hemswell Cliff and the availability of adjacent land to support the development of an 'agri-food cluster' located within the A15 growth corridor.

The purpose of an LDO is to simplify and speed up the planning process by providing certainty about the types of development which are permitted within a specific area, and reducing the potential risks associated with the formal planning process, encouraging development to come forward in that area.

The LDO will facilitate development of new premises and facilities for businesses in the agri-food sector, thereby providing a location for new and expanding businesses and encouraging inward investment. Investment in the agri-food sector in this location will also contribute to the Council's regeneration and socio-economic objectives through the creation of employment opportunities and integration with the existing businesses and residential areas of Hemswell Cliff.

1 Background

1.1 Previous Decisions

In December 2014, Members approved a proposal to undertake a masterplan exercise for Hemswell Cliff, to provide a spatial planning framework for the area and to support the Local Plan policy making process. The masterplan was also intended to assist in leveraging in funds for infrastructure development and as an investment marketing tool for business growth.

Following on from this, in February 2015, the Greater Lincolnshire Local Enterprise Partnership (GLLEP) was successful in attracting funding from Defra to support three pilot schemes for developing Food Enterprise Zones in the geographical area consisting of West Lindsey, North East Lincolnshire and South Holland. West Lindsey received £50,000 to support the development of a LDO at Hemswell Cliff.

A Masterplan for Hemswell Cliff, including the proposed LDO site was completed in 2016. The intention of this document was to “guide the future growth and development of Hemswell Cliff as a strategic employment area and establish a more sustainable residential settlement” supporting strategic economic policy (as set out in the Greater Lincolnshire Local Enterprise Partnership’s Strategic Economic Plan (2014) and the promotion of Hemswell Cliff FEZ.

In June 2016 Members approved the adoption of the Hemswell Cliff Masterplan report along with the Emerging Regeneration Delivery Programme to drive forward the social, economic and environmental regeneration of the wider settlement.

1.2 Wider Vision

The Food Enterprise Zone LDO is being produced in conjunction with a masterplan for Hemswell Cliff. The Hemswell Cliff Masterplan sets out a spatial development framework together with a programme of recommended actions and interventions to address problems associated with a lack of adequate facilities and services, and high levels of deprivation and isolation.

The masterplan vision includes the creation of a successful Food Enterprise Zone, attracting investment and becoming a centre of excellence in the agri-foods sector. The masterplan report recommends actions including attracting commercial investment to the FEZ by the creation of a special purpose vehicle to lead and manage the marketing and development of the FEZ, incorporating WLDC and the GLLEP as partners and seeking public funds to address market failure.

The FEZ site corresponds broadly to a draft employment allocation (site ref. E6) under policy LP5 of the emerging Central Lincolnshire Local Plan.

The Hemswell Cliff Food Enterprise Zone would directly contribute to achieving the Greater Lincolnshire Agri-food Sector Plan vision of doubling the sector's contribution to the economy by 2030, by:

- supporting the growth of larger agri-food businesses;
- building on existing clusters of companies in the agri-food sector;
- ensuring that agri-food businesses have access to land and premises to meet their needs;
- improving access to innovation and applied research services and funding;
- developing and implementing a sector skills plan for the agri-food industry; and
- promoting exports and inward investment in the agri-food sector.

The Central Lincolnshire Food Enterprise Zone, would directly contribute to achieving the Greater Lincolnshire Agri-food sector plan vision of doubling the sector's contribution to the economy by 2030, by focusing on the delivery of the second key priority area of the plan:

“building on existing clusters of companies in the agri-food sector and ensuring that agri-food businesses have access to land and premises to meet their needs – by creating additional commercial space to help companies in the food chain expand”.

The Partnership has published a number of documents outlining key development strategies for each of these growth sectors, including the Agri-Food Sector of which Hemswell Cliff FEZ site is a part. Published in 2014, the SEP was refreshed in 2016 and outlines the general themes for future development across Greater Lincolnshire.

The SEP 2016 details how the Greater Lincolnshire LEP has secured funding to support the development of three sites which have strong links to the agri-food sector, including the Hemswell Cliff FEZ site. The SEP states that *“this will enable local partners to develop a strong business case for each area to become a nationally recognised Food Enterprise Zone.”*

2 Local Development Order

An LDO grants planning permission for specific types of development, subject to conditions where required.

The Council will adopt the Hemswell Cliff LDO under the Town and Country Planning Act 1990 (as amended). Once adopted, the LDO will grant Outline planning consent for an 'Agri-food Business Cluster' subject to a number of limitations and conditions including compliance to

Parameters Plan (Appendix 1), floorspace limits, and design principles appended to the LDO.

The LDO provides Outline planning consent for only those uses specified under 'Agri-Food sector uses' set out in part 1 of the Order. It does not remove the need to obtain other statutory consents from the Council or other organisations, such as building regulations, highways consents or environmental permits.

Development pursuant to the LDO requires approval of 'reserved matters', which are anticipated to be sought by developers on a plot or phase specific basis. Upgrades to the site's access and infrastructure will also require submission of details the Council's approval.

2.1 The Site

The site extends to approximately 30ha in total and comprises arable fields at the location of a former RAF airbase. The LDO site sits within the area of the former runways and adjacent to the former hangars which now form business accommodation.

The site is located immediately north of the A631 and west of the existing Hemswell Cliff Business Park. Access to the site will be direct to the A631 at or close to the existing access points.

The boundary of the LDO site is shown in Fig. 1 below

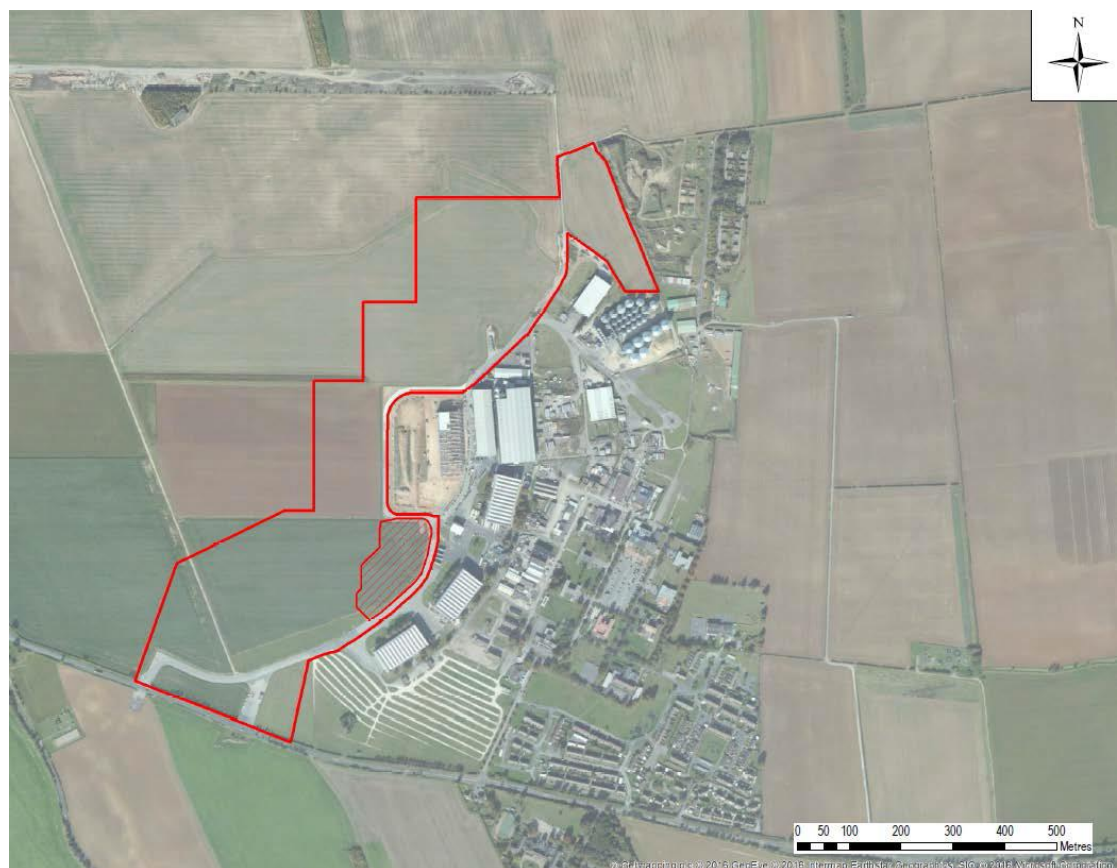


Figure 1: LDO Site Boundary

As there are no existing or discernible boundaries to form the north and west of the LDO site, an alignment has been chosen which keeps the development as close to the existing business park as possible, whilst allowing plots of sufficient size and regularity of shape to accommodate the proposed development.

The proposed development area comprises approximately 30 ha of land and includes perimeter landscaping zones and space for sustainable drainage features and other infrastructure as shown on the Parameters Plan (see Appendix 1).

The site's configuration adjacent to the west boundary of the existing business park provides the opportunity to utilise the existing access road providing that appropriate upgrade works are undertaken, which is intended to increase the cost efficiency and space efficiency of the development. Provision is also made for a new spine road and 'infrastructure corridor' from the access junction through the centre of the site.

2.2 Development Proposed to be Permitted

The Hemswell Cliff LDO grants Outline planning permission for an 'Agri-Food Business Cluster' comprising business (Use Class B1), industrial (Use Class B2) and/or storage and distribution (Use Class B8) uses which are part of, or immediately related to, the Agri-Food sector.

Any submission to propose development pursuant to the LDO must demonstrate that the uses are part of the Agri-Food sector or are closely related to the every-day operations of uses which fall within the sector.

Outline planning permission is granted for development which conforms to the following parameters, categories and exclusions.

As identified on the Parameters Plan, development pursuant to the LDO must conform to the following **parameters**:

- Development to be located wholly within the LDO site boundary as shown on the Parameters Plan.
- Buildings and structures up to a maximum height of 18m above finished ground level
- Overall maximum floorspace of development 70,000 sqm (gross)
- Overall maximum floorspace for standalone office, business support, meeting and ancillary service premises 5,000 sqm (gross)
- Inclusion of a landscape buffer strip to the north, south and west boundaries of the site
- Potential constraints to the scale, design and/or materials of development within the HSE safeguard 'purple zone' associated with the adjacent fireworks factory.

- Restriction to allow development of infrastructure and landscape planting only within the HSE safeguard 'yellow zone' associated with the adjacent fireworks factory.

Uses within the agri-food sector supply chain which are acceptable at the site under the LDO may be categorised as follows:

- Input suppliers – Businesses supplying ingredients, products, packaging and machinery etc. to the agri-food sector.
- Technical and support services – Businesses providing specialist support to the agri-food sector, including financial, legal, agency, IT, technology, maintenance, testing etc.
- Logistics, storage and distribution – Businesses providing storage, transportation and associated value added services for goods produced by the agri-food sector. This incorporates 'cool chain' (i.e. chilled or frozen) as well as ambient storage premises and facilities. This also includes grain storage infrastructure with associated testing, control and value added services.
- Food processing – Businesses which create and process food products, including a broad range of services and processes from cleaning and grading to processed food preparation and packaging. Excludes certain food industry processes (see below).
- Output wholesale and marketing – Businesses involved in the sale and trading of agri-food products. This includes sale into the retail and catering trade, and export of goods.
- Research and Development – Businesses involved in research and development of products and systems associated with the agri-food sector.

The LDO does **not** grant planning permission for the following uses:

- Agricultural production
- catering
- food retail

The LDO does **not** grant planning permission for development comprising the following food industry processes.

- Intensive livestock installations (including that within Schedule 1 of the EIA regulations)
- Installations for the slaughter of animals
- Fish-meal and fish-oil factories
- Sugar factories.
- Production of chemicals; including pesticides and pharmaceutical products

2.3 Environmental Impact Assessment

Developments which are likely to have an impact upon the environment are required to be subject to an Environmental Impact Assessment (EIA).

Regulation 29 (2) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended) (the EIA Regulations) provides that where a local planning authority proposes to grant permission by local development order for development falling within Schedule 2 of the EIA Regulations, the local planning authority should not make the LDO unless they have adopted a screening opinion and, if required, an Environmental Statement has been prepared in relation to the LDO.

West Lindsey Council adopted a screening opinion on 12th April 2016 that confirmed the proposed development may have significant environmental effects and thereby required an EIA to be undertaken.

The Council then issued a scoping opinion on 15th August 2016 which confirmed the scope of the EIA to be undertaken.

In accordance with the regulations, an EIA has been undertaken and the Environmental Statement is submitted in support of the draft LDO.

The findings of the EIA have influenced the development proposed to be allowed by the LDO and the associated parameters, including matters such as the access junction, site boundary alignment and ecological mitigation.

2.4 Local Development Order Timescales

The LDO takes effect on the date it is adopted by the Council, and will be valid for a period of ten years, following which the LDO will expire.

This period is intended to allow sufficient time for the Hemswell Cliff FEZ site to be prepared for development through infrastructure creation and upgrade, for reserved matters applications to be submitted and determined, for conditions to be discharged and construction to commence. Most importantly however, the period is to allow time for business interest in the site to emerge and the process of business planning and expansion/relocation logistics to take place.

2.5 Relevant Planning History

The LDO site does not benefit from any extant planning consent.

2.6 Development Considerations

2.6.1 Relevant Planning Policies

The draft LDO has been prepared having had regard to the following planning policies:

- Existing Policies
 - o National Planning Policy Framework (March 2012) (NPPF)

- West Lindsey Local Plan First Review (saved policies) (saved in 2009)(existing Local Plan) – The saved policies of the Local Plan remains the statutory development plan for the district, and should be considered a material consideration. Due weight should be given to relevant policies in the existing Local Plan according to their degree of consistency with the NPPF.
- Emerging Policies
 - The NPPF (paragraph 216) states that decision takers may also give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight it may be given). The Further Draft Central Lincolnshire Local Plan (emerging Local Plan) has undergone six weeks of consultation and if adopted, will replace the existing Local Plan. Therefore, certain weight may also be attached to the emerging Local Plan.
- Guidance
 - Planning Practice Guidance (as updated)
 - Planning Advisory Service technical advice on preparing an LDO (September 2015)

2.6.2 Principle of Development

The Hemswell Cliff FEZ (LDO) site lies on agricultural land immediately to the west of Hemswell Cliff, a former RAF military base, which was disposed of by the Ministry of Defence (MOD) in 1985. The LDO site sits within an area of former runways, adjacent to former hangars which formed part of the original use of the site as an RAF air base. The hangars adjacent to the site are now used as business accommodation, and sit alongside new business units. Further to the east, within the old RAF base are a series of business units accommodating small businesses, including cafes/sandwich shops and vehicle repair workshops.

The LDO site is unallocated in the West Lindsey Local Plan Review 2006, however the LDO site is included as a Strategic Employment Site (ref. E6) under draft policy LP5 – Delivering Prosperity and Jobs in the emerging Central Lincolnshire Local Plan (Submission Draft). Policy LP5 states that the site is reserved for B1, B2 and B8 uses, adding that the presumption will be for Strategic Employment Sites to meet the needs for large scale investment which requires significant land take. The existing Hemswell Business Park adjacent to the LDO site is allocated for employment uses in the West Lindsey Local Plan Review 2006.

Hemswell Cliff sits on the fifth tier of the settlement hierarchy outlined in Central Lincolnshire Local Plan policy LP2 – The Spatial Strategy and Settlement Hierarchy, however it is identified for a higher than usual scale of expansion due to the existence of the Hemswell Cliff business

park within the settlement, and the importance attached to the proposals within this LDO for the local and regional economy. The Central Lincolnshire Local Plan policy LP57 – Ministry of Defence Establishments, states that the redevelopment or change of use of redundant MOD land will be supported subject to a set of stipulations, including that: the proposal would not conflict with existing land uses on neighbouring land; and in cases where large scale redevelopment of a site is planned, a holistic approach is taken to development in order to avoid a piecemeal approach.

The proposed uses on the LDO site are consistent with the emerging allocation for the site (ref. E6) in the Central Lincolnshire Local Plan and will complement the existing uses within the Hemswell Cliff business park. The LDO proposes a comprehensive development solution, which seeks to maximise the attractiveness of the entirety of the site to the Agri-Food sector, providing business accommodation in a variety of formats in order to meet the requirements of Agri-Food businesses.

The Hemswell Cliff FEZ will establish a focal point for business development and support to grow the regional food and farming supply chain. The plan is to develop Hemswell Cliff Business Park to create a FEZ, supported by a LDO along the A15 growth corridor. The Hemswell Cliff Business Park will provide flexible and cost effective premises to meet the demand of expanding local agri-food businesses and inward investors.

The food chain is of critical importance to Greater Lincolnshire's economy. It is the largest employer representing 24% of jobs from field to fork and contributes £2.5 billion every year to the area's economy. The Hemswell Cliff FEZ will therefore play a vital role in helping Greater Lincolnshire LEP to achieve their vision of doubling the economic value of the agri-food sector in Greater Lincolnshire by 2030.

Together with the FEZs at Holbeach and Europarc, the three FEZs will establish a triangular hub serving the key agri-food clusters in the Greater Lincolnshire area (arable crop sector and food processing in Central Lincolnshire, fish processing in the South Humber Bank and fresh produce at Holbeach). The "A15 growth corridor" links all three FEZ areas and is thus important strategically in facilitating growth of the food chain across the LEP area.

The development of the Hemswell Cliff FEZ site will help to add value to farm output produced in Lincolnshire. By creating more food processing capacity, for example at Hemswell Cliff, the area can capture more of the post farm gate added value.

Creating food processing and supply chain jobs within the Hemswell Cliff FEZ site will add value to the local economy which will in turn facilitate growth of the wider economy. As Hemswell Cliff is currently a relatively deprived community, creating these high value jobs would particularly benefit local people.

A preceding site search sought high quality, attractive sites, generally 10 ha+ in size, that would be able to accommodate international or national businesses, but also be appealing to regional or local firms. The aim was

that these sites would be prioritised for businesses requiring large scale floorplans and with significant numbers of employees to avoid piecemeal development that would potentially prevent large scale development from taking place.

Criteria for selection included a location on a strategic highway network and/or sites that were well served by public transport. The Hemswell Cliff FEZ site was deemed to meet the above criteria, given its proximity to the A15, sizeable area to accommodate strategic development and existing/proposed agri-food sector uses.

Wider objectives giving weight to the selection of the Hemswell Cliff FEZ site included the regeneration of Hemswell Cliff by attracting inward investment and employment growth.

The proposed development is therefore considered to have a positive impact on the existing commercial area at Hemswell Cliff, helping to attract inward investment and supporting the vitality of the area, in addition to providing significant socio-economic benefits through providing a range of new jobs. As the land also benefits from a draft allocation within the emerging Central Lincolnshire Local Plan, it is considered that the development proposed through this LDO is acceptable in principle.

2.7 Conditions to be Imposed

The development which is proposed to be authorised by the LDO is subject to the limitations and conditions detailed in Schedule 1, Parts 1 to 3 of the LDO, and the general conditions set out in Schedule 2 of the LDO.

The conditions primarily relates to:

- Timing and phasing of development;
- The quantum of development; and
- Mitigation measures or requirement of additional information to ensure the proposed development would be acceptable in planning terms

3 Next Steps

3.1 Consultation

The LDO will be consulted on in accordance with Article 38 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. In accordance with the LDO regulations, a draft of the LDO, Statement of Reasons and Environmental Statement is being placed on consultation for a period of 6 weeks, following approval by West Lindsey District Council. The consultation has been publicised by site notice and local advertisement. Plans and information for the LDO have been on show at a public consultation event at the Hemswell Cliff Primary School on the 13 March from 3:45pm to 7:15pm. This consultation event was run in conjunction with the Neighbourhood

Planning consultation event, the purpose of which was to show the results of the recent neighbourhood planning questionnaire.

The documentation is also available for review at West Lindsey District Council's offices, on its website and, as appropriate, locally to Hemswell Cliff.

Consultation responses will be taken into account by the Council in accordance with Article 38(10) of the Development Management Procedure Order 2015, in considering what modifications should be made to the draft LDO or whether the LDO should be adopted. If adopted, the LDO will be submitted to the Secretary of State in accordance with Article 38 (11) of the Development Management Procedure Order 2015.

4 Conclusions

The government's aim in introducing Food Enterprise Zones is to attract investment, and to encourage closer ties between food and farming businesses to boost the domestic food and farming sector. The Food Enterprise Zones are based around LDOs, with a view to making the planning process simpler and easier for food and farming businesses that want to expand, in line with local priorities.

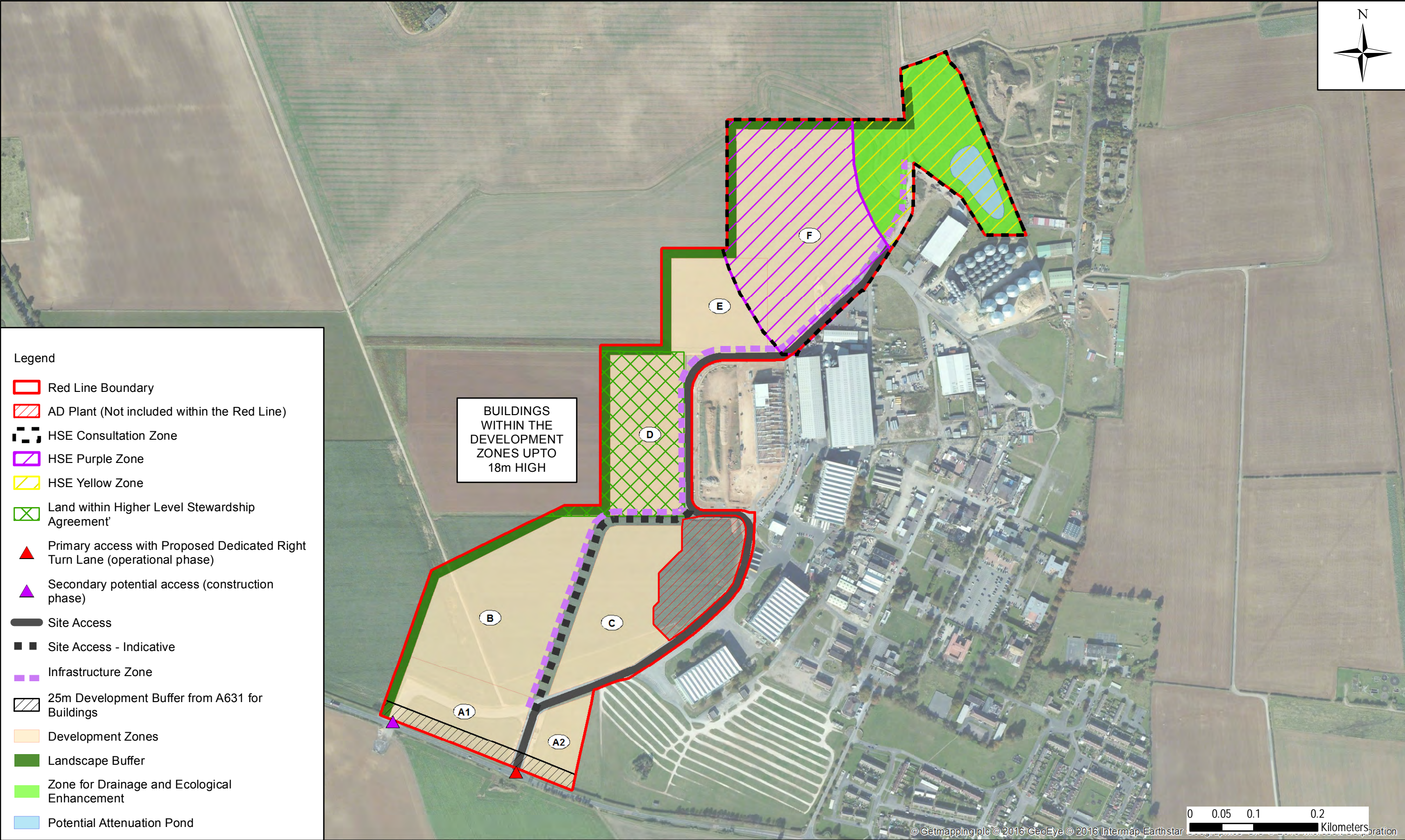
The Hemswell Cliff LDO site would provide the potential to accommodate agri-food business premises at a range of scales, including premises which will be attractive to large scale agri-food businesses. The LDO would provide a stimulus for inward investment in the area from agri-food business in the short-medium term, and would sit alongside a Local Plan allocation, ensuring that the site would be retained for suitable uses in the longer term.

The LDO development proposals would complement the masterplan vision for the regeneration of Hemswell Cliff.

The objectives of the Hemswell Cliff LDO are to:

- Enhance the scale and socio-economic impact of the agri-food sector at a local and regional level;
- Provide developable plots capable of accommodating a range of building types and sizes, which are attractive to businesses within the agri-food sector;
- Provide flexibility by allowing the site to accommodate changing requirements (within defined parameters);
- Support the socio-economic aims and objectives of the Hemswell Cliff masterplan;
- Deliver sustainable development by minimising and mitigating any environmental impacts;

- Facilitate development for businesses which provide a substantial number and diverse range of employment opportunities;
- Enhance the attractiveness of the site to inward investors by facilitating development of uses which are complementary to the main agri-food businesses.



Client:



West Lindsey
DISTRICT COUNCIL

Project:

HEMSWELL CLIFF FEZ LDO

Title:

PARAMETERS PLAN



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Design:	SE	Drawn:	SE
Chk'd:	GH	App'd:	SE
Date:	19/12/2016	Scale at A3:	1:5,500
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			A3

HEMSWELL CLIFF FOOD ENTERPRISE ZONE LOCAL DEVELOPMENT ORDER (LDO) 2017

This Order is adopted by West Lindsey District Council (“the Council”) under the powers conferred on the Council as local planning authority by sections 61A-61D of and Schedule 4A to the Town and Country Planning Act 1990 (as amended) (“the Act”) and pursuant to the Town and Country Planning (Development Management Procedure) (England) Order 2015 and shall be known as the Hemswell Cliff Local Development Order 2017 (the “Order”).

1. In this Order:
 - 1.1 definitions in the Town and Country Planning (Use Classes) Order 1987 (as amended) apply to interpretation of this Order and references in this Order to “Use Class” are accordingly a reference to the relevant Use Class set out in the Town and Country Planning (Use Classes) order 1987 (as amended); and
 - 1.2 terms defined in Schedule 3 have the meaning given to them there.
2. Subject to article 3 below, planning permission is hereby granted for the development within the Hemswell Cliff LDO Site set out in all Parts of Schedule 1 subject in each case to the restrictions and conditions set out in the relevant Part of Schedule 1.
3. The grant of permission under any Part of Schedule 1 is subject to the General Conditions set out in Schedule 2.
4. Where a material operation has been initiated in respect of any development permitted by this Order at the time this Order expires, is revoked or is revised that said development may be lawfully completed.
5. This Order comes into force on the date on which it is made as indicated below and, subject to the Council’s power to revoke this Order under s.61A(6) of the Act, will remain in force for a period of 10 years from that date, expiring on the tenth anniversary thereof.

Adopted by the Council on [] 2017

By Order of the Council the Common Seal
was affixed hereunto in the presence of:

Authorised Signatory

SCHEDULE 1: PERMITTED DEVELOPMENT

PART 1 – COMMERCIAL DEVELOPMENT

Permitted Development

Outline planning permission is granted for:

1. the erection of a Buildings and associated use of land within Use Class B1;
2. the erection of a Buildings and associated use of land within Use Class B2; and/or
3. the erection of a Buildings and associated use of land within Use Class B8

only where those use fall within, or are immediately related to, the Agri-Food Sector.

Development not permitted

Development is not permitted by Part 1 if that development would result in the total amount of floorspace within Use Classes B1, B2 and/or B8 within the Hemswell Cliff LDO Site exceeding 70,000 square metres GIA.

Development is not permitted by Part 1 if that development would result in the total amount of floorspace within Use Class B1a (unless ancillary to floorspace in Use Classes B1b/B1c/B2/B8) within the Hemswell Cliff LDO Site exceeding 5,000 square metres GIA.

Development is not permitted by Part 1 if that development would result in the construction of buildings or structures greater than 18m in height above finished ground level.

Conditions

- 1A Development permitted by Part 2 must conform to the constraints and guidance of the Parameters Plan (ref. Aecom Figure 6).

PART 2 – ASSOCIATED INFRASTRUCTURE

Permitted Development

Outline planning permission is granted for:

1. the construction, extension or alternation of roads, pavements, walkways, street lighting and street furniture;
2. the construction of areas and facilities for vehicle parking, bicycle parking and servicing;
3. hard and soft landscaping, including the erection of fences, gates, walls, securing barriers and security gatehouses;
4. the construction of foul and surface water drainage infrastructure, including pumps, tanks, conduits, swales, pipes, drains, ditches, channels and ponds; and/or

5. the construction, extension or alternation of utilities infrastructure, including telecommunications, gas, electricity, water (including any substations or pumping stations).

Development not permitted

Development is not permitted by Part 2 if it is not primarily to serve the development permitted by Part 1.

Conditions

- 2A Development permitted by Part 2 must conform to the constraints and guidance of the Parameters Plan (ref. Aecom Figure 6).

PART 3 – SITE PREPARATION WORKS

Permitted Development

Full planning permission is granted for:

1. any operations or engineering necessary for the remediation of land and its preparation for development within the Hemswell Cliff LDO Site, including excavation and the construction, extension, demolition or alteration of remediation compounds for the stockpiling, sorting and treatment of excavated materials.

Development not permitted

Development is not permitted by Part 3 if it is not primarily to enable the development permitted by Parts 1 or 2.

Conditions

- 3A Prior to the commencement of development permitted by Part 3, full details of the site preparation works including existing and proposed levels shall be submitted to and approved by the local planning authority. The works shall be undertaken in accordance with the details approved.
- 3B Prior to the commencement of development permitted by Part 3, full details of any temporary access, temporary treatment of the works area and boundary shall be submitted to and approved by the local planning authority. The works shall be undertaken in accordance with the details approved.

SCHEDULE 2: GENERAL CONDITIONS

Timing / Reserved Matters

1. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of ten years from the date of this Order.

REASON: To conform to Section 92 (2) of the Town and Country Planning Act 1990 (as amended).

2. No phase/plot of development shall take place until, plans and particulars of the layout, scale and appearance of the building(s) to be erected, the means of access to the site and the landscaping of the site (hereinafter called "the reserved matters") for that phase/plot have been submitted to and approved in writing by the Local Planning Authority, and the development shall be carried out in accordance with those details.

REASON: The Order grants outline permission only and the Local Planning Authority wishes to ensure that these details which have not yet been submitted are appropriate for the locality.

3. The development hereby permitted shall be begun either before the expiration of ten years from the date of this Order, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the sooner.

REASON: To conform to Section 92 (2) of the Town and Country Planning Act 1990 (as amended).

Agri-Food Sector and Food Industry Processes

4. Any phase/plot of development proposed through the submission of reserved matters shall be accompanied by a statement to demonstrate that the nature of the development/use proposed falls within the agri-food sector as defined in Section 4 of the Statement of Reasons. Reserved matters applications shall only be determined where the proposed development/use is deemed to be within the agri-food sector.

REASON: To ensure that development conforms and contributes to the objectives of the Food Enterprise Zone designation.

5. Any phase/plot of development proposed through the submission of reserved matters shall be accompanied by a statement to describe the scale and nature of any food industry processes to be permitted. Where these processes fall within and exceed the threshold of Schedule 2 of the EIA regulations, the applicant shall seek the screening opinion of the local planning authority as to whether the proposed use requires environmental impact assessment.

REASON: In the interests of amenity and to ensure that the development conforms to the Environmental Impact Assessment (EIA) regulations.

Design and Details

6. Development proposed through the submission of reserved matters shall conform to the approved Site Location Plans (ref. Aecom Figure 1 and Figure 2) and Parameters Plan (ref. Aecom Figure 6).

REASON: To ensure that the development takes place in accordance with the maximum development parameters assessed by the Environmental Impact Assessment (EIA).

7. Any phase/plot of development proposed through the submission of reserved matters shall be accompanied by a phase/plot context plan to demonstrate that development is compatible with and does not compromise the ability to develop or service other land within the Hemswell Cliff LDO site.

REASON: In order to facilitate comprehensive development of the Hemswell Cliff LDO site.

8. Any phase/plot of development proposed through the submission of reserved matters shall be accompanied by a Design and Access Statement and associated plans including the following details:

- a. Plot layout
- b. Existing site levels and proposed finished ground and floor levels
- c. Design of buildings and structures
- d. Landscaping/planting (in conformity to the Strategic Landscape Scheme)
- e. Boundary treatment
- f. Parking and circulation
- g. External storage including provision for oil/chemical storage
- h. External lighting
- i. Vehicle parking, circulation and manoeuvring
- j. Facilities for pedestrians and cyclists
- k. Servicing and loading arrangements
- l. Refuse storage and management

The details contained within the Design and Access Statement shall be approved by the local planning authority prior to commencement of that phase/plot of development, excluding site preparation works. Development shall be completed and maintained in accordance to the approved details.

REASON: In the interests of amenity and to ensure acceptable design, access and operation of development.

9. Prior to the occupation of any phase/plot of development, a written scheme detailing how much and by what method renewable energy will be generated from within that phase/plot or the wider Hemswell Cliff LDO site, shall be submitted to and approved in writing by the Local Planning Authority. No individual building shall be occupied until that part of the agreed scheme, which relates to the building or its curtilage, has been implemented in full.

REASON: In order to achieve sustainable development and reduce CO2 emissions.

10. Prior to the commencement of any phase/plot of development excluding site preparation works, full details of all external materials shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be implemented in accordance with the approved details.

REASON: In the interests of visual amenity and ensure the proposals uses materials and components that have a low environmental impact.

HSE Safeguard Zone

11. Prior to submission of any reserved matters application for development of land within the 'HSE consultation zone' as identified on the Parameters Plan (Aecom Figure 6), the applicant shall consult the Health & Safety Executive on the extent and details of any safeguarding zones which may influence the use, nature and location of development. Any development thereafter proposed shall conform to the advice of the HSE, which shall be submitted in writing with the reserved matters applications.

REASON: In the interest of health and safety and to ensure that current requirements of the Health & Safety Executive are incorporated in the development.

12. Unless otherwise confirmed in writing by the Health & Safety Executive, no development of a 'vulnerable construction' as defined by The Explosives Regulations 2014 and determined by the Health & Safety Executive shall take place in the 'purple zone' as identified on the Parameters Plan (Aecom Figure 6) or any revised zone subsequently confirmed in writing by the HSE.

REASON: In the interest of health and safety and to ensure that current requirements of the Health & Safety Executive are incorporated in the development.

13. Unless otherwise confirmed in writing by the Health & Safety Executive, no development or use of land, with the exception only of landscaping or infrastructure where people are not present, shall take place in the 'yellow zone' as identified on the Parameters Plan (Aecom Figure 6) or any revised zone subsequently confirmed in writing by the HSE.

REASON: In the interest of health and safety and to ensure that current requirements of the Health & Safety Executive are incorporated in the development.

Highways and Access

14. Prior to the commencement of development pursuant to Part 1 of the Order, a scheme of works to improve the public highway and site access, comprising a Right Turn Lane and Footway (or as otherwise agreed), shall be submitted to and approved by the local planning authority. The development shall not be brought into use until the works are certified as being complete by the local planning authority, unless otherwise agreed.

REASON: To ensure the provision of adequate access and in the interests of highway safety.

15. No phase/plot of development pursuant to Part 1 of the Order shall take place before a scheme to create or improve an estate road sufficient to provide access to that phase/plot from an existing public highway has been approved pursuant to Part 2 of the Order. That phase of development shall not be brought into use until the estate road has been constructed to a specification to enable its adoption as Highway Maintainable at the Public Expense.

REASON: To ensure the provision of adequate access and in the interests of highway safety.

Landscaping and Trees

16. No development shall take place until a Strategic Landscaping Scheme (SLS) relating to the boundaries, frontages, common areas and infrastructure across the entire FEZ site has been submitted to and approved in writing by the Local Planning Authority. The SLS shall include details of:
- a. planting plans;
 - b. written specifications (including cultivation and other operations associated with plant and grass establishment);
 - c. schedules of plants, noting species, plant sizes and proposed numbers/ densities;
 - d. a programme for the implementation of the landscaping works, including how the SLS shall be implemented on a strategic site wide and individual development plot by plot basis; and
 - e. a scheme for the future maintenance of the landscaped areas.

The SLS shall be implemented as approved. Each phase/plot developed shall be landscaped and maintained in accordance to the SLS.

REASON: In the interests of the visual amenity of the area and to enhance biodiversity interests through the implementation of an appropriate biodiversity and landscaping scheme.

17. Any trees dying or becoming diseased within five years of their being planted in accordance with Condition 16 above shall be replaced during the period of October to March in the year that immediately follows the developer being notified that they need replacing, by trees of a suitable size and species and to the satisfaction of the Local Planning Authority.

REASON: In the interests of the visual amenity of the area and to enhance biodiversity interests through the implementation of an appropriate biodiversity and landscaping scheme.

18. The scheme of works to improve the public highway and site access submitted pursuant to condition 14 of the LDO for approval by the local planning authority shall include:
- a. A plan showing the location of, and allocating a reference number to each existing tree on the site which has a stem with a diameter exceeding 75 mm (measured over the bark at a point 1.5 metres above ground level), showing which trees are to be retained and which are to be removed;
 - b. Details of the species, size, and an assessment of the general state of health and stability of each retained tree;
 - c. Details of any proposed topping or lopping of any retained tree, or of any tree on the land adjacent to the site;
 - d. Details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, within the crown spread of any retained tree or of any tree on land adjacent to the site;
 - e. Details of the specification and position of fencing and of any other measures to be taken for the protection of any retained tree from damage before or during the course of development.

In this condition 'retained tree' means an existing tree that is to be retained in accordance with the plan referred to in paragraph (a) above. The works approved pursuant to condition 14 shall be undertaken in accordance with the details approved in paragraphs (a)-(e) above.

REASON: In the interests of the visual amenity of the area and to enhance biodiversity interests.

Flood risk and drainage

19. No plot/phase of development shall commence, nor any discharge of surface water from that plot/phase take place, until a Surface Water Management Scheme for that development plot/phase has been submitted to and approved in writing by the Local Planning Authority. The Scheme shall be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development; and shall include:
- a. the incorporation of sustainable drainage systems (SuDS) to attenuate flows from the site and maximise on-plot infiltration (where appropriate);
 - b. details of an infiltration test undertaken to ascertain the feasibility of drainage by on-plot infiltration methods;
 - c. details of the method of attenuating surface water run-off from the site to greenfield run-off rate;
 - d. details of sufficient attenuation and long-term storage to accommodate a 1 in 30 year storm. The design shall also ensure that storm water resulting from a 1 in 100 year event plus 30% to account for climate change, and surcharging of the drainage system can be stored on the site without risk to people or property;
 - e. calculations demonstrating that sufficient space will be provided on site for any necessary surface water storage and attenuation;
 - f. details of any balancing works and off-site works;
 - g. details of any proposed culverts or bridges for watercourses/land drains, justifying that they are necessary and ensuring that they do not constrict flow or otherwise reduce the carrying capacity of any watercourse/land drain;
 - h. the location and design of any surface water outfall;
 - i. details of how the drainage scheme will be constructed and operate, prior to any hard standing or buildings being constructed on that development plot;
 - j. all site surface water drainage will be designed to Sewers for Adoption standard in order to meet current best practice design standards; and
 - k. details of how the surface water system will be maintained and managed after completion.

The Surface Water Management Scheme shall subsequently be fully implemented in accordance with the approved details before the first occupation of the relevant development plot to which it relates. Thereafter, the drainage system shall be managed and maintained in conformity to the approved Scheme.

REASON: To ensure that surface water is sustainably managed without increasing flood risk on the site or elsewhere.

20. Should the results of an infiltration test undertaken in preparation of a Surface Water Management Scheme indicate that an infiltration system will not function adequately in adverse conditions, then the Scheme shall include details of an alternative means of drainage appropriate to the plot and in conformity to the principles of sustainable drainage.

REASON: To ensure that surface water is sustainably managed without increasing flood risk on the site or elsewhere.

21. No surface water from the development or any part thereof shall be discharged from the site except through the approved system.

REASON: To ensure that surface water is sustainably managed without increasing flood risk on the site or elsewhere.

22. Prior to the commencement of development under Part 1 or Part 2 of the LDO, written confirmation shall be obtained from Anglian Water that the existing sewer networks and foul water treatment facility at Hemswell Cliff have sufficient capacity to accommodate the full development allowed by the LDO. Should it not be possible to achieve this confirmation, then full details of an alternative proposed means of foul water treatment shall be submitted to and approved in writing by the Local Planning Authority. No buildings within the LDO site shall be occupied or brought into use prior to completion of any approved foul drainage works.

REASON: To ensure that a satisfactory means of foul drainage disposal is provided.

23. There shall be no discharge of foul or contaminated drainage from the site into groundwater or any surface waters, whether direct or via soakaways.

REASON: To prevent pollution of the water environment.

24. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through a trapped gully and an oil interceptor. Each drainage run shall also be provided with a cut-off valve prior to any discharge point. The gully and interceptor shall be designed and constructed to have a capacity compatible with the site being drained. Vehicle washdowns and detergents shall not be passed through the interceptor. Clean roof water shall not pass through the gully or interceptor.

REASON: To reduce the risk of pollution and sediment being washed out to any watercourse and to prevent the potential pollution of clean surface water run-off.

25. All downpipes carrying rain water from areas of roof shall be sealed at ground-level prior to the occupation of the development. The sealed construction shall thereafter be retained throughout the lifetime of the development.

REASON: To prevent the potential pollution of clean surface water run-off.

26. Inspection manholes shall be provided on all foul and surface water drainage runs such that discharges from individual units can be inspected/ sampled if necessary. All manhole covers shall be marked to enable easy recognition. Foul will be marked in red. Surface water will be marked in blue. Direction of flow will also be denoted. Where more than one discharge point is proposed, manholes will also be numbered accordingly to correspond with their respective discharge point.

REASON: To ensure that foul and surface water systems may be managed and maintained.

Ground Conditions and Soils

27. Prior to the commencement of any phase/plot of development, including any construction or other work that involves disturbance to soils a Soil Resource Plan (SRP) for that phase/plot/works shall be submitted to and approved in writing by the Local Planning Authority. The Soil Resource Plan shall include the following:
- a. maps showing topsoil and subsoil types, and the areas to be stripped and left in-situ.
 - b. methods for stripping, stockpiling, re-spreading and ameliorating the soils.
 - c. location of soil stockpiles and content (e.g. Topsoil type A, subsoil type B).
 - d. schedules of volumes for each material.
 - e. expected after-use for each soil; whether topsoil to be retained for landscape areas, or used on adjacent agricultural land within the farmers' control to thicken the topsoils and improve quality; and

- f. identification of person responsible for supervising soil management.
Development shall thereafter proceed only in accordance with the approved scheme.

REASON: To ensure the sustainable use of displaced soils.

28. No development shall take place until a land contamination assessment and associated remedial strategy, together with a timetable of works, have been submitted to and approved in writing by the Local Planning Authority (LPA) and the measures approved in that scheme shall be fully implemented. The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically in writing:
- a. A UXO specialist will be commissioned and an assessment carried out as per C681 Unexploded Ordnance (UXO) - A Guide for the Construction Industry (CIRIA 2009) to quantify the risk of encountering UXO. Thereafter, if the risks of encountering UXO and/or ordnance containing chemical agent remain, construction contractors will be required to prepare a UXO risk mitigation strategy, to reduce risks to an acceptable level, in consultation with the Local Planning Authority. The approved UXO mitigation strategy, including any Emergency Response Plan, shall be implemented as approved.
 - b. A site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology.
 - c. A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the LPA. The LPA shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters.
 - d. Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. If during the works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA.
 - e. Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the LPA. The closure report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.

REASON: In order to safeguard human health and the water environment and identify potential contamination on-site and the potential for off-site migration.

Archaeology and Heritage

29. No development shall take place on any phase/plot within the Hemswell Cliff FEZ site until a scheme of archaeological investigation for that phase/plot, supported by the results, has been submitted to and approved in writing by the Local Planning Authority. Each scheme shall be carried out as approved. Each scheme shall provide for:

- a. a programme of archaeological investigation, including access to that site by archaeological contractors to be nominated by the developer and approved in writing by the Local Planning Authority;
- b. the identification and evaluation of the extent, character and significance of archaeological remains on that site;
- c. an assessment of the impact of the proposed development on the remains;
- d. proposals for the preservation in situ of the remains or where the Local Planning Authority agree that this is not possible, for the investigation, recording and recovery of remains and the publishing of findings; and
- e. notification to the Local Planning Authority of the commencement of archaeological investigations.

Each scheme shall then be carried out as approved.

REASON: to secure the identification, investigation and/ or protection of archaeological remains.

30. Prior to the commencement of development, a report shall be produced and submitted to the Local Planning Authority which will document the history and development of the former airfield at Hemswell Cliff. The format of the report will be agreed with the archaeology officer for Lincolnshire County Council.

REASON: to ensure the implementation of an appropriate level of archaeological recording and reporting.

Sustainable Travel

31. No development shall be occupied on any plot of the LDO site until a Travel Plan for that development plot, that is in accordance with the principles set out in Hemswell Cliff LDO Framework Travel Plan, has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authorities. The development of each plot shall thereafter take place in accordance with the agreed Travel Plan for that plot, which shall be implemented in full.

REASON: In order to maximise the sustainability of the development.

32. Prior to the occupation of each phase/plot of development, a feasibility study shall be undertaken to consider the following:
- a. the likely year on year passenger demand for a shuttle bus linking the LDO site with Gainsborough and other centres where significant numbers of employees at the Hemswell Cliff FEZ may originate;
 - b. the likely routing and frequency of the shuttle bus route;
 - c. an estimate of yearly operating costs for the shuttle bus operation;
 - d. a funding mechanism where all occupiers of the Hemswell Cliff FEZ contribute as and when they come forward;
 - e. a recommendation on the feasibility of the shuttle bus service.

The feasibility study report shall be submitted to and approved by the local planning authority. Should the report conclude that a shuttle bus service is feasible, then the potential arrangement and commissioning of a service shall be discussed further between the local planning authority and occupier businesses.

REASON: In order to maximise the sustainability of the development

Nature Conservation and Biodiversity

33. No works involving the loss of any hedgerow, tree or shrub shall take place between March and August (inclusive) in any year unless approved in writing by the local planning authority.
REASON: In the interest of nature conservation.

34. No development shall take place until an Ecological Management and Enhancement Plan (EMEP) for the whole Hemswell Cliff FEZ site has been submitted to and approved in writing by the Local Planning Authority. The EMEP shall be based on the biodiversity enhancement measures set-out in Chapter 10 - Terrestrial Ecology and Nature Conservation of the ES. The submitted details shall include how the EMEP will be implemented on a strategic (site wide) and individual development (plot by plot) basis to demonstrate a coherent approach to biodiversity enhancement and management across the site. The EMEP shall be implemented as approved.

REASON: In the interest of nature conservation and to enhance biodiversity interests.

35. No development that removes or disturbs any features within the Entry Level and Higher Level Stewardship Scheme at Hall Farm (Harpwell) as shown on the Parameters Plan (ref. Aecom Figure 6) shall take place until a satisfactory scheme to replace those features has been submitted to and agreed in writing by the local planning authority.

REASON: In the interest of nature conservation.

Noise

36. No development shall take place on any plot within the Hemswell Cliff FEZ site until a scheme of noise assessment, supported by the results, has been submitted to and approved in writing by the Local Planning Authority. Each scheme shall be carried out as approved. The noise assessment shall:

- a. Make reference to updated baseline noise surveys to confirm that the existing noise climate does not exceed the existing background noise level stated in Table 7.17 of the Environmental Statement (ES);
- b. Demonstrate how the impact avoidance and mitigation measures referred to in Sections 7.4 and 7.6 of the Noise Chapter (Chapter 7) of the ES have been considered and taken into account;
- c. Include details of how the operational noise limits at local noise sensitive receptors shall be achieved, ensuring that following the addition of any acoustic feature corrections to the sound sources under assessment, the combined BS 4142 rating level from all sources within all development zones at the Hemswell Cliff FEZ site are equal to or lower than those in Table 7.17.
- d. In the event that monitoring required under (a) shows that the existing noise climate has changed significantly, the proposed operational noise limits set out in Table 7.17 shall be discussed and any revised noise limits agreed with the Local Planning Authority.

REASON: In the interest of residential amenity.

Odour

37. In order to protect the amenity of local residents, no wastes or feedstock materials that have the potential to give rise to odour beyond the site boundary shall be stored outside of the buildings, unless agreed in writing with the Local Planning Authority.

REASON: In the interest of residential amenity.

38. No development which has the potential to give rise to odour at nearby residential properties shall take place until an odour assessment and odour management plan has been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interest of residential amenity.

39. The air ventilation and odour control systems to be employed as part of this development shall be implemented and carried out in accordance with the details and systems to be submitted and approved by the Local Planning Authority.

REASON: In the interest of residential amenity.

40. Unless otherwise agreed in writing, prior to the occupation of any plot of development, a detailed Operational Environmental Management Plan (OEMP) for that individual development plot has been submitted to and approved in writing by the Local Planning Authority. The OEMP shall include information on the following:
- a. measures to deal with accidental pollution (groundwater, surface water and soils) and details of any necessary equipment (e.g. spillage kits) to be held on site;
 - b. a scheme to deal with potential risks associated with contamination;
 - c. measures to reduce and manage operational waste;
 - d. a scheme for artificial lighting, specifying measures to minimise the impact of light spill.

REASON: In order to protect the environment and safeguard residential amenity.

Construction

41. No development shall take place on any phase/plot of the LDO site until a Construction Traffic Management Plan (CTMP) for that phase/plot has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Highways Authorities. Construction on that plot shall thereafter take place in accordance with the agreed CTMP for that plot, which shall be implemented in full.

REASON: To minimise impact on the local highway network

42. Unless otherwise agreed in writing, no phase/plot of development shall take place until a detailed Construction Environmental Management Plan (CEMP) for that phase/plot has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include information on the following:
- a. details of a telephone complaints line and the methodology to deal with any complaint;
 - b. methods of communication with local residents in the event of abnormal working;
 - c. hours of working (Monday- Friday 08:00-18:00 hours and Saturday 08.00 -13.00 and no working on Sunday or Bank Holidays unless otherwise agreed with the Local Planning Authority);
 - d. measures to control the emissions of dust, noise and vibration (as set out in British Standard BS 5228-1 Parts 1 and 2:2009 – Code of Practice for noise and vibration control on construction and open sites and IAQM 'Guidance on the assessment of dust from demolition and construction, 2014);
 - e. measures to prevent pollution (surface water, groundwater and soils);
 - f. a scheme for artificial lighting, specifying measures to minimise the impact of lighting;
 - g. a scheme to deal with potential risks associated with contamination including unexploded ordnance; and
 - h. measures to reduce and manage construction waste.

The development of each plot shall thereafter be constructed in accordance with the approved details.

REASON: To safeguard residential amenity and minimise pollution.

INFORMATIVES

This LDO does not preclude the submission of full planning applications for development within the boundary of the Hemswell Cliff FEZ. Any such planning application shall be determined in accordance with the development plan and relevant material considerations which will include the objectives and status of the Food Enterprise Zone.

Any such application must be justified and its impact assessed in the context of the full FEZ development allowed by this LDO. Any such application must propose adequate mitigation of the impact of development over and above that of the development allowed and mitigated by the LDO.

SCHEDULE 3: INTERPRETATION

Terms used in this order have the following meanings:

Agri-Food Sector Uses	Uses specified in section 4.2, excluding those specified in section 4.4, of the Statement of Reasons.
Additional Guidance	Additional guidance relating to the physical form of development; design, appearance and materials; services and infrastructure; landscape planting; and phasing as set out in Appendix 5 of the Statement of Reasons.
Estate Road	A road sufficient to provide access to that phase/plot of development from an existing public highway.
Food Industry Processes	Processes specified in section 4.3, excluding those specified in section 4.4, of the Statement of Reasons.
Footway	A new pedestrian footpath to the north side of the A631 between the access to the Hemswell Cliff LDO site and Gibson Road.
General Conditions	The conditions identified in Schedule 2 of the Order.
GIA	'Gross Internal Area' as calculated in accordance with the RICS Code of Measuring Practice (sixth edition 2007).
Highways Agreement	An agreement with the Lincolnshire County Council pursuant to sections 38/278 of the Highways Act 1980.
Hemswell Cliff Food Enterprise Zone (FEZ)	The proposed development at the Hemswell Cliff LDO Site intended to facilitate growth in the Agri-Food Sector.
Hemswell Cliff LDO Site	The area shown edged red on the plan attached to this Order as Appendix 1 of the Statement of Reasons and being the Order area.
Parameters Plan	The plan (ref. Aecom Figure 6) attached to this Order as Appendix 2 of the Statement of Reasons.

Phase/Plot	Any defined area for a development, as submitted with a Reserved Matters application pursuant to the LDO, within the LDO site.
Reserved Matters	Details to be submitted for approval pursuant to General Condition 2 in relation to layout, scale, appearance, means of access and/hard and soft landscaping.
Right Turn Lane	A dedicated lane within the A631 to provide enhanced access to the Hemswell Cliff LDO Site at its primary access point as shown on the Parameters Plan.

Statement of Reasons

Local Development Order
Food Enterprise Zone
Hemswell Cliff

Prepared for

West Lindsey District Council

January 2017 DRAFTv1.4

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Quality Assurance

This report should not be relied upon as a basis for entering into transactions without seeking specific, qualified, professional advice. Whilst facts have been rigorously checked, Cushman & Wakefield can take no responsibility for any damage or loss suffered as a result of any inadvertent inaccuracy within this report. Information contained herein should not, in whole or part, be published, reproduced or referred to without prior approval. Any such reproduction should be credited to Cushman & Wakefield.

Version	Prepared by	Approved by	Date
Draft v1.4	WS/HR	HR	20 January 2017

1. Introduction

1.1. Context

West Lindsey District Council (WLDC) proposes a Local Development Order (LDO) be made to support and encourage development related to the Food Enterprise Zone (FEZ) at Hemswell Cliff, Lincolnshire (hereafter referred to as 'the Hemswell Cliff FEZ site'). An LDO is a tool to simplify the planning requirements for development within a defined area and for defined parameters.

On 12th February 2015 the government announced proposals for 11 Food Enterprise Zones across the country, including 3 within Lincolnshire, with a view to attracting investment and encouraging closer ties between food and farming businesses to boost the domestic food and farming sector. The Central Lincolnshire Food and Enterprise Zone Local Development Order (LDO) seeks to capitalise on the opportunities associated with the existing businesses/premises at Hemswell Cliff and the availability of adjacent land to support the development of an 'agri-food cluster' located within the A15 growth corridor.

The LDO will facilitate development of new premises and facilities for businesses in the agri-food sector, thereby providing a location for new and expanding businesses and encouraging inward investment. Investment in the agri-food sector in this location will also contribute to the Council's regeneration and socio-economic objectives through the creation of employment opportunities and integration with the existing businesses and residential areas of Hemswell Cliff.

1.2. Hemswell Cliff Masterplan and Local Plan

The Food Enterprise Zone LDO is being produced in conjunction with a masterplan for Hemswell Cliff. The Hemswell Cliff Masterplan (prepared by OpenPlan) sets out a spatial development framework together with a programme of recommended actions and interventions to address problems associated with a lack of adequate facilities and services, and high levels of deprivation and isolation.

The masterplan vision includes the creation of a successful Food Enterprise Zone, attracting investment and becoming a centre of excellence in the agri-foods sector. The masterplan report recommends actions including attracting commercial investment to the FEZ by the creation of a special purpose vehicle to lead and manage the marketing and development of the FEZ, incorporating WLDC and the GLLEP as partners and seeking public funds to address market failure.

The FEZ site corresponds broadly to a draft employment allocation (site ref. E6) under policy LP5 of the emerging Central Lincolnshire Local Plan.

1.3. Local Development Orders

An LDO grants planning permission for specific types of development, subject to conditions where required. The purpose of an LDO is to simplify and speed up the planning process by providing certainty about the types of development which are permitted within a specific area, and reducing the potential risks associated with the formal planning process, encouraging development to come forward in that area.

The Council will adopt the Hemswell Cliff LDO under the Town and Country Planning Act 1990 (as amended). Once adopted, the LDO will grant Outline planning consent for an 'Agri-food Business Cluster' (see section 4), subject to a number of limitations and conditions including compliance to a parameters plan, floorspace limits, and design principles appended to the LDO.

An indicative proposal is set out on the illustrative layout plan (which supersedes that shown within the Hemswell Cliff Masterplan) appended to the LDO, which shows one way in which development could be brought forward on the site in accordance with the parameters plan.

1.4. Limitations

The LDO provides Outline planning consent for only those uses specified under 'Agri-Food sector uses' set out in part 1 of the Order. It does not remove the need to obtain other statutory consents from the Council or other organisations, such as building regulations, highways consents or environmental permits.

Development pursuant to the LDO requires approval of 'reserved matters', which are anticipated to be sought by developers on a plot or phase specific basis. Upgrades to the site's access and infrastructure will also require submission of details for the Council's approval.

The LDO does not grant planning permission for agricultural production, catering or food retail uses, or for certain food industry processes which are inappropriate to this site (see section 4). Where development pursuant to the LDO proposes appropriate food industry processes above the applicable size threshold (1,000 sqm), the developer will be required to consult the local planning authority on the possible requirement for an environmental impact assessment (EIA) relating specifically to those processes.

The LDO does not limit any person's ability to submit planning applications for alternative development on the LDO site.

2. The LDO Site

The site extends to approximately 30ha in total and comprises arable fields at the location of a former RAF airbase. The LDO site sits within the area of the former runways and adjacent to the former hangars which now form business accommodation.

The site is located immediately north of the A631 and west of the existing Hemswell Business Park. Access to the site will be direct to the A631 at or close to the existing access points.

The boundary of the LDO site is shown on the site location plans (ref. Aecom Figure 1 and Figure 2) provided as Appendix 2 and indicated on the aerial photograph below.



Picture 1 - LDO Boundary (from ES Figure 2)

As there are no existing or discernible boundaries to form the north and west of the LDO site, an alignment has been chosen which keeps the development as close to the existing business park as possible, whilst allowing plots of sufficient size and regularity of shape to accommodate the proposed development.

The proposed development area comprises approximately 30 ha of land and includes perimeter landscaping zones and space for sustainable drainage features and other infrastructure as shown on the Parameters Plan (see Appendix 3).

The site's configuration adjacent to the west boundary of the existing business park provides the opportunity to utilise the existing access road providing that appropriate upgrade works are undertaken, which is intended to increase the cost efficiency and space efficiency of the development. Provision is also made for a new spine road and 'infrastructure corridor' from the access junction through the centre of the site.

3. Purpose of the LDO

The government's aim in introducing Food Enterprise Zones is to attract investment, and to encourage closer ties between food and farming businesses to boost the domestic food and farming sector. The Food Enterprise Zones are based around LDOs, with a view to making the planning process simpler and easier for food and farming businesses that want to expand, in line with local priorities.

The Hemswell Cliff LDO site provides the potential to accommodate agri-food business premises at a range of scales, including premises which will be attractive to large scale agri-food businesses. The LDO will provide a stimulus for inward investment in the area from agri-food business in the short-medium term, and will sit alongside a Local Plan allocation, ensuring that the site will be retained for suitable uses in the longer term.

Accordingly, the Council is encouraging a mix of building types and sizes, subject to the limitations and conditions set out in the LDO (including the parameters plan). This is intended to allow flexibility to meet the requirements of new or expanding businesses and inward investors, and to enable responsiveness to changes within the agri-food sector. It will facilitate the development of space to meet the needs of a variety of businesses, including support services which will make the site a more attractive location for agri-food businesses. The ability to accommodate a range of unit sizes will also help to foster start-up businesses, and assist with the retention of agri-food business as they expand.

The LDO development proposals complement the masterplan vision for the regeneration of Hemswell Cliff.

The objectives of the Hemswell Cliff LDO are to:

- Enhance the scale and socio-economic impact of the agri-food sector at a local and regional level;
- Provide developable plots capable of accommodating a range of building types and sizes, which are attractive to businesses within the agri-food sector;
- Provide flexibility by allowing the site to accommodate changing requirements (within defined parameters);
- Support the socio-economic aims and objectives of the Hemswell Cliff masterplan;
- Deliver sustainable development by minimising and mitigating any environmental impacts;
- Facilitate development for businesses which provide a substantial number and diverse range of employment opportunities;
- Enhance the attractiveness of the site to inward investors by facilitating development of uses which are complementary to the main agri-food businesses.

4. Description of Development to be Permitted

This section provides a summary of the development granted planning permission by the LDO. The LDO and appendices should be reviewed in full to ascertain the precise development permitted.

The Hemswell Cliff LDO grants Outline planning permission for an 'Agri-Food Business Cluster' comprising business (Use Class B1), industrial (Use Class B2) and/or storage and distribution (Use Class B8) uses which are part of, or immediately related to, the Agri-Food sector.

Development proposals pursuant to the LDO must submit 'Reserved Matters' applications for details of appearance, landscaping, layout and scale, as well as details of the particular food industry uses and processes to be undertaken (see below).

Any submission to propose development pursuant to the LDO must demonstrate that the uses are part of the Agri-Food sector or are closely related to the every-day operations of uses which fall within the sector. See sector explanation below for further guidance.

Outline planning permission is granted for development which conforms to the following parameters, categories and exclusions. Further non-prescriptive guidance is also provided in Appendix 5 on the nature of development anticipated at the site.

4.1. Physical Parameters

As identified on the Parameters Plan (Ref. Aecom ES Figure 6), development pursuant to the LDO must conform to the following parameters:

- Development to be located wholly within the LDO site boundary as shown on plan ref. Aecom ES Figure 1.
- Buildings and structures up to a maximum height of 18m above finished ground level
- Overall maximum floorspace of development 70,000 sqm (gross)
- Overall maximum floorspace for standalone office, business support, meeting and ancillary service premises 5,000 sqm (gross)
- Inclusion of a landscape buffer strip to the north, south and west boundaries of the site
- Potential constraints to the scale, design and/or materials of development within the HSE safeguard 'purple zone' associated with the adjacent fireworks factory.
- Restriction to allow development of infrastructure and landscape planting only within the HSE safeguard 'yellow zone' associated with the adjacent fireworks factory.

4.2. Agri-Food Sector Uses

Businesses in the agri-food sector which are encouraged to locate at the site may be specialist agri-food businesses, specialist agri-food departments within larger or more general businesses, or businesses providing essential goods/services to agri-food sector clients. Businesses which are not dedicated to the agri-food sector or which provide goods/services only incidentally to agri-food sector clients will not be allowed to locate at the site under the provisions of this LDO.

Uses within the agri-food sector supply chain which are acceptable at the site under the LDO may be categorised as follows:

- Input suppliers – Businesses supplying ingredients, products, packaging and machinery etc. to the agri-food sector.

- Technical and support services – Businesses providing specialist support to the agri-food sector, including financial, legal, agency, IT, technology, maintenance, testing etc.
- Logistics, storage and distribution – Businesses providing storage, transportation and associated value added services for goods produced by the agri-food sector. This incorporates 'cool chain' (i.e. chilled or frozen) as well as ambient storage premises and facilities. This also includes grain storage infrastructure with associated testing, control and value added services.
- Food processing – Businesses which create and process food products, including a broad range of services and processes from cleaning and grading to processed food preparation and packaging. Excludes certain food industry processes (see below).
- Output wholesale and marketing – Businesses involved in the sale and trading of agri-food products. This includes sale into the retail and catering trade, and export of goods.
- Research and Development – Businesses involved in research and development of products and systems associated with the agri-food sector.

4.3. Food Industry Processes

The following food industry processes are anticipated to be allowed within the Agri-Food Business Cluster development at Hemswell Cliff.

- Manufacture of vegetable and animal oils and fats
- Packing and canning of animal and vegetable products
- Manufacture of dairy products
- Brewing and malting
- Confectionery and syrup manufacture
- Industrial starch manufacturing installations

Where development pursuant to the LDO proposes any processes within the above list (greater than 1,000 sqm floorspace), the developer shall consult the local planning authority (LPA) on the possible requirement for an environmental impact assessment (EIA).

Should the local planning authority's screening opinion be that the processes proposed could have a significant environmental effect, then the reserved matters application for development including the use/process must be supported by an Environmental Statement prepared in conformity to the EIA regulations.

4.4. Exclusions

The LDO does not grant planning permission for the following uses:

- agricultural production
- catering
- food retail

The LDO does not grant planning permission for development comprising the following food industry processes.

- Intensive livestock installations (including that within Schedule 1 of the EIA regulations)
- Installations for the slaughter of animals
- Fish-meal and fish-oil factories

- Sugar factories.
- Production of chemicals; including pesticides and pharmaceutical products

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5. LDO Timescales

The LDO takes effect on the date it is adopted by the Council, and will be valid for a period of ten years, following which the LDO will expire.

This period is intended to allow sufficient time for the Hemswell Cliff FEZ site to be prepared for development through infrastructure creation and upgrade, for reserved matters applications to be submitted and determined, for conditions to be discharged and construction to commence. Most importantly however, the period is to allow time for business interest in the site to emerge and the process of business planning and expansion/relocation logistics to take place.

Provided that Reserved Matters approval has been obtained, any development commenced under the LDO but not completed by its expiry is permitted to be completed. Any proposed development not commenced before its expiry will require express planning permission and therefore a formal planning application will need to be submitted to the Council.

Following the expiry of the LDO, no new uses or change of use will be permitted, unless permitted by virtue of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

The Council has the power to revoke or modify the LDO at any time before its expiry or could be directed to do so by the Secretary of State. Revocation or modification of the LDO would be subject to notification via the Council's website and local press notice.

At the end of the LDO's ten-year period, West Lindsey District Council will review the effect of the LDO with a view to making a decision on whether to: renew the LDO with no revisions; or renew the LDO with new terms and conditions; or revoke the LDO.

Prospective developers are advised to submit reserved matters applications in plenty of time to enable work to start before the LDO expires.

6. Legislative Framework

LDOs were introduced in 2006 through the Planning and Compulsory Purchase Act 2004. LDOs grant planning permission for specific types of development as detailed in the Order. These primary powers were amended by section 188 of the Planning Act 2008 in June 2009.

The detailed legislative framework for LDOs is contained in sections 61A to 61D and Schedule 4A of the Town and Country Planning Act 1990 (as amended), and in Articles 38 and 41 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (the DMPO).

Article 38 (1) of the DMPO states that where a local planning authority proposes to make an LDO they shall first prepare:

- A draft order; and
- A statement of their reasons for making the order.

Article 38 (2) states that the 'Statement of Reasons' must contain:

- A description of the development which the order would permit; and
- A plan or statement identifying the land to which the order would relate.

This document satisfies the requirements of Article 38 (1) and 38 (2) of the DMPO.

The Growth and Infrastructure Act 2013 removed the requirement to consult the Secretary of State prior to adoption and enables local planning authorities to approve an LDO immediately. The requirement was replaced by the notification to the Secretary of State, through the National Planning Casework Unit, as soon as practical after adoption.

Where development approved by an LDO may have a significant environmental effect, the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 are applied. These regulations set out the requirements for an Environmental Impact Assessment to be undertaken (see Section 8).

Given that part of the LDO site lies within the safeguarding zone of a licenced explosives site, any proposals for development within this zone shall conform to the relevant aspects of the Explosives Regulations 2014 and associated requirements of the Health & Safety Executive (HSE).

7. Relevant Planning Policies

The relevant planning policies considered for the LDO are as follows:

7.1. National Planning Policy Framework

Paragraph 14	Presumption in favour of sustainable development
Paragraph 17	Core planning principles
Paragraphs 18-22	Building a strong, competitive economy
Paragraph 28	Supporting a prosperous rural economy
Paragraph 29-41	Promoting sustainable transport
Paragraphs 56-68	Requiring good design
Paragraph 93-108	Climate change and flood risk
Paragraphs 109-125	Conserving and enhancing the natural environment
Paragraphs 126-141	Conserving and enhancing the historic environment

7.2. West Lindsey Local Plan First Review 2006 (saved policies)

STRAT1	Development Requiring Planning Permissions
STRAT3	Settlement Hierarchy
STRAT15	Employment Allocations
STRAT19	Infrastructure Requirements
SUS1	Development Proposals and Transport Choice
SUS13	Hazardous Proposals
SUS15	Derelict, Under-Utilised and Previously Developed Land
ECON1	Employment Development Provision
ECON3	Protection of Agricultural Land
NBE10	Protection of Landscape Character in Development Proposals
NBE14	Waste Water Disposal
NBE15	Water Quality and Supply
NBE17	Control of Potentially Polluting Uses
NBE19	Landfill and Contaminated Land
NBE20	Development on the Edge of Settlements

7.3. Emerging Central Lincolnshire Local Plan (Submission Draft)

LP1	A Presumption in Favour of Sustainable Development
LP2	The Spatial Strategy and Settlement Hierarchy
LP3	Level and Distribution of Growth
LP4	Growth in Villages
LP5	Delivering Prosperity and Jobs

LP12	Infrastructure to Support Growth
LP13	Accessibility and Transport
LP14	Managing Water Resources and Flood Risk
LP16	Development on Land Affected by Contamination
LP17	Landscape, Townscape and Views
LP18	Climate Change and Low Carbon Living
LP21	Biodiversity and Geodiversity
LP26	Design and Amenity
LP55	Development in Hamlets and the Countryside
LP57	Ministry of Defence Establishments

8. Environmental Impact Assessment

Developments which are likely to have an impact upon the environment are required to be subject to an Environmental Impact Assessment (EIA).

Regulation 29 (2) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended) (the EIA Regulations) provides that where a local planning authority proposes to grant permission by local development order for development falling within Schedule 2 of the EIA Regulations, the local planning authority should not make the LDO unless they have adopted a screening opinion and, if required, an Environmental Statement has been prepared in relation to the LDO.

West Lindsey Council adopted a screening opinion on 12th April 2016 that confirmed the proposed development may have significant environmental effects and thereby required an EIA to be undertaken.

The Council then issued a scoping opinion on 15th August 2016 which confirmed the scope of the EIA to be undertaken.

In accordance with the regulations, an EIA has been undertaken and the Environmental Statement is submitted in support of the draft LDO.

The findings of the EIA have influenced the development proposed to be allowed by the LDO and the associated parameters, including matters such as the access junction, site boundary alignment and ecological mitigation, which are discussed in Section 10 of this statement.

9. Planning History

The statutory registers of planning applications held by West Lindsey District Council and Lincolnshire County Council have been reviewed.

This indicates that there have been no applications made or determined for development within the LDO site.

The following planning applications have recently been submitted and determined in relation to development adjacent to the LDO site and in the vicinity of Hemswell Cliff, which have been considered in the preparation and assessment of the LDO:

9.1. Expansion of Parkacre Site, Hemswell Business Park

Planning Permission was granted (ref. 133082) on 26th April 2016 for the redevelopment of land at the rear of Hangar 2, including erection of a storage building; a building link to a newly constructed production facility building, demolition of existing buildings and general alterations to existing external parking and access arrangements. This application was resubmitted on 25th November 2016 (ref. 135511), in order to alter the shape of the proposed storage building, and is currently under consideration by West Lindsey District Council.

The above applications have been made on behalf of Parkacre Enterprises Ltd (Parkacre). Parkacre manufactures and packages vitamins, minerals and supplements at the Hemswell Business Park and is proposing to expand its operations due to increased demand and growth of the business.

9.2. Hemswell Biogas, proposal to increase tonnages of waste to 90,000 tonnes per annum

An application (ref. W127/134934/16) to vary Condition 3 of planning permission W127/133701/15, relating to the Hemswell Cliff Biogas Anaerobic Digestion (AD) Facility located on the Hemswell Cliff Industrial Estate, was made to Lincolnshire County Council in August 2016. The application was approved with conditions on 7 November 2016. The development does not involve any form of new construction, given that the design and size of the AD facility already constructed is capable of handling greater than the 40,000 tonnes per annum of materials currently accepted.

9.3. Development of 40 no. Residential Dwellings on land west of Lancaster Green, Hemswell Cliff

An application for outline planning permission (ref. 133344) was made in August 2015 for up to 40 No. residential dwellings by TWD Developments Ltd. The development site is located approximately 350 m south east of the Hemswell Cliff FEZ site at Lancaster Gate and comprises approximately 1.1 ha parcel of greenfield land. Planning permission was granted on appeal on 14th June 2016, with all matters reserved apart from access.

9.4. Development of 180 no. Residential Dwellings at Land South of A631, Hemswell Cliff

An application for outline planning permission (ref. 134720) was made on 25th July 2016 for up to 180 No. residential dwellings, with all matters reserved apart from access, by Hemswell Estates Ltd. The development site is located approximately 700 m south-east of the Hemswell Cliff FEZ site and comprises approximately 7.6 ha parcel of greenfield land. The Council's Planning Committee resolved to grant planning permission subject to completion and signing of a section

106 agreement on 14th December 2016, with an additional condition imposed requiring the provision of a controlled pedestrian crossing on the A631 to serve the development.

9.5. Development of a new office block at Unit 10 Learoyd Road, Hemswell Business Park.

Planning permission was granted (ref. 134705) on 26th September 2016 for a two storey B1 (a) office block (270 square metres gross internal floorspace) on land adjacent to the existing Highfields Group operation. J.S. Highfields specialise in transport, warehousing, and distribution, with a specialism in delivering agricultural products.

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10. Development Considerations

10.1. Principle of Development

The Hemswell Cliff FEZ (LDO) site lies on agricultural land immediately to the west of Hemswell Cliff, a former RAF military base, which was disposed of by the Ministry of Defence (MOD) in 1985. The LDO site sits within an area of former runways, adjacent to former hangars which formed part of the original use of the site as an RAF air base. The hangars adjacent to the site are now used as business accommodation, and sit alongside new business units. Further to the east, within the old RAF base are a series of business units accommodating small businesses, including cafes/sandwich shops and vehicle repair workshops.

The LDO site is unallocated in the West Lindsey Local Plan Review 2006, however the LDO site is included as a Strategic Employment Site (ref. E6) under draft policy LP5 – Delivering Prosperity and Jobs in the emerging Central Lincolnshire Local Plan (Submission Draft). Policy LP5 states that the site is reserved for B1, B2 and B8 uses, adding that the presumption will be for Strategic Employment Sites to meet the needs for large scale investment which requires significant land take.

The existing Hemswell Business Park adjacent to the LDO site is allocated for employment uses in the West Lindsey Local Plan Review 2006.

Hemswell Cliff sits on the fifth tier of the settlement hierarchy outlined in Central Lincolnshire Local Plan policy LP2 – The Spatial Strategy and Settlement Hierarchy, however it is identified for a higher than usual scale of expansion due to the existence of the Hemswell Business Park within the settlement, and the importance attached to the proposals within this LDO for the local and regional economy. The Central Lincolnshire Local Plan policy LP57 – Ministry of Defence Establishments, states that the redevelopment or change of use of redundant MOD land will be supported subject to a set of stipulations, including that: the proposal would not conflict with existing land uses on neighbouring land; and in cases where large scale redevelopment of a site is planned, a holistic approach is taken to development in order to avoid a piecemeal approach.

The proposed uses on the LDO site are consistent with the emerging allocation for the site (ref. E6) in the Central Lincolnshire Local Plan and will complement the existing uses within the Hemswell Business Park. The LDO proposes a comprehensive development solution, which seeks to maximise the attractiveness of the entirety of the site to the Agri-Food sector, providing business accommodation in a variety of formats in order to meet the requirements of Agri-Food businesses.

The Hemswell Cliff FEZ will establish a focal point for business development and support to grow the regional food and farming supply chain. The plan is to develop Hemswell Business Park to create a FEZ, supported by a LDO along the A15 growth corridor. The Hemswell Business Park will provide flexible and cost effective premises to meet the demand of expanding local agri-food businesses and inward investors.

The food chain is of critical importance to Greater Lincolnshire's economy. It is the largest employer representing 24% of jobs from field to fork and contributes £2.5 billion every year to the area's economy. The Hemswell Cliff FEZ will therefore play a vital role in helping Greater Lincolnshire LEP to achieve their vision of doubling the economic value of the agri-food sector in Greater Lincolnshire by 2030.

Together with the FEZs at Holbeach and Europarc, the three FEZs will establish a triangular hub serving the key agri-food clusters in the Greater Lincolnshire area (arable crop sector and food processing in Central Lincolnshire, fish processing in the South Humber Bank and fresh produce at Holbeach). The "A15 growth corridor" links all three FEZ areas and is thus important strategically in facilitating growth of the food chain across the LEP area.

The development of the Hemswell Cliff FEZ site will help to add value to farm output produced in Lincolnshire. By creating more food processing capacity, for example at Hemswell Cliff, the area can capture more of the post farm gate added value.

Creating food processing and supply chain jobs within the Hemswell Cliff FEZ site will add value to the local economy which will in turn facilitate growth of the wider economy. As Hemswell Cliff is currently a relatively deprived community, creating these high value jobs would particularly benefit local people.

A preceding site search sought high quality, attractive sites, generally 10 ha+ in size, that would be able to accommodate international or national businesses, but also be appealing to regional or local firms. The aim was that these sites would be prioritised for businesses requiring large scale floorplans and with significant numbers of employees to avoid piecemeal development that would potentially prevent large scale development from taking place.

Criteria for selection included a location on a strategic highway network and/or sites that were well served by public transport. The Hemswell Cliff FEZ site was deemed to meet the above criteria, given its proximity to the A15, sizeable area to accommodate strategic development and existing/proposed agri-food sector uses.

Wider objectives giving weight to the selection of the Hemswell Cliff FEZ site included the regeneration of Hemswell Cliff by attracting inward investment and employment growth.

The proposed development is therefore considered to have a positive impact on the existing commercial area at Hemswell Cliff, helping to attract inward investment and supporting the vitality of the area, in addition to providing significant socio-economic benefits through providing a range of new jobs. As the land also benefits from a draft allocation within the emerging Central Lincolnshire Local Plan, it is considered that the development proposed through this LDO is acceptable in principle.

10.2. Employment Uses and Economic Growth

Paragraph 18 of the NPPF sets out the Government's commitment to supporting economic growth. The NPPF advises that local planning authorities should help achieve economic growth by planning proactively to meet the development needs of business and support an economy fit for the 21st century; that local planning authorities should support existing business sectors, taking account of whether they are expanding or contracting; and that policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances (paragraphs 20-21). Draft policy LP5 of the Central Lincolnshire Local Plan supports, in principle, proposals which assist in the delivery of economic prosperity and job growth to the area.

This LDO grants Outline planning permission for the uses set out in Section 4 – Description of Development Permitted (use class B1, B2 and B8), and for buildings to form business premises, provided that they are in accordance with the use and development parameters, within the LDO site. The uses and development parameters have been selected in order to provide attractive business space for the Agri-Food sector.

A degree of flexibility has been incorporated into the LDO in order to allow for an 'Agri-food Business Cluster' which includes a range of complementary uses focused on the Agri-food sector, and to provide the flexibility needed in order to respond to changing business needs and economic circumstances, making the LDO site a resilient employment site for the short, medium and possibly longer term. As indicated by the illustrative layout drawing, the LDO facilitates the provision of business units of a range of sizes and formats. This is to encourage new start-up businesses, to provide capacity for their retention through provision of larger floorplate units into which they can expand, and to attract large scale agri-food businesses. The range of business

units will also facilitate the inclusion of businesses which support the operations, making the site a more attractive location for the Agri-Food sector.

The Hemswell Cliff FEZ will therefore play a vital role in helping Greater Lincolnshire LEP to achieve their vision of doubling the economic value of the agri-food sector in Greater Lincolnshire by 2030. Creating food processing and supply chain jobs within the Hemswell Cliff FEZ site will add value to the local economy which will in turn facilitate growth of the wider economy. As Hemswell Cliff is currently a relatively deprived community, creating these high value jobs would particularly benefit local people.

10.3. Landscape and Setting

The LDO grants Outline planning permission, with all matters reserved. This means that layout, scale, appearance, means of access, and hard and soft landscaping will be provided in one or more reserved matters applications. The height and extent of the potential development is controlled by the parameters plan attached to the LDO. Reserved Matters applications will also be supported by a design and access statement setting out how detailed proposals comply with the parameters plan and additional guidance of the LDO.

Draft policy LP17 of the emerging Central Lincolnshire Local Plan, and saved policy NB10 of the West Lindsey Local Plan Review require that proposals should have particular regard to maintaining and responding positively to features within the landscape and townscape which positively contribute to the character of the area. Similarly policy LP26 – Design and Amenity, of the emerging Central Lincolnshire Local Plan requires that all development must achieve high quality sustainable design that contributes positively to local character, landscape and townscape.

10.3.1. LANDSCAPE

The Hemswell Cliff FEZ site comprises of open agricultural farmland, heavily influenced by the adjacent Hemswell Business Park, which contains the hangars and other operational buildings that were associated with the former RAF airbase, as well as newer industrial units and structures that have been built in more recent years.

Due to the arable use of the Hemswell Cliff FEZ site, there are currently few features of landscape value present on the site. Views to the Hemswell Cliff FEZ site are medium distance views and often obscured by landform. The Hemswell Cliff FEZ site will be perceived as an extension of the light industrial landscape of Hemswell Business Park.

The Hemswell Cliff LDO development is assessed to result in a minor adverse (and therefore not significant) effect on the landscape upon opening of the development. This effect further reduces as a result of the maturation of proposed landscape screen planting on the Hemswell Cliff FEZ site, resulting in a minor beneficial effect in the long term.

A landscape/planting scheme designed to provide screening is required to be incorporated as part of any plot development and is secured by planning conditions. The parameters plan precludes development from a perimeter zone (to the north, south and west boundaries) where landscape planting will be incorporated.

10.3.2. VISUAL AMENITY

Views from the wider area are limited by distance, intervening landform, small woodland blocks, hedgerows and hedgerow trees along roads. Longer range views will assimilate the Hemswell Cliff FEZ site into the backdrop of existing structures associated with Hemswell Business Park, which is often visible on the horizon.

Tree belt planting as part of the landscape scheme of the Hemswell Cliff FEZ site and the infill planting and management of existing hedgerows along the A631 will have a positive effect, by providing screening of the Hemswell Cliff FEZ site in the long term.

Prospective views of the LDO development have been assessed and concluded not to constitute a significant effect on visual amenity during construction or operation of the development. Any effect on visual amenity will reduce over time as a result of the maturation of proposed landscape planting.

Overall, it is considered that the development proposed through the LDO will respond positively to natural and man-made features within the existing landscape and townscape.

10.4. Ecology

Paragraph 118 of the NPPF states that when determining planning applications, Local Planning Authorities should aim to conserve and enhance biodiversity; and Central Lincolnshire Local Plan Draft Policy LP21 – Biodiversity and Geodiversity states that all development should minimise impacts on biodiversity and geodiversity, and seek to deliver a net gain. A Preliminary Ecological Appraisal and Breeding Bird Survey have been carried out to support this LDO, and the potential impacts of the proposed development have been assessed through the Environmental Impact Assessment which supports this LDO.

West Lindsey Local Plan 2006 saved policies relate specifically to national designations (SSSIs or NNRs) (Policy NBE11), locally designated nature conservation sites and ancient woodlands (Policy NBE12), and 'wildlife corridors' (Policy NBE13). The Hemswell Cliff FEZ site is not subject of any ecological allocation (except the Environmental Stewardship scheme relating to field boundaries – see Soils and Agriculture below), nor will any such allocation be affected by development pursuant to the LDO.

The Hemswell Cliff FEZ site comprises arable and grassland habitat, which supports locally important populations of breeding farmland birds. The loss of this habitat will result in the loss of breeding bird territories within the footprint of the development, including ground nesting Red and Amber List species of high and moderate concern. However, the assessment has concluded that the displacement of the small numbers recorded is significant at the local level only and does not require mitigation.

The creation of woodland, scrub and waterbodies within the development footprint as part of the landscape and surface water drainage strategy will create nesting opportunities for a range of bird species, as well as creating habitat suitable for terrestrial and aquatic invertebrates, small mammals and foraging bats within the Hemswell Cliff FEZ site boundary. At present the Hemswell Cliff FEZ site is of relatively low ecological value for most species, except nesting birds, due to the prevailing intensive agricultural land management regime. It is therefore reasonable to assume that the newly created habitats will be sufficient to achieve no net loss of biodiversity overall, in accordance with national planning policy.

10.5. Transport and Access

Paragraph 29 of the NPPF acknowledges the importance of sustainable transport. Paragraph 32 of the NPPF requires all developments that generate a significant amount of movement to be supported by a Transport Assessment. Paragraph 32 goes on to state that local authorities must consider whether improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development; and that development should only be prevented on transport grounds where the residual cumulative impacts of development are severe.

Policy SUS1 of the existing Local Plan seeks that large scale development proposals are located in sustainable locations which can be easily and suitably accessed by existing or expandable public transport service, and where there are good local pedestrian and cycle links available or to be provided.

Emerging Local Plan policy LP12 states that development will only be allowed where it is demonstrated that there is, or will be, sufficient infrastructure capacity to support and meet all the necessary requirements arising from the proposed development.

Emerging Local Plan policy LP13 supports development proposals which contribute towards an efficient and safe transport network and which offers a range of transport choices for the movement of people and goods. Development is encouraged to minimise additional travel demand by location, travel planning and increased use of sustainable modes of transport.

The Transport Assessment prepared to support the LDO application for the proposed Hemswell Cliff FEZ site has assessed the transport impacts of the proposed Hemswell Cliff FEZ site.

In accordance with good practice, a Scoping Study was prepared which set out the parameters of the Transport Assessment. The Scoping Study was submitted to Lincolnshire County Council, whereby the scoping assessment methodology was discussed and agreed.

10.5.1. TRAFFIC GENERATION

The transport impacts arising during the operational phase of the Hemswell Cliff FEZ site have been assessed for the 'Forecast Assessment Year' of 2031, when the FEZ site is fully built out. No reduction in car driver trips, expected with the implementation of the Travel Plan, has been applied to the trip generation, therefore the assessment represents a 'worst case' scenario.

The transport impact of cumulative development has been assessed. This has included a number of committed developments including proposed Gainsborough Northern and Southern Urban Extension areas, Riverside Gateway LDO, proposed residential developments to the south of the A631 in Hemswell Cliff, and expansion of the Hemswell Biogas AD Plant and Parkacre development within the Hemswell Business Park.

Whilst the proposed development will naturally give rise to an increase in traffic on the local road network, detailed junction capacity modelling demonstrates that all junctions within the study area operate within their design capacity in both the AM and PM peak hours 'with development'.

In conclusion, the predicted transport impacts would not have a detrimental impact on highway safety or highway capacity. The residual cumulative impacts of the proposed development are not considered 'severe' in terms of paragraph 32 of the NPPF.

10.5.2. SUSTAINABLE TRAVEL

To maximise the opportunities for sustainable transport modes, occupier Travel Plans will be secured by a condition of the LDO. As the specific occupiers of the FEZ site are not known at this stage, a Framework Travel Plan has been prepared at Outline stage to identify measures and establish procedures to encourage employees of future occupiers to adopt modes of transport which reduce reliance on single occupancy private car use.

The Framework Travel Plan is intended to provide a template for compliance by future tenants. It also provides guidance so that businesses can develop their own final Travel Plans which, while being in line with the Framework, are customised to their individual circumstances.

The location of the site does not provide the potential for access by foot, on bicycle or by public transport in a cost effective manner, aside from access to Hemswell Cliff village. The Framework Travel Plan therefore concentrates on encouraging car sharing to reduce the number of single occupancy peak hour car trips. It also identifies the possibility of a peak hours journey to work shuttle bus to improve non-car accessibility. Such a measure would need to be the subject of a feasibility study in the first instance. As it would be a site wide resource, a mechanism for sharing the costs between occupants of the FEZ site (and potentially the existing business park) would be agreed prior to any service coming into operation.

Details such as provision of cycle parking spaces and facilities shall be provided with the submission of reserved matters applications.

10.5.3. ACCESS

The modelling of the site's access to the A631 indicates that the existing main entrance to Hemswell Business Park could accommodate the additional development traffic associated with the Hemswell Cliff FEZ site without any upgrade being required.

Nevertheless, it is proposed to enhance the access by upgrading the existing priority junction. Widening of the highway is proposed to allow creation of a dedicated right turn lane which will enhance the operation and safety of the junction.

Furthermore, subject to confirmation of feasibility, it is proposed to provide a new pedestrian/cycle access route between the Hemswell Cliff FEZ site and Hemswell Cliff village. This is anticipated to be either a new footway to the north side of the A631 between the site access and Gibson Road, or a new route via the existing business park.

The proposed mitigation approach has been presented to and discussed with Lincolnshire County Council as the Highway Authority. The junction upgrade works and possible footway are secured by a planning condition and will be undertaken through a s278 agreement with the Highway Authority.

Officers of the Highways Authority have also indicated a desire for a roundabout to be created on the A631 which could serve to provide access to the FEZ site and would calm traffic running through Hemswell Cliff. There is no requirement in terms of safety or capacity for such a roundabout to provide access to the FEZ.

Whilst the desire to calm traffic through Hemswell Cliff is recognised, the appropriate means of doing this is not considered to be the imposition of an additional cost on the FEZ development for infrastructure works not required to mitigate its impact. The cost of providing a roundabout would substantially exceed that of the adequate junction upgrades proposed and could reduce the attractiveness of the FEZ to businesses if the cost is passed on and may therefore compromise its viability.

Should any separate project relating to traffic calming within Hemswell Cliff conclude, following a cost-benefit analysis, that a roundabout is the most appropriate means to calm traffic and that the cost of constructing the roundabout would be funded from budgets unrelated to the FEZ development, then a roundabout is considered to be compatible with the FEZ and would be supported.

10.5.4. PARKING

The car parking to be provided for the Hemswell Cliff FEZ site will be confirmed as reserved matters applications come forward for individual units. However, to ensure that the development does not encourage unnecessary car use, the number of spaces will be within maximum parking standards as identified within the Lincolnshire County Council parking standards.

10.6. Flood Risk and Drainage

Paragraph 100 of the NPPF seeks to avoid inappropriate development in areas at risk of flooding by directing development away from areas at highest risk. Development at the Hemswell Cliff FEZ site conforms to this objective given that it lies within Flood Zone 1, and is therefore considered to be at low risk of flooding from fluvial and tidal sources.

Emerging Local Plan policy LP14 'Managing Water Resources and Flood Risk' sets out a series of factors which development proposals need to demonstrably meet, including that development should not increase the flood risk for existing or proposed properties within the area, and that

Sustainable Drainage Systems (SuDS) are incorporated into the proposals unless they can be shown to be impractical.

Policy STRAT1 of the existing Local Plan seeks to ensure that there is sufficient availability and capacity of infrastructure to adequately serve the development. Policy NBE14 seeks to ensure that foul sewage and surface water run-off are planned for.

10.6.1. FLOOD RISK

A flood risk assessment has been undertaken in support of the LDO which concludes that:

- The risk of flooding from fluvial and tidal sources, and from artificial sources, drainage and sewer infrastructure is low.
- Whilst the risk of flooding from groundwater is low, given that the site lies in an area susceptible to groundwater flooding, a 300mm difference in ground level to floor level is to be incorporated in the development and secured by planning condition.
- Whilst the majority of the site is at 'very low' risk of flooding from surface water, there is a small area at 'low' risk of flooding at the northern extent of the site. As such, the Hemswell Cliff FEZ site is considered to be at low risk of surface water flooding.

10.6.2. SURFACE WATER DRAINAGE

A Drainage Constraints Report has been prepared to set out how surface water runoff from the Site will be managed after development. The proposed drainage design of the Hemswell Cliff FEZ site is based on providing surface water attenuation storage up to and including a 1 in 100 year event plus 30% allowance for climate change using infiltration based methods.

The drainage strategy proposes the use of infiltration basins within each plot, whereby surface water flows are attenuated within plots before infiltrating into the ground. This is the most sustainable form of surface water drainage.

The suitability of any location for infiltration may vary according to ground conditions. Whilst it is considered likely that the ground conditions across the whole site will be able to support infiltration, this is to be determined by soakaway tests to be undertaken during the detailed design stage.

Should the soakaway tests indicate that infiltration cannot be achieved at any given plot, then surface water from the site will be restricted to the equivalent greenfield run off rate for the site.

Provision is made within the LDO for construction of an attenuation pond and associated pipes or swales, the detail of which would be approved via a reserved matters submission if required. The ability to construct the pipes or swales is preserved by the identification of an 'infrastructure zone' on the Parameters Plan, which runs immediately adjacent to the existing and proposed spine road.

An attenuation pond will be located (if required) within the northernmost extent of the site and will outfall, via a piped network and new outfall into Aisthorpe Springs, a watercourse located to the east of the Site. This location is lowest lying and within the HSE safeguarding 'yellow zone' (see Section 10.12) where development of an employment use (or other use where people are present) would not be supported.

Additional attenuation storage will be achieved using a combination of swales, balancing ponds, channels, pipe network and/or underground storage within the development plots.

The Hemswell Cliff FEZ site is not likely to increase surface water runoff and therefore meets the requirements of the NPPF, regional and local planning policies. There are no anticipated off-site impacts as a result of the development of the Hemswell Cliff FEZ site.

Planning conditions will require the submission and approval of full surface water drainage details for each proposed phase or plot of development prior to commencement of development of that phase or plot.

10.6.3. FOUL WATER DRAINAGE

An assessment has been undertaken to ascertain the capacity of the foul water drainage network in the vicinity of the Hemswell Cliff FEZ site. Anglian Water's initial assessment of capacity of the sewer networks and foul water treatment facility located to the east of the Hemswell Cliff FEZ site suggests that there is insufficient capacity in the works and the sewer network to accommodate the flow levels anticipated to be required. Further hydraulic modelling is being undertaken by Anglian Water to confirm the assessment. If the initial assessment proves to be correct and the existing foul wastewater treatment facility does not have capacity to serve the development, then an alternative option would be required such as the construction of a private treatment facility to serve the site.

Planning conditions require confirmation that the existing sewer networks and foul water treatment facility located to the east of the Hemswell Cliff FEZ site have sufficient capacity to accommodate the development to be obtained prior to commencement. In the event that this cannot be confirmed, the conditions require that details of an appropriate alternative means of treating foul water from the development are approved prior to commencement of the development.

Thereafter, planning conditions require the submission and approval of full foul water drainage details for each proposed phase or plot of development prior to commencement of development of that phase or plot.

10.7. Services and Infrastructure

Policy STRAT1 of the existing Local Plan seeks to ensure that there is sufficient availability and capacity of infrastructure to adequately serve the development. Conditions are proposed to ensure further details on foul sewage and surface water run-off are submitted to and approved by the Council.

An assessment has been undertaken to ascertain the capacity of existing water, gas and electricity network in the vicinity of the Hemswell Cliff FEZ site. In relation to the location of existing utilities on site, constraints imposed by them and the potential for future connections or the proposed development, the following has been found:

- The extent of essential existing gas utility assets is considered adequate and has capacity to serve the proposed development at the Hemswell Cliff FEZ site;
- Consultation with the respective statutory undertakers has found that connection for gas could be facilitated for the proposed quantum of development, without the need for remedial works or any reinforcement of existing infrastructure assets;
- Whilst Northern Power Grid is able to provide an electricity supply to the site, this would require funding to allow necessary reinforcements to be made.
- The provision of clean water to the site to meet the levels required for 'wet industry' is only achievable with significant reinforcement which would need to be funded. Anglian Water has indicated that sufficient supply to meet the 'domestic use' requirements for the proposed development is achievable with minimal reinforcement. [Further advice is awaited from Anglian Water on the options, costs and timescales]
- A further response is also awaited from Anglian Water regarding foul drainage infrastructure. It is understood that it may be necessary to construct and operate a private sewage treatment

works on the site, which would require agreement from the Environment Agency for a discharge to the watercourse.

10.8. Renewables and Energy Efficiency

Paragraph 93 of the NPPF supports the delivery of renewable and low carbon energy and associated infrastructure as a central element of the economic, social and environmental dimensions of sustainable development. The Hemswell Cliff FEZ development has the potential to incorporate the generation of, and to utilise, energy generated from renewable and low carbon sources. For example, the existing anaerobic digestion facility located adjacent to the LDO site may have the potential to provide energy to businesses within the FEZ. A condition of the LDO requires details of the generation and use of renewable or low carbon energy for each plot or phase of development to be prepared, approved by the Council and incorporated in the development.

10.9. Ground Conditions

Paragraph 121 of the NPPF dictates that planning decisions should ensure the site is suitable for its new use taking account of ground conditions and land stability, and that after remediation the land should not be capable of being determined as contaminated land. Saved policy NBE19 of the West Lindsey Local Plan Review 2006, and draft policy LP16 of the Central Lincolnshire Local Plan Submission Draft require appropriate site investigation and risk assessment to be carried out to assess risks to people, biodiversity, buildings, land, air and water arising from the development itself and any former use of the site.

Given the site's former use as an RAF airfield, initial desktop assessments have indicated the possible presence of land contamination and/or unexploded ordnance (UXO) (see below). The Phase 1 Environmental Site Assessment report therefore concludes that the construction and operational activities at the Hemswell Cliff FEZ site have the potential to impact on human health and controlled waters.

However, with the effective implementation of mitigation measures (including a ground investigation, detailed desktop UXO assessment and any necessary remediation and/or design adaptations as secured by LDO conditions), all potential geological and contamination related effects associated with the proposed Hemswell Cliff site during the construction and operational phases are considered to be removed or reduced to an acceptable level.

A planning condition attached to the LDO require further site investigation to be undertaken and approved prior to development of each phase or plot. Any further mitigation works will be undertaken accordingly.

10.9.1. UNEXPLODED ORDNANCE AND CHEMICAL AGENTS

Given the site's former use as an RAF base and airfield, it has been confirmed through the Preliminary Unexploded Ordnance Risk Assessment that there is a risk of unexploded ordnance (UXO) remaining within the LDO site.

This preliminary assessment has resulted in an overall Medium risk from UXO with a recommendation that a Detailed UXO Threat Assessment Desk Top Study is undertaken for this site. The report indicates that:

"The risk of encountering UXO at the site of an airfield is highly dependent upon the history of the site. Factors to be considered include the type of airfield and its role before, during and after WWII. Additional factors affecting the site include records of aerial attacks, test firing butts, bomb stores, remote wooded training areas, practice bomb areas, ammunition storage locations, defensive positions, aircraft crash sites etc."

Further information obtained by West Lindsey Council from the National Archive at Kew indicates that:

“Our records show that Hemswell was subjected to several enemy attacks during the Second World War, which caused craters and some damage to buildings. In one instance there is mention of unexploded bombs, but these will almost certainly have been dealt with.

In respect of chemical weapons used during the Second World War, a Category 2 risk may exist at Hemswell. The Scientific Support Branch report states:

Category 2. Sites where evidence shows storage of 65 lb. LC bombs definitely took place. The 65 lb. bombs were extremely susceptible to leaking, both during transportation and from corrosion by the mustard filling. There is a very high probability of leakers having been buried/burnt on site with consequent contamination of the ground.”

Accordingly, a condition is attached to the LDO which secures further investigation to be undertaken and risk mitigation measures to be agreed prior to the commencement of development.

10.10. Agriculture and Soils

The NPPF requires that local planning authorities take into account the economic and other benefits of the best and most versatile agricultural land (paragraph 112); and Central Lincolnshire Local Plan draft policy LP55 and saved policy ECON3 require that the best and most versatile agricultural land is protected. An Agricultural Land Classification and Soil Resources Assessment has been undertaken.

The area of agricultural land required permanently for the Hemswell Cliff FEZ site amounts to approximately 26.4 ha, of which approximately 18.3 ha is best and most versatile (BMV) land in Grades 2 and 3a.

The Hemswell Cliff FEZ site comprises bare agricultural land, predominantly in arable use and used for growing combinable crops. There are no farm buildings, dwellings or other significant items of fixed farm infrastructure within the site. Two fields within the centre of the site are within an Environmental Stewardship scheme (the creation and management of buffer strips and floristically-enhanced grass margins).

The permanent change of use of this land is assessed as a minor adverse effect on agricultural land, which is not considered to be significant. Similarly, with the beneficial re-use of surplus soils generated by the development, the effect on the soil resources is not considered to be significant.

The primary measures to mitigate the impacts on agricultural land and soil resources will be set out in a Soil Resources Plan, which will confirm the soil types on site; the most appropriate re-use for the different types of soils; and proposed methods for handling, storing and replacing soils on-site. The Soil Resources Plan will aim to re-use as much of the surplus soil resources on or adjacent to the site in the detailed design of the development so that they can continue their various ecosystem functions on or adjacent to the site. Features within Environmental Stewardship can be re-created on adjacent residual land within the same farm holding.

The only impacts on the farms relate to the loss of relatively low proportions of land from the edge of each holding. There is no severance or fragmentation of holdings, and no loss of fixed farm infrastructure. The effects on farm holdings identified are not considered to be significant.

Following completion of the construction works, there will be no additional direct adverse impacts on agriculture, although the developments to be authorised by the Hemswell Cliff FEZ site potentially offer opportunities to farms in the locality to add value to their primary produce.

10.11. Archaeology and Heritage

The NPPF emphasises the importance of conserving and enhancing the historic environment (paragraphs 126-141), and that development should cause less than substantial harm to the designated heritage asset (paragraph 133). Central Lincolnshire Local Plan draft policy LP25 – The Historic Environment stipulates that development proposals should protect, conserve and seek opportunities to enhance the historic environment.

A cultural heritage assessment has been undertaken to ascertain whether development pursuant to the LDO could cause substantial harm to heritage assets.

The assessment concludes that the historic built environment is characterised by dispersed settlements, including the listed buildings and conservation area at Harpswell and Hemswell, the significance of which will not be adversely impacted by the development at the Hemswell Cliff FEZ site.

Impacts to the historic built environment resulting from the development of the Hemswell Cliff FEZ site are limited to those assets related to the former RAF Hemswell site. There will be a minor adverse effect on the Grade II listed Hemswell Court and the non-designated heritage assets of the former hangars and administrative buildings, as new structures on the former airfield will change the setting of these heritage assets and reduce the intervisibility between the former hangars and the airfield. The change impacts upon the setting of the assets which contribute to their significance. By reducing the visibility between the hangars and the former airfield, there will be reduced understanding of the context.

However, the preservation level of the airfield is poor and its level of heritage significance is not sufficient to merit its conservation. It has been agreed with the archaeology officer for LCC that an appropriate level of recording will be carried out and will constitute a suitable and proportionate level of mitigation. A condition of the LDO will secure the preparation of a report which documents the history and development of the former airfield.

Potential impacts to buried archaeological remains within the Hemswell Cliff FEZ site will be mitigated via a programme of archaeological fieldwork, comprising geophysical survey and targeted trench evaluation, which will inform detailed excavation and recording as necessary, thereby ensuring that evidential value is not lost. This is secured by conditions, with the details of this determined at reserved matters stage, when details of the developments proposed within the Hemswell Cliff FEZ site are known.

10.12. Noise and Air Quality

A core principle of the NPPF is that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings (paragraph 17), and paragraph 123 stipulates that planning policies and decisions should avoid noise from giving rise to significant adverse impacts. Central Lincolnshire Local Plan Draft Policy LP26 – Design and Amenity stipulates that impacts in terms of noise and upon air quality should be considered in relation to both the construction and life of the development.

This LDO is supported by a Noise and Vibration Assessment and an Air Quality Assessment based upon the anticipated impact of construction activity and traffic generation. As occupier businesses and their operational activities are not known at this stage, further assessment will also be undertaken at the reserved matters stage.

10.12.1. NOISE AND VIBRATION

The noise assessment has included monitoring surveys to establish the existing ambient and background sound levels at the closest noise sensitive receptors to the site.

Given that there are no residential receptors within close proximity to the Hemswell Cliff FEZ site, vibration effects are considered unlikely to be significant. However, in order to minimise vibration effects at neighbouring commercial/industrial premises which may be sensitive, further identification of any significant vibration producing operations and the appropriate mitigation of any identified significant effects, once the Main Contractor is appointed for each plot, will be required and is secured by condition.

Any noise resulting from an increase in traffic on the local road network during the construction and operation of the Hemswell Cliff FEZ is predicted to result in negligible effects, which would not be significant.

With respect to the operation of development at the FEZ site, noise limits have been derived at nearby residential locations (as set out in table 7.17 of the Environmental Statement) based on the results of the baseline noise surveys.

Following the implementation of appropriate mitigation measures during the detailed design stage to meet the required noise limits (as a minimum), the residual effects of fixed mechanical plant, processing equipment and deliveries from all development plots, combined noise levels at nearby residential locations would increase, but would be below the level above which adverse effects on health and quality of life can be detected.

To ensure that any issue of noise levels increasing over time as the FEZ is developed and becomes fully operational is monitored and controlled so as to ensure an acceptable level of amenity at nearby residential locations, a condition is attached to the LDO which requires each proposed element of development to assess background noise level and incorporate noise control measures to ensure conformity to the accepted levels.

10.12.2. AIR QUALITY

A qualitative construction phase assessment has been undertaken to determine the potential dust impacts. Appropriate mitigation measures have been proposed and will be secured through inclusion of a Construction Environmental Management Plan as a condition of the LDO.

A quantitative operational phase assessment and detailed dispersion modelling have been undertaken to determine the impact of traffic derived pollutant concentrations at nearby sensitive receptors.

As the precise nature of activities to take place at the Hemswell Cliff FEZ site are unknown at this outline stage, it is not possible to assess the air quality effects associated with operational activities (beyond those associated with road traffic emissions). Air quality will therefore be subject of further assessment and control at the reserved matters stage as secured by a condition of the LDO.

10.13. Health and Safety

10.13.1. HSE CONSULTATION ZONE / EXPLOSIVES SITE

Consultation with the Health & Safety Executive (HSE) has identified the location of a licenced explosives site (fireworks factory) to the north east of the LDO site. The HSE has identified two safeguarding zones which surround the licenced site and overlap the LDO site.

The 'yellow line' encompasses the explosives site and defines the minimum permissible distance between an explosives site and inhabited buildings or assembly places. Within this line, the construction of new inhabited buildings and public traffic routes are restricted. The area within the Yellow Line is known as the Yellow Zone.

The 'purple line' encompasses the explosives site and defines the minimum permissible distance between an explosives site and inhabited buildings which are by definition of vulnerable

construction. Additionally, the construction of new inhabited buildings of curtain-wall construction or high rise buildings is restricted. The area within the Purple Line is known as the Purple Zone.

Buildings of vulnerable construction are defined by The Explosives Regulations 2014 as:

“Vulnerable building means a building or structure of vulnerable construction, that is to say—

(a) a building of more than three storeys above ground or 12m in height constructed with continuous non-load bearing curtain walling with individual glazed or frangible panels larger than 1.5 m² and extending over more than 50% or 120 m² of the surface of any elevation;

(b) a building of more than three storeys above ground or 12 m in height with solid walls and individual glass panes or frangible panels larger than 1.5 m² and extending over at least 50% of any elevation;

(c) a building of more than 400 m² plan area with continuous or individual glazing panes larger than 1.5 m² extending over at least 50% or 120 m² of the plan area; or

(d) any other structure that, in consequence of an event such as an explosion, may be susceptible to disproportionate damage such as progressive collapse.”

This definition is expanded upon in the Ministry of Defence Explosives Regulations for the Safe Storage and Processing of Ordnance, Munitions and Explosives, January 2013 (JSP 482), which provides the following examples of structures susceptible to disproportionate damage:

“(i) unframed structures with limited continuity utilising non-ductile materials;

(ii) large-span, tension or other special structures with critical load-bearing elements;

(iii) unusually weak structures (typically historic or timber framed buildings);

(iv) buildings containing vulnerable elements such as pre-cast panel fixings or large span slender masonry panels which may be particularly susceptible to failure and lead to a falling debris hazard.”

Further assessment is required for ‘Large Facilities of Special Construction or Importance’ including where these are not assessed to be of vulnerable construction. Stated examples of such buildings include *inter alia*:

“(a) Large factories.

(b) Multi-storey office buildings...”

It is of paramount importance to ensure that development and use of land pursuant to the LDO is appropriate to its location in close proximity to an explosives site so as to ensure that any risks are limited to an acceptable level.

The LDO boundary includes land within the safeguard zones as it is feasible that the licenced explosives site use may change or cease during the period of the LDO, and/or that certain forms of development or land use are acceptable within the zones.

The safeguard zones (yellow and purple lines) that were provided by the HSE on 16th September 2016 have been transposed onto the parameters plan which forms part of the LDO.

Conditions of the LDO require that the HSE is consulted prior to the submission of any proposed development or use of land within the safeguard zone. This will allow the HSE to confirm the extent and details of the safeguard zone at that time and to provide guidance or instruction on the use, nature or location of development.

Any development proposal subsequently submitted for reserved matters approval must then demonstrate conformity to the HSE's advice or requirements. Any proposal failing to do this should be refused planning permission.

Whilst the explosives licence remains in place, the effect of this is anticipated to be a limitation of any proposed use or development in yellow zone to landscaping, planting or infrastructure such as a drainage pond. This area may therefore serve to provide a net gain in biodiversity and to optimise the development of the main plots by reducing land lost to infrastructure.

The effect within the purple zone is likely to be a limitation on building size, design and materials. It is possible that the restrictions will prevent the development of large roof-span or multi-storey buildings, or result in increased cost of development, both of which could reduce the attractiveness of this part of the site to certain forms of agri-food development. However, as this limitation is subjective to design and may change over time, it is not considered sufficient to omit the land from the LDO. See Appendix 5 – Additional Guidance.

11. Consultation Process

It is a requirement that LDOs are the subject of local consultation. LDO consultation procedures are set out in article 34 of the Town and Country Planning (Development Management Procedure) Order 2010 (Statutory Instrument 2010/2184). Consultation must include any person with whom the LPA would have been required to consult on an application for planning permission for the development proposed to be permitted by the LDO. Both informal and formal consultation procedures are being followed by West Lindsey District Council.

The approach to consultation adopted in the preparation of the LDO has built upon the work already undertaken by West Lindsey District Council for the Hemswell Cliff Masterplan.

The preparation of the Hemswell Cliff Masterplan was informed by the outputs of community consultation events, and meetings and discussions with key stakeholders, including a Key Stakeholders' Workshop on 17th February 2016 and a Community 'Drop-in' on 3rd March 2016.

West Lindsey District Council has worked closely with the key statutory consultees in the preparation of this LDO, including:

- Environment Agency;
- Natural England;
- Lincolnshire County Council;
- LCC Waste and Minerals;
- West Lindsey District Council;
- Historic England;
- Anglian Water; and
- Health and Safety Executive.

Consultation on the draft LDO proposals has been carried out during the preparation of the Environmental Impact Assessment (EIA), which supports the LDO, and notes from the Key Stakeholders' Workshop on 17th February 2016 for the Hemswell Cliff Masterplan were considered during the EIA Scoping Stage. A stakeholder scoping workshop was held on 14th June 2016, following a briefing for statutory consultees on the general scope and purpose of the LDO by West Lindsey District Council.

Thereafter, a formal request for a Scoping Opinion was made on 6th July 2016 including an EIA Scoping report, circulated by West Lindsey District Council to statutory consultees. A formal EIA Scoping Opinion was then published, together with written comments from Statutory Consultees, on 15th August 2016.

After receipt of the Scoping Opinion, further consultation with a range of stakeholders has been undertaken by technical specialists preparing the necessary assessments to support the EIA. The purpose of such consultation has been to:

- Gather additional relevant baseline data available from consultees;
- Discuss and agree specific locations of sensitive receptors for baseline monitoring and/ or assessment; and
- Confirm the proposed approach to assessment, including mitigation measures agreed as necessary.

A key aim of the consultation has been to agree assessments which address realistic worst-case assumptions and which ensure that specific relevant concerns of consultees are addressed, whilst also making sure the LDO helps to streamline the planning process for potential developers

as much as possible, by reducing the amount of additional work required at the reserved matters stage.

The LDO will be consulted on in accordance with Article 38 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. In accordance with the LDO regulations, a draft of the LDO, Statement of Reasons and Environmental Statement will be placed on consultation for a period of not less than 28 days, following approval by West Lindsey District Council. The consultation will be publicised by site notice and local advertisement. The documentation will be available for review at West Lindsey District Council's offices, on its website and, as appropriate, locally to Hemswell Cliff.

Consultation responses will be taken into account by the Council in accordance with Article 38(10) of the Development Management Procedure Order 2015, in considering what modifications should be made to the draft LDO or whether the LDO should be adopted. If adopted, the LDO will be submitted to the Secretary of State in accordance with Article 38 (11) of the Development Management Procedure Order 2015.

12. Risk Management

Reserved Matters applications pursuant to the Outline planning permission granted by this LDO will be assessed in terms of their conformity to the development parameters detailed in this document (see section 4), and will need to satisfy detailed planning considerations, including those specified in the conditions attached to this LDO.

An Environmental Impact Assessment (EIA) has been produced to support this LDO, and the conclusions and findings of the EIA have contributed to the formulation of the development parameters and conditions. The conditions and development parameters have been refined in order allow for sufficient control and mitigation, with a view to meeting the goals of the LDO, whilst retaining flexibility where appropriate in order to maximise the attractiveness of the site for development which meets to the aims of the LDO.

The LDO will be subject to continuous monitoring in order to allow the local planning authority to respond to emergent circumstances, and changes to the development context for the site. This will inform the review and management of the LDO, if required in order to maintain the attractiveness of the site to development which meets the aims of the LDO, or to maintain the sustainability of the site. After 10 years the LDO will cease to have effect unless there is a Council resolution to extend the LDO beyond this timeframe.

13. Monitoring

Details of all applications received through the LDO will be available on the Council's public register of planning applications. The Council monitors any changes on the ground, and should any breaches of the terms of the LDO occur, the Council will consider appropriate enforcement action.

The LDO will be subject to continuous monitoring to assess its effectiveness in delivering development in accordance with the aims established within this document, and to allow for review and management of the LDO at any point during its lifespan where it is demonstrated that this is required in order to meet the aims of the LDO as set out in this document. The local planning authority will carry out regular monitoring of planning applications, as well as regular monitoring of the attractiveness and viability of the site for development which meets the aims of the LDO.

The local planning authority will carry out regular engagement throughout the period of duration for the LDO with key stakeholders, the Local Enterprise Partnership, relevant businesses and commercial agents, in order to monitor the level of commercial interest in the site, and the functionality of the LDO in enhancing the attractiveness of the site to development which meets the aims of the LDO.

The Council will liaise with landowners and developers, and will carry out site visits on a regular basis throughout the period of duration for the LDO, in order to monitor development progress as well as the level of occupation of business premises within the LDO site.

The LDO will cease after 10 years, unless within this time period a motion is passed by the local planning authority which extends the period of duration for the LDO.

Appendix 1 Draft Local Development Order

HEMSWELL CLIFF FOOD ENTERPRISE ZONE LOCAL DEVELOPMENT ORDER (LDO) 2017

This Order is adopted by West Lindsey District Council (“the Council”) under the powers conferred on the Council as local planning authority by sections 61A-61D of and Schedule 4A to the Town and Country Planning Act 1990 (as amended) (“the Act”) and pursuant to the Town and Country Planning (Development Management Procedure) (England) Order 2015 and shall be known as the Hemswell Cliff Local Development Order 2017 (the “Order”).

1. In this Order:
 - 1.1 definitions in the Town and Country Planning (Use Classes) Order 1987 (as amended) apply to interpretation of this Order and references in this Order to “Use Class” are accordingly a reference to the relevant Use Class set out in the Town and Country Planning (Use Classes) order 1987 (as amended); and
 - 1.2 terms defined in Schedule 3 have the meaning given to them there.
2. Subject to article 3 below, planning permission is hereby granted for the development within the Hemswell Cliff LDO Site set out in all Parts of Schedule 1 subject in each case to the restrictions and conditions set out in the relevant Part of Schedule 1.
3. The grant of permission under any Part of Schedule 1 is subject to the General Conditions set out in Schedule 2.
4. Where a material operation has been initiated in respect of any development permitted by this Order at the time this Order expires, is revoked or is revised that said development may be lawfully completed.
5. This Order comes into force on the date on which it is made as indicated below and, subject to the Council’s power to revoke this Order under s.61A(6) of the Act, will remain in force for a period of 10 years from that date, expiring on the tenth anniversary thereof.

Adopted by the Council on [] 2017

By Order of the Council the Common Seal
was affixed hereunto in the presence of:

Authorised Signatory

SCHEDULE 1: PERMITTED DEVELOPMENT

PART 1 – COMMERCIAL DEVELOPMENT

Permitted Development

Outline planning permission is granted for:

1. the erection of a Buildings and associated use of land within Use Class B1;
2. the erection of a Buildings and associated use of land within Use Class B2; and/or
3. the erection of a Buildings and associated use of land within Use Class B8

only where those use fall within, or are immediately related to, the Agri-Food Sector.

Development not permitted

Development is not permitted by Part 1 if that development would result in the total amount of floorspace within Use Classes B1, B2 and/or B8 within the Hemswell Cliff LDO Site exceeding 70,000 square metres GIA.

Development is not permitted by Part 1 if that development would result in the total amount of floorspace within Use Class B1a (unless ancillary to floorspace in Use Classes B1b/B1c/B2/B8) within the Hemswell Cliff LDO Site exceeding 5,000 square metres GIA.

Development is not permitted by Part 1 if that development would result in the construction of buildings or structures greater than 18m in height above finished ground level.

Conditions

- 1A Development permitted by Part 2 must conform to the constraints and guidance of the Parameters Plan (ref. Aecom Figure 6).

PART 2 – ASSOCIATED INFRASTRUCTURE

Permitted Development

Outline planning permission is granted for:

1. the construction, extension or alternation of roads, pavements, walkways, street lighting and street furniture;
2. the construction of areas and facilities for vehicle parking, bicycle parking and servicing;
3. hard and soft landscaping, including the erection of fences, gates, walls, securing barriers and security gatehouses;

4. the construction of foul and surface water drainage infrastructure, including pumps, tanks, conduits, swales, pipes, drains, ditches, channels and ponds; and/or
5. the construction, extension or alternation of utilities infrastructure, including telecommunications, gas, electricity, water (including any substations or pumping stations).

Development not permitted

Development is not permitted by Part 2 if it is not primarily to serve the development permitted by Part 1.

Conditions

- 2A Development permitted by Part 2 must conform to the constraints and guidance of the Parameters Plan (ref. Aecom Figure 6).

PART 3 – SITE PREPARATION WORKS

Permitted Development

Full planning permission is granted for:

1. any operations or engineering necessary for the remediation of land and its preparation for development within the Hemswell Cliff LDO Site, including excavation and the construction, extension, demolition or alteration of remediation compounds for the stockpiling, sorting and treatment of excavated materials.

Development not permitted

Development is not permitted by Part 3 if it is not primarily to enable the development permitted by Parts 1 or 2.

Conditions

- 3A Prior to the commencement of development permitted by Part 3, full details of the site preparation works including existing and proposed levels shall be submitted to and approved by the local planning authority. The works shall be undertaken in accordance with the details approved.
- 3B Prior to the commencement of development permitted by Part 3, full details of any temporary access, temporary treatment of the works area and boundary shall be submitted to and approved by the local planning authority. The works shall be undertaken in accordance with the details approved.

SCHEDULE 2: GENERAL CONDITIONS

Timing / Reserved Matters

1. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of ten years from the date of this Order.

REASON: To conform to Section 92 (2) of the Town and Country Planning Act 1990 (as amended).

2. No phase/plot of development shall take place until, plans and particulars of the layout, scale and appearance of the building(s) to be erected, the means of access to the site and the landscaping of the site (hereinafter called “the reserved matters”) for that phase/plot have been submitted to and approved in writing by the Local Planning Authority, and the development shall be carried out in accordance with those details.

REASON: The Order grants outline permission only and the Local Planning Authority wishes to ensure that these details which have not yet been submitted are appropriate for the locality.

3. The development hereby permitted shall be begun either before the expiration of ten years from the date of this Order, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the sooner.

REASON: To conform to Section 92 (2) of the Town and Country Planning Act 1990 (as amended).

Agri-Food Sector and Food Industry Processes

4. Any phase/plot of development proposed through the submission of reserved matters shall be accompanied by a statement to demonstrate that the nature of the development/use proposed falls within the agri-food sector as defined in Section 4 of the Statement of Reasons. Reserved matters applications shall only be determined where the proposed development/use is deemed to be within the agri-food sector.

REASON: To ensure that development conforms and contributes to the objectives of the Food Enterprise Zone designation.

5. Any phase/plot of development proposed through the submission of reserved matters shall be accompanied by a statement to describe the scale and nature of any food industry processes to be permitted. Where these processes fall within and exceed the threshold of Schedule 2 of the EIA regulations, the applicant shall seek the screening opinion of the local planning authority as to whether the proposed use requires environmental impact assessment.

REASON: In the interests of amenity and to ensure that the development conforms to the Environmental Impact Assessment (EIA) regulations.

Design and Details

6. Development proposed through the submission of reserved matters shall conform to the approved Site Location Plans (ref. Aecom Figure 1 and Figure 2) and Parameters Plan (ref. Aecom Figure 6).

REASON: To ensure that the development takes place in accordance with the maximum development parameters assessed by the Environmental Impact Assessment (EIA).

7. Any phase/plot of development proposed through the submission of reserved matters shall be accompanied by a phase/plot context plan to demonstrate that development is compatible with and does not compromise the ability to develop or service other land within the Hemswell Cliff LDO site.

REASON: In order to facilitate comprehensive development of the Hemswell Cliff LDO site.

8. Any phase/plot of development proposed through the submission of reserved matters shall be accompanied by a Design and Access Statement and associated plans including the following details:

- a. Plot layout
- b. Existing site levels and proposed finished ground and floor levels
- c. Design of buildings and structures
- d. Landscaping/planting (in conformity to the Strategic Landscape Scheme)
- e. Boundary treatment
- f. Parking and circulation
- g. External storage including provision for oil/chemical storage
- h. External lighting
- i. Vehicle parking, circulation and manoeuvring
- j. Facilities for pedestrians and cyclists
- k. Servicing and loading arrangements
- l. Refuse storage and management

The details contained within the Design and Access Statement shall be approved by the local planning authority prior to commencement of that phase/plot of development, excluding site preparation works. Development shall be completed and maintained in accordance to the approved details.

REASON: In the interests of amenity and to ensure acceptable design, access and operation of development.

9. Prior to the occupation of any phase/plot of development, a written scheme detailing how much and by what method renewable energy will be generated from within that phase/plot or the wider Hemswell Cliff LDO site, shall be submitted to and approved in writing by the Local Planning Authority. No individual building shall be occupied until that part of the agreed scheme, which relates to the building or its curtilage, has been implemented in full.

REASON: In order to achieve sustainable development and reduce CO2 emissions.

10. Prior to the commencement of any phase/plot of development excluding site preparation works, full details of all external materials shall be submitted to and

approved in writing by the local planning authority. The development shall thereafter be implemented in accordance with the approved details.

REASON: In the interests of visual amenity and ensure the proposals uses materials and components that have a low environmental impact.

HSE Safeguard Zone

11. Prior to submission of any reserved matters application for development of land within the 'HSE consultation zone' as identified on the Parameters Plan (Aecom Figure 6), the applicant shall consult the Health & Safety Executive on the extent and details of any safeguarding zones which may influence the use, nature and location of development. Any development thereafter proposed shall conform to the advice of the HSE, which shall be submitted in writing with the reserved matters applications.

REASON: In the interest of health and safety and to ensure that current requirements of the Health & Safety Executive are incorporated in the development.

12. Unless otherwise confirmed in writing by the Health & Safety Executive, no development of a 'vulnerable construction' as defined by The Explosives Regulations 2014 and determined by the Health & Safety Executive shall take place in the 'purple zone' as identified on the Parameters Plan (Aecom Figure 6) or any revised zone subsequently confirmed in writing by the HSE.

REASON: In the interest of health and safety and to ensure that current requirements of the Health & Safety Executive are incorporated in the development.

13. Unless otherwise confirmed in writing by the Health & Safety Executive, no development or use of land, with the exception only of landscaping or infrastructure where people are not present, shall take place in the 'yellow zone' as identified on the Parameters Plan (Aecom Figure 6) or any revised zone subsequently confirmed in writing by the HSE.

REASON: In the interest of health and safety and to ensure that current requirements of the Health & Safety Executive are incorporated in the development.

Highways and Access

14. Prior to the commencement of development pursuant to Part 1 of the Order, a scheme of works to improve the public highway and site access, comprising a Right Turn Lane and Footway (or as otherwise agreed), shall be submitted to and approved by the local planning authority. The development shall not be brought into use until the works are certified as being complete by the local planning authority, unless otherwise agreed.

REASON: To ensure the provision of adequate access and in the interests of highway safety.

15. No phase/plot of development pursuant to Part 1 of the Order shall take place before a scheme to create or improve an estate road sufficient to provide access to that phase/plot from an existing public highway has been approved pursuant to Part 2 of the Order. That phase of development shall not be brought into use until the estate road has been constructed to a specification to enable its adoption as Highway Maintainable at the Public Expense.

REASON: To ensure the provision of adequate access and in the interests of highway safety.

Landscaping and Trees

16. No development shall take place until a Strategic Landscaping Scheme (SLS) relating to the boundaries, frontages, common areas and infrastructure across the entire FEZ site has been submitted to and approved in writing by the Local Planning Authority. The SLS shall include details of:
- planting plans;
 - written specifications (including cultivation and other operations associated with plant and grass establishment);
 - schedules of plants, noting species, plant sizes and proposed numbers/ densities;
 - a programme for the implementation of the landscaping works, including how the SLS shall be implemented on a strategic site wide and individual development plot by plot basis; and
 - a scheme for the future maintenance of the landscaped areas.

The SLS shall be implemented as approved. Each phase/plot developed shall be landscaped and maintained in accordance to the SLS.

REASON: In the interests of the visual amenity of the area and to enhance biodiversity interests through the implementation of an appropriate biodiversity and landscaping scheme.

17. Any trees dying or becoming diseased within five years of their being planted in accordance with Condition 16 above shall be replaced during the period of October to March in the year that immediately follows the developer being notified that they need replacing, by trees of a suitable size and species and to the satisfaction of the Local Planning Authority.

REASON: In the interests of the visual amenity of the area and to enhance biodiversity interests through the implementation of an appropriate biodiversity and landscaping scheme.

18. The scheme of works to improve the public highway and site access submitted pursuant to condition 14 of the LDO for approval by the local planning authority shall include:
- A plan showing the location of, and allocating a reference number to each existing tree on the site which has a stem with a diameter exceeding 75 mm (measured over the bark at a point 1.5 metres above ground level), showing which trees are to be retained and which are to be removed;
 - Details of the species, size, and an assessment of the general state of health and stability of each retained tree;
 - Details of any proposed topping or lopping of any retained tree, or of any tree on the land adjacent to the site;
 - Details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, within the crown spread of any retained tree or of any tree on land adjacent to the site;
 - Details of the specification and position of fencing and of any other measures to be taken for the protection of any retained tree from damage before or during the course of development.

In this condition 'retained tree' means an existing tree that is to be retained in accordance with the plan referred to in paragraph (a) above. The works approved

pursuant to condition 14 shall be undertaken in accordance with the details approved in paragraphs (a)-(e) above.

REASON: In the interests of the visual amenity of the area and to enhance biodiversity interests.

Flood risk and drainage

19. No plot/phase of development shall commence, nor any discharge of surface water from that plot/phase take place, until a Surface Water Management Scheme for that development plot/phase has been submitted to and approved in writing by the Local Planning Authority. The Scheme shall be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development; and shall include:
- a. the incorporation of sustainable drainage systems (SuDS) to attenuate flows from the site and maximise on-plot infiltration (where appropriate);
 - b. details of an infiltration test undertaken to ascertain the feasibility of drainage by on-plot infiltration methods;
 - c. details of the method of attenuating surface water run-off from the site to greenfield run-off rate;
 - d. details of sufficient attenuation and long-term storage to accommodate a 1 in 30 year storm. The design shall also ensure that storm water resulting from a 1 in 100 year event plus 30% to account for climate change, and surcharging of the drainage system can be stored on the site without risk to people or property;
 - e. calculations demonstrating that sufficient space will be provided on site for any necessary surface water storage and attenuation;
 - f. details of any balancing works and off-site works;
 - g. details of any proposed culverts or bridges for watercourses/land drains, justifying that they are necessary and ensuring that they do not constrict flow or otherwise reduce the carrying capacity of any watercourse/land drain;
 - h. the location and design of any surface water outfall;
 - i. details of how the drainage scheme will be constructed and operate, prior to any hard standing or buildings being constructed on that development plot;
 - j. all site surface water drainage will be designed to Sewers for Adoption standard in order to meet current best practice design standards; and
 - k. details of how the surface water system will be maintained and managed after completion.

The Surface Water Management Scheme shall subsequently be fully implemented in accordance with the approved details before the first occupation of the relevant development plot to which it relates. Thereafter, the drainage system shall be managed and maintained in conformity to the approved Scheme.

REASON: To ensure that surface water is sustainably managed without increasing flood risk on the site or elsewhere.

20. Should the results of an infiltration test undertaken in preparation of a Surface Water Management Scheme indicate that an infiltration system will not function adequately in adverse conditions, then the Scheme shall include details of an alternative means of

drainage appropriate to the plot and in conformity to the principles of sustainable drainage.

REASON: To ensure that surface water is sustainably managed without increasing flood risk on the site or elsewhere.

21. No surface water from the development or any part thereof shall be discharged from the site except through the approved system.

REASON: To ensure that surface water is sustainably managed without increasing flood risk on the site or elsewhere.

22. Prior to the commencement of development under Part 1 or Part 2 of the LDO, written confirmation shall be obtained from Anglian Water that the existing sewer networks and foul water treatment facility at Hemswell Cliff have sufficient capacity to accommodate the full development allowed by the LDO. Should it not be possible to achieve this confirmation, then full details of an alternative proposed means of foul water treatment shall be submitted to and approved in writing by the Local Planning Authority. No buildings within the LDO site shall be occupied or brought into use prior to completion of any approved foul drainage works.

REASON: To ensure that a satisfactory means of foul drainage disposal is provided.

23. There shall be no discharge of foul or contaminated drainage from the site into groundwater or any surface waters, whether direct or via soakaways.

REASON: To prevent pollution of the water environment.

24. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through a trapped gully and an oil interceptor. Each drainage run shall also be provided with a cut-off valve prior to any discharge point. The gully and interceptor shall be designed and constructed to have a capacity compatible with the site being drained. Vehicle washdowns and detergents shall not be passed through the interceptor. Clean roof water shall not pass through the gully or interceptor.

REASON: To reduce the risk of pollution and sediment being washed out to any watercourse and to prevent the potential pollution of clean surface water run-off.

25. All downpipes carrying rain water from areas of roof shall be sealed at ground-level prior to the occupation of the development. The sealed construction shall thereafter be retained throughout the lifetime of the development.

REASON: To prevent the potential pollution of clean surface water run-off.

26. Inspection manholes shall be provided on all foul and surface water drainage runs such that discharges from individual units can be inspected/ sampled if necessary. All manhole covers shall be marked to enable easy recognition. Foul will be marked in red. Surface water will be marked in blue. Direction of flow will also be denoted. Where more than one discharge point is proposed, manholes will also be numbered accordingly to correspond with their respective discharge point.

REASON: To ensure that foul and surface water systems may be managed and maintained.

Ground Conditions and Soils

27. Prior to the commencement of any phase/plot of development, including any construction or other work that involves disturbance to soils a Soil Resource Plan (SRP) for that phase/plot/works shall be submitted to and approved in writing by the Local Planning Authority. The Soil Resource Plan shall include the following:
- maps showing topsoil and subsoil types, and the areas to be stripped and left in-situ.
 - methods for stripping, stockpiling, re-spreading and ameliorating the soils.
 - location of soil stockpiles and content (e.g. Topsoil type A, subsoil type B).
 - schedules of volumes for each material.
 - expected after-use for each soil; whether topsoil to be retained for landscape areas, or used on adjacent agricultural land within the farmers' control to thicken the topsoils and improve quality; and
 - identification of person responsible for supervising soil management.
- Development shall thereafter proceed only in accordance with the approved scheme.

REASON: To ensure the sustainable use of displaced soils.

28. No development shall take place until a land contamination assessment and associated remedial strategy, together with a timetable of works, have been submitted to and approved in writing by the Local Planning Authority (LPA) and the measures approved in that scheme shall be fully implemented. The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically in writing:
- A UXO specialist will be commissioned and an assessment carried out as per C681 Unexploded Ordnance (UXO) - A Guide for the Construction Industry (CIRIA 2009) to quantify the risk of encountering UXO. Thereafter, if the risks of encountering UXO and/ or ordnance containing chemical agent remain, construction contractors will be required to prepare a UXO risk mitigation strategy, to reduce risks to an acceptable level, in consultation with the Local Planning Authority. The approved UXO mitigation strategy, including any Emergency Response Plan, shall be implemented as approved.
 - A site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology.
 - A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the LPA. The LPA shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters.
 - Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. If during the works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA.
 - Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the LPA. The closure report shall

include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.

REASON: In order to safeguard human health and the water environment and identify potential contamination on-site and the potential for off-site migration.

Archaeology and Heritage

29. No development shall take place on any phase/plot within the Hemswell Cliff FEZ site until a scheme of archaeological investigation for that phase/plot, supported by the results, has been submitted to and approved in writing by the Local Planning Authority. Each scheme shall be carried out as approved. Each scheme shall provide for:
- a programme of archaeological investigation, including access to that site by archaeological contractors to be nominated by the developer and approved in writing by the Local Planning Authority;
 - the identification and evaluation of the extent, character and significance of archaeological remains on that site;
 - an assessment of the impact of the proposed development on the remains;
 - proposals for the preservation in situ of the remains or where the Local Planning Authority agree that this is not possible, for the investigation, recording and recovery of remains and the publishing of findings; and
 - notification to the Local Planning Authority of the commencement of archaeological investigations.
- Each scheme shall then be carried out as approved.

REASON: to secure the identification, investigation and/ or protection of archaeological remains.

30. Prior to the commencement of development, a report shall be produced and submitted to the Local Planning Authority which will document the history and development of the former airfield at Hemswell Cliff. The format of the report will be agreed with the archaeology officer for Lincolnshire County Council.

REASON: to ensure the implementation of an appropriate level of archaeological recording and reporting.

Sustainable Travel

31. No development shall be occupied on any plot of the LDO site until a Travel Plan for that development plot, that is in accordance with the principles set out in Hemswell Cliff LDO Framework Travel Plan, has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authorities. The development of each plot shall thereafter take place in accordance with the agreed Travel Plan for that plot, which shall be implemented in full.

REASON: In order to maximise the sustainability of the development.

32. Prior to the occupation of each phase/plot of development, a feasibility study shall be undertaken to consider the following:
- a. the likely year on year passenger demand for a shuttle bus linking the LDO site with Gainsborough and other centres where significant numbers of employees at the Hemswell Cliff FEZ may originate;
 - b. the likely routing and frequency of the shuttle bus route;
 - c. an estimate of yearly operating costs for the shuttle bus operation;
 - d. a funding mechanism where all occupiers of the Hemswell Cliff FEZ contribute as and when they come forward;
 - e. a recommendation on the feasibility of the shuttle bus service.

The feasibility study report shall be submitted to and approved by the local planning authority. Should the report conclude that a shuttle bus service is feasible, then the potential arrangement and commissioning of a service shall be discussed further between the local planning authority and occupier businesses.

REASON: In order to maximise the sustainability of the development

Nature Conservation and Biodiversity

33. No works involving the loss of any hedgerow, tree or shrub shall take place between March and August (inclusive) in any year unless approved in writing by the local planning authority.

REASON: In the interest of nature conservation.

34. No development shall take place until an Ecological Management and Enhancement Plan (EMEP) for the whole Hemswell Cliff FEZ site has been submitted to and approved in writing by the Local Planning Authority. The EMEP shall be based on the biodiversity enhancement measures set-out in Chapter 10 - Terrestrial Ecology and Nature Conservation of the ES. The submitted details shall include how the EMEP will be implemented on a strategic (site wide) and individual development (plot by plot) basis to demonstrate a coherent approach to biodiversity enhancement and management across the site. The EMEP shall be implemented as approved.

REASON: In the interest of nature conservation and to enhance biodiversity interests.

35. No development that removes or disturbs any features within the Entry Level and Higher Level Stewardship Scheme at Hall Farm (Harpswell) as shown on the Parameters Plan (ref. Aecom Figure 6) shall take place until a satisfactory scheme to replace those features has been submitted to and agreed in writing by the local planning authority.

REASON: In the interest of nature conservation.

Noise

36. No development shall take place on any plot within the Hemswell Cliff FEZ site until a scheme of noise assessment, supported by the results, has been submitted to and approved in writing by the Local Planning Authority. Each scheme shall be carried out as approved. The noise assessment shall:

- a. Make reference to updated baseline noise surveys to confirm that the existing noise climate does not exceed the existing background noise level stated in Table 7.17 of the Environmental Statement (ES);
- b. Demonstrate how the impact avoidance and mitigation measures referred to in Sections 7.4 and 7.6 of the Noise Chapter (Chapter 7) of the ES have been considered and taken into account;
- c. Include details of how the operational noise limits at local noise sensitive receptors shall be achieved, ensuring that following the addition of any acoustic feature corrections to the sound sources under assessment, the combined BS 4142 rating level from all sources within all development zones at the Hemswell Cliff FEZ site are equal to or lower than those in Table 7.17.
- d. In the event that monitoring required under (a) shows that the existing noise climate has changed significantly, the proposed operational noise limits set out in Table 7.17 shall be discussed and any revised noise limits agreed with the Local Planning Authority.

REASON: In the interest of residential amenity.

Odour

37. In order to protect the amenity of local residents, no wastes or feedstock materials that have the potential to give rise to odour beyond the site boundary shall be stored outside of the buildings, unless agreed in writing with the Local Planning Authority.

REASON: In the interest of residential amenity.

38. No development which has the potential to give rise to odour at nearby residential properties shall take place until an odour assessment and odour management plan has been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interest of residential amenity.

39. The air ventilation and odour control systems to be employed as part of this development shall be implemented and carried out in accordance with the details and systems to be submitted and approved by the Local Planning Authority.

REASON: In the interest of residential amenity.

40. Unless otherwise agreed in writing, prior to the occupation of any plot of development, a detailed Operational Environmental Management Plan (OEMP) for that individual development plot has been submitted to and approved in writing by the Local Planning Authority. The OEMP shall include information on the following:
- a. measures to deal with accidental pollution (groundwater, surface water and soils) and details of any necessary equipment (e.g. spillage kits) to be held on site;
 - b. a scheme to deal with potential risks associated with contamination;
 - c. measures to reduce and manage operational waste;
 - d. a scheme for artificial lighting, specifying measures to minimise the impact of light spill.

REASON: In order to protect the environment and safeguard residential amenity.

Construction

41. No development shall take place on any phase/plot of the LDO site until a Construction Traffic Management Plan (CTMP) for that phase/plot has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Highways Authorities. Construction on that plot shall thereafter take place in accordance with the agreed CTMP for that plot, which shall be implemented in full.

REASON: To minimise impact on the local highway network

42. Unless otherwise agreed in writing, no phase/plot of development shall take place until a detailed Construction Environmental Management Plan (CEMP) for that phase/plot has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include information on the following:
- a. details of a telephone complaints line and the methodology to deal with any complaint;
 - b. methods of communication with local residents in the event of abnormal working;
 - c. hours of working (Monday- Friday 08:00-18:00 hours and Saturday 08.00 -13.00 and no working on Sunday or Bank Holidays unless otherwise agreed with the Local Planning Authority);
 - d. measures to control the emissions of dust, noise and vibration (as set out in British Standard BS 5228-1 Parts 1 and 2:2009 – Code of Practice for noise and vibration control on construction and open sites and IAQM ‘Guidance on the assessment of dust from demolition and construction, 2014);
 - e. measures to prevent pollution (surface water, groundwater and soils);
 - f. a scheme for artificial lighting, specifying measures to minimise the impact of lighting;
 - g. a scheme to deal with potential risks associated with contamination including unexploded ordnance; and
 - h. measures to reduce and manage construction waste.

The development of each plot shall thereafter be constructed in accordance with the approved details.

REASON: To safeguard residential amenity and minimise pollution.

INFORMATIVES

This LDO does not preclude the submission of full planning applications for development within the boundary of the Hemswell Cliff FEZ. Any such planning application shall be determined in accordance with the development plan and relevant material considerations which will include the objectives and status of the Food Enterprise Zone.

Any such application must be justified and its impact assessed in the context of the full FEZ development allowed by this LDO. Any such application must propose adequate mitigation of the impact of development over and above that of the development allowed and mitigated by the LDO.

SCHEDULE 3: INTERPRETATION

Terms used in this order have the following meanings:

Agri-Food Sector Uses	Uses specified in section 4.2, excluding those specified in section 4.4, of the Statement of Reasons.
Additional Guidance	Additional guidance relating to the physical form of development; design, appearance and materials; services and infrastructure; landscape planting; and phasing as set out in Appendix 5 of the Statement of Reasons.
Estate Road	A road sufficient to provide access to that phase/plot of development from an existing public highway.
Food Industry Processes	Processes specified in section 4.3, excluding those specified in section 4.4, of the Statement of Reasons.
Footway	A new pedestrian footpath to the north side of the A631 between the access to the Hemswell Cliff LDO site and Gibson Road.
General Conditions	The conditions identified in Schedule 2 of the Order.
GIA	'Gross Internal Area' as calculated in accordance with the RICS Code of Measuring Practice (sixth edition 2007).
Highways Agreement	An agreement with the Lincolnshire County Council pursuant to sections 38/278 of the Highways Act 1980.
Hemswell Cliff Food Enterprise Zone (FEZ)	The proposed development at the Hemswell Cliff LDO Site intended to facilitate growth in the Agri-Food Sector.
Hemswell Cliff LDO Site	The area shown edged red on the plan attached to this Order as Appendix 1 of the Statement of Reasons and being the Order area.
Parameters Plan	The plan (ref. Aecom Figure 6) attached to this Order as Appendix 2 of the Statement of Reasons.

Phase/Plot	Any defined area for a development, as submitted with a Reserved Matters application pursuant to the LDO, within the LDO site.
Reserved Matters	Details to be submitted for approval pursuant to General Condition 2 in relation to layout, scale, appearance, means of access and/hard and soft landscaping.
Right Turn Lane	A dedicated lane within the A631 to provide enhanced access to the Hemswell Cliff LDO Site at its primary access point as shown on the Parameters Plan.

Appendix 2 Plans of the LDO Site

- Location Plan (Aecom Figure 1)
- Red Line Boundary on Aerial Photograph (Aecom Figure 2)

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Appendix 3 Parameters Plan

- Parameters Plan (Aecom Figure 6)

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Appendix 4 Illustrative Plans

- Indicative Layout (Aecom Figure 7)

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Appendix 5 Additional Guidance

Further to the physical parameters set out under the Description of Development and controlled by condition of the LDO, the following information is provided as additional guidance to assist prospective developers and the local planning authority in proposing and approving acceptable schemes via reserved matters submissions.

Services and Infrastructure

MAIN ACCESS

The LDO site will be served by a new or enhanced access to the A631. This is proposed to be in the form of an upgraded priority junction at the location of the existing east access point, comprising of carriageway widening and a new right turn lane.

The transport assessment confirms that the LDO development may be satisfactorily accommodated by the existing priority junction proposed, both in terms of capacity and highway safety.

Whilst there is considered to be no technical or safety requirement for a new access to be created, such as a roundabout, the LDO may accommodate such a new access should details of this be submitted and approved pursuant to condition.

The existing west access point may also be used to provide a temporary access whilst any new or upgraded access point is constructed.

The delivery of the new or upgraded access infrastructure will be subject to separate technical approval via the submission of details pursuant to conditions and a section 278 agreement.

SPINE ROAD

The spine road to serve plots within the LDO site is anticipated to be provided primarily by the existing road which serves business units at the former airfield, subject to upgrade/reconstruction necessary to achieve the standard for adoption by the highways authority. This spine road is shown on the Parameters Plan as 'site access' road.

A new section of spine road may also be proposed to provide access to the plots within the southern part of the LDO site, thereby removing or reducing dependency upon the southern section of the existing access road. Such a new section of spine road will enhance accessibility to development plots, provide for provision of utilities and enhance the appearance of the development. An indicative alignment of this new spine road is shown on the Parameters Plan as 'site access - indicative'. The purpose of this parameter is to prevent the development of plots in the southern section severing access to the northern plots in the event that the use of the southern part of the existing access road is restricted.

The upgrade of this spine road will be controlled by conditions of the LDO and separate technical approval as may be required. Development of business premises pursuant to this LDO will depend upon on-site road infrastructure being in place to an extent which is sufficient to serve the scale and location of development delivered (see phasing below).

INFRASTRUCTURE CORRIDOR

An infrastructure corridor is to be maintained through the development to allow installation of services and utilities as may be required to serve all plots. The indicative alignment of this corridor is shown by the 'infrastructure zone' on the Parameters Plan. The key aspects of this are that it lies immediately adjacent to existing/proposed spine road from where it is accessible to all plots, and that it provides a continuous 'route' from the southern part of the LDO site to the northeast part where any attenuation pond (if required) will be created.

The purpose of this parameter is to prevent the development of plots severing the possible connection of services and utilities between the A631 and the northeast part of the LDO site.

SPUR ROADS

Development plots not served directly by the spine road may be accessed via spur roads from the spine road. The illustrative layout plan indicates the possible location of spur roads, although the precise location will be dependent upon the configuration of development to come forward.

The delivery of spur roads will be subject of reserved matters approval in its own right or as part of a development plot or phase proposal.

SURFACE WATER DRAINAGE

Each plot or phase of development must incorporate surface water attenuation features to control the flow of water from the site. This should be in the form of a sustainable drainage system comprising an infiltration basin providing that infiltration tests confirm this to be feasible.

Drainage design details must be submitted which demonstrate the provision for surface water attenuation storage up to and including a 1 in 100 year event plus 30% allowance for climate change. This is calculated as a volume of 625m³ per infiltration basin per hectare of hardstanding to provide adequate storage to ensure no flooding of the site or surrounding area.

Should the soakaway tests indicate that infiltration cannot be achieved at any given plot, then surface water from the site will be restricted to the equivalent greenfield run off rate for the site. This has been calculated as 93.5 l/s, based on a greenfield rate of 3.67 l/s/ha assuming a developed area of 25.5 ha.

Should infiltration not be proposed, then alternative drainage design details must be submitted of a sustainable drainage system comprising an attenuation pond and associated pipes or swales. The attenuation pond will be located within the northernmost extent of the site and will outfall, via a piped network and new outfall into Aisthorpe Springs, a watercourse located to the east of the Site.

Additional attenuation storage will be achieved using a combination of swales, balancing ponds, channels, pipe network and/or underground storage within the development plots.

Physical Form of Development

Development at Hemswell Cliff is anticipated to include, but is not limited to, the following buildings, structures and features:

- Business units including offices, laboratories and workshops etc
- Factory and food industry process buildings
- Warehouse and storage buildings including ambient, cool and frozen storage
- Grain storage facilities and infrastructure
- Commercial vehicle yards
- Ancillary infrastructure including car parks, water tanks, generators, security facilities, enclosures etc
- Sustainable drainage system (SUDS) including infiltration basins, attenuation ponds and swales and rainwater harvesting facilities
- Road network; foul water drainage; water, power and communication networks etc

Development within the site is anticipated to be of a variety of scales and formats, potentially including one, or a small number of, larger 'anchor' business developments and a greater number

of smaller inter-dependent businesses which form the cluster and provide supplies, support and services etc.

West Lindsey District Council has prepared a masterplan for Hemswell Cliff including the LDO site and wider employment use area. This masterplan provides an indication as to how development within the LDO site may be configured. This is illustrative only to allow flexibility for particular business demand and requirements to be accommodated.

Through the course of the environmental impact assessment, further potential constraints to development were identified which are reflected in the Indicative Layout (ref. Aecom Figure 7) prepared by Aecom and controlled by the Parameters Plan.

In particular, this relates to the constraint on development within the identified HSE Safeguard Zones at the northeast of the site.

In the 'purple zone', where development and use of land for employment purposes is allowed, there may be a restriction on the nature of development to ensure that buildings are not of 'vulnerable construction'. Whilst the precise definition and context of this must be discussed with the HSE, the following information is provided as guidance on the nature of the constraint and expected design limitations in this location:

- For buildings of more than three storeys above ground or 12m in height constructed with continuous non-load bearing curtain walling with individual glazed or frangible panels larger than 1.5 m², the glazed or frangible panels should not exceed 50% or 120 m² of the surface of any elevation;
- For buildings of more than three storeys above ground or 12 m in height with solid walls and individual glass panes or frangible panels larger than 1.5 m², the area of glass panes or frangible panels should not exceed 50% of any elevation;
- For buildings of more than 400 m² plan area with continuous or individual glazing panes larger than 1.5 m², the glazing panes should not exceed 50% or 120 m² of the plan area; or

Particular attention should be given to the design of any other structure that, in consequence of an event such as an explosion, may be susceptible to disproportionate damage such as progressive collapse. Such structures may include the following:

- Unframed structures with limited continuity utilising non-ductile materials;
- Large-span, tension or other special structures with critical load-bearing elements;
- Unusually weak structures (typically historic or timber framed buildings);
- Buildings containing vulnerable elements such as pre-cast panel fixings or large span slender masonry panels which may be particularly susceptible to failure and lead to a falling debris hazard.

Design, Appearance and Materials

The LDO does not seek to prescribe the appearance or materials for development at the Hemswell Cliff FEZ site given the diversity in the range of uses and building types which may be proposed in the agri-food sector.

To ensure good design and the use of high quality materials, any reserved matters application must be submitted with a Design and Access Statement for approval by the local planning authority.

The Design and Access Statement must respond to the guidance of the NPPF (section 7) and the requirements of relevant local planning policy, including emerging Local Plan policy LP26 – Design and Amenity.

This policy requires all development to achieve high quality sustainable design that contributes positively to local character, landscape and townscape, and supports diversity, equality and access for all. The policy sets out a series of design criteria, which includes the following:

- Make efficient and effective use of land;
- Respect the existing topography, landscape character and identity, and relate well to the site and surroundings, particularly in relating to siting, height, scale, massing, form and plot widths;
- Incorporate appropriate landscape treatment to ensure that the development can be satisfactorily assimilated into the surrounding area;
- Provide well designed boundary treatments, and hard and soft landscaping that reflect the function and character of the development and its surroundings;
- Protect any important local views into, out of, or through the site;
- Duly reflect or improve on the original architectural style of the local surroundings, or embrace opportunities for innovative design and new technologies which sympathetically complement or contrast with the local architectural style;
- Use appropriate, high quality materials which reinforce or enhance local distinctiveness, with consideration given to texture, colour, pattern and durability.

Policy LP26 also sets out a series of amenity considerations, stipulating that the amenities which occupiers of neighbouring properties may reasonably expect to enjoy must not be unduly harmed by or as a result of the development. The specified considerations are as follows:

- Compatibility with neighbouring land uses;
- Overlooking;
- Overshadowing;
- Loss of light;
- Increase in artificial light or glare;
- Adverse noise and vibration;
- Adverse impact upon air quality from odour, fumes, smoke, dust and other sources;
- Adequate storage, sorting and collection of household and commercial waste, including provision for increasing recyclable waste; and
- Creation of safe environments.

Landscape Planting

A strategic landscape scheme for the Hemswell Cliff FEZ site will be prepared and approved pursuant to conditions of the LDO. The proposed landscape treatment will provide new woodland planting alongside the western boundary of the Hemswell Cliff FEZ site, and augment existing hedgerows and hedgerow trees along the A631.

The strategic landscape scheme shall provide details of:

- Planting plans;
- Written specifications (including cultivation and other operations associated with plant and grass establishment);
- Schedules of plants, noting species, plant sizes and proposed numbers/ densities;

- A programme for the implementation of the landscaping works, including how the SLS shall be implemented on a strategic site wide and individual development plot by plot basis; and
- A scheme for the future maintenance of the landscaped areas.

Plot development proposals made through reserved matters applications must include details of on-plot landscaping and of the boundary planting where this corresponds to the development plot. The proposals shall be guided by and conform to the strategic landscape scheme.

The details of all boundary landscape features and planting shall be approved prior to the commencement of development for the corresponding plot and shall be fully implemented in as approved.

The landscaped areas shall then be maintained in accordance with the strategic landscape scheme.

Phasing

Given the scale of development proposed, this will inherently come forward in phases according to demand for sites or premises. To maintain flexibility to meet business requirements, the phasing is not prescribed either geographically (i.e. which plots first) or in time (i.e. which phase when).

However, the phasing must ensure that the developed plots are adequately and rationally served by infrastructure. It is therefore anticipated that the southern parts of the site will form the initial phase and the development will then 'work backwards' into the site. However, development of land within the central and northern parts of the site is not restricted pending development of land to the south, provided that the development depends upon the location proposed by virtue of its scale or function, and that provision is in place for the delivery of adequate infrastructure to serve it.

A condition is attached to the LDO to ensure that development is not occupied prior to the completion of adequate infrastructure to provide access and services.

Legal Agreements

Whilst an LDO cannot incorporate an agreement under Section 106 of the Planning Act, West Lindsey Council may seek to enter into legal agreements with developers/occupiers of land at the Hemswell Cliff FEZ site in order to discharge certain aspects of the general conditions. This primarily relates to the cohesive management and operation of the FEZ, for instance requiring all occupiers to make contributions to the management and maintenance of shared infrastructure or the provision of sustainable transport initiatives.

Details of this should be discussed between prospective developers/occupiers and the Council during the site acquisition and/or reserved matters planning application stage.

