Grant Street
Local Development Order (Draft)

Grant Street Site, Cleethorpes
North East Lincolnshire Council

July 2015
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1. Local Development Order

1.1. Introduction
The Government is promoting the use of Local Development Orders (LDOs) to assist the relaxation of planning requirements, remove barriers to development and create the conditions for development through providing greater certainty for prospective developers.

Atkins has been commissioned by North East Lincolnshire Council (NELC) to produce design-led LDOs for three sites in Grimsby and Cleethorpes.

1.2. Purpose of the LDO
This LDO relates to land associated with the former Clifton Bingo (now demolished), off Grant Street, Cleethorpes. The 0.25 hectare site lies within a neglected part of Cleethorpes, albeit within the Central Seafront Conservation Area, close to the town’s railway station and tourist attractions.

The site is in private ownership and has an extant full planning permission for a residential-led mixed use scheme, dating from January 2006. However, this development has not taken place and there is no prospect of it doing so.

NELC’s principal objective, through the preparation of this LDO, is to significantly improve the likelihood that the site is developed with a high quality sustainable development, which will ultimately act as a catalyst for wider regeneration plans within this part of Cleethorpes.

The LDO grants outline permission for the type of development specified by the Order subject to conditions (see Section 1.4) and in so doing, removes the need for outline planning permission to be obtained. The process of adopting a LDO is designed to ensure that the development permitted would not have unacceptable negative impacts on neighbours, the environment or the wider area.

The LDO does not remove the need to obtain other statutory consents or licences, nor pre-empt or prejudice the outcome of such applications. It remains the responsibility of the developer to obtain all the necessary statutory consents relating to the site. It is also the case that a planning application can be submitted to develop the site, regardless of the LDO, which would then be dealt with under normal planning procedures. However, the LDO is designed to provide the council’s preference as to how the site should be developed, whilst recognising the views of residents and statutory consultees, so as to allow development to proceed more quickly.

The Grant Street LDO comprises of two parts:

- The Grant Street Local Development Order: this sets out the precise terms of the outline planning permission granted;
- The Statement of Reasons: outlining the reasons for its conditions.

1.3. Development Permitted by the LDO
The Grant Street LDO grants outline planning permission, with details of access to the site also approved, for the erection of buildings and / or use of land primarily for Class C3 with ancillary A1, A3, D2 and C1 uses. This promotes a high density (indicative capacity in the region of 80 units) residential-led, mixed use development on the site (see Plan 1 in Appendix 1).

C1 and C3 Uses:

- **C1 Hotels** - hotels, boarding and guest houses where no significant element of care is provided (excludes hostels).
- **C3 Dwelling houses** - for use by a single person or a family, not more than 6 people living together as a single household where care is provide for residents or not more than 6 residents living together as a single household where no care is provided for residents (other than a use categorised as a House in Multiple Occupation).
A1 and A3 Uses:

- **A1 Shops** - limited to convenience goods complementary to the residential use and supporting the local tourism economy.
- **A3 Restaurants and cafés** - for the sale of food and drink for consumption on the premises, including restaurants, snack bars and cafes.

D2 Uses:

- **D2 Assembly and Leisure** - cinemas, music and concert halls, bingo and dance halls (but not night clubs), swimming baths, skating rinks, gymnasiums or area for indoor or outdoor sports and recreations (except for motor sports, or where firearms are used).

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order), no change of use will permitted to any use classes other than those specified in this LDO.

1.4. **Conditions**

Development is granted for outline planning permission by this LDO subject to the following conditions:

1. Applications for approval of the matters referred to in Condition 2 (known as reserved matters) shall be made within five years of the date of this LDO being adopted, and the development to which it relates shall begin no later than whichever is the later of the following dates:

   (a) Five years from the date of the adoption of this LDO; or
   
   (b) Two years from the final approval of the reserved matters, or in the case of approval on different dates, final approval of the last such matter to be approved.

Reason:

This permission is in outline form with details of access and the information is necessary for consideration of the detailed proposal as required by S.92 of the Town and Country Planning Act 1990.

2. This permission hereby granted by this LDO is in outline form with details of access, and no development shall begin until full details of the following reserved matters have been submitted to and approved by the Local Planning Authority:

   (a) Layout;
   
   (b) Scale;
   
   (c) Appearance, and
   
   (b) Landscaping.

Reason:

The permission granted by this LDO is in outline form with details of access and the information is necessary for consideration of the detailed proposal as required by S.92 of the Town and Country Planning Act 1990.

3. The development shall take place in accordance with the following plans which accompany this LDO:

   Plan 1 – Grant Street - Site Location Plan (Appendix 1)
   
   Plan 2 – Grant Street - Means of Access from the Highway (Appendix 2)

Reason:

To ensure the site is developed in accordance with the LDO, for the avoidance of doubt, and to accord with saved Policy GEN1 of the North East Lincolnshire Local Plan 2003.

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4. The residential use hereby approved in this LDO shall fall within Class 3, as required by the Town and Country Planning (Use Classes) (Amendment) (England) Order 2015.

   Reason:

   To ensure the site is developed in accordance with the LDO, for the avoidance of doubt and to accord with saved Policy GEN1 of the North East Lincolnshire Local Plan 2003.

5. The retail / commercial areas of the building(s) hereby approved in this LDO shall fall within Classes A1, A3, C1 and D2 of the Town and Country Planning (Use Classes) (Amendment) (England) Order 2015, and shall not exceed a total of 1,000 m² of gross floor space as part of a mixed use residential-led scheme that supports the tourism related offer in Cleethorpes.

   Reason:

   In order to ensure the development adds to the quality and range of uses and increases the attractiveness of the area to tourists, as required by saved Policy LTC9 of the North East Lincolnshire Local Plan 2003.

6. No development shall commence on the site until a scheme for the provision and implementation of foul and surface drainage works have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be completed and retained thereafter.

   Reason:

   In order to prevent increased pollution of the water environment and to prevent an increased risk of flooding in accordance with saved Policy GEN1 of the North East Lincolnshire Local Plan 2003.

7. If during development contamination not previously considered is identified, then the Local Planning Authority (LPA) shall be notified immediately and no further work shall be carried out until a method statement detailing a remediation scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the LPA. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures.

   The LPA must be given two weeks written notification of commencement of the remediation scheme works. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. Remediation shall be carried out in accordance with the details approved. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

   Reason:

   In the interests of safe occupancy of the development and to ensure that any previously unconsidered contamination is dealt with appropriately, and to accord with saved Policy GEN1 of the North East Lincolnshire Local Plan 2003.

8. A Construction Management Plan including details of dust suppression techniques, noise reduction measures, hours of working, wheel cleaning facilities, and also Construction Traffic Management to be employed during the course of construction shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The works shall be thereafter carried out in accordance with the approved details.

   Reason:

   To ensure that the construction process is carried out in a safe manner, which will not impact adversely on the amenities of nearby residents, or on the safety of the adjacent highway network, in accordance with saved Policy GEN1 of the North East Lincolnshire Local Plan 2003.

9. Prior to the commencement of development, a phase 1 ecological walkover should be carried out and a report submitted to and approved in writing by the local planning authority.
Reason:

To ensure that the scheme does not impact on any protected species or habitat, in accordance with saved Policy NH3 of the North East Lincolnshire Local Plan 2003.

10. Prior to the commencement of development, equipment to control the emission of fumes and smell from the retail / commercial premises granted outline planning permission by this LDO shall be installed in accordance with a scheme to be first submitted to and approved in writing by the local planning authority. All equipment installed as part of the approved scheme shall thereafter be operated and maintained in accordance with that approval and retained for so long as the use continues.

Reason:

To ensure that the retail / commercial uses do not impact adversely on the amenities of nearby residents, in accordance with saved Policy GEN1 of the North East Lincolnshire Local Plan 2003.

11. No retail / commercial uses granted outline planning permission by this LDO shall be open outside the following hours:

- 11.00pm - 7.00am Mondays to Fridays
- 12.00pm – 7.00am Saturdays, Sundays or Public Holidays.

Reason:

To ensure that the retail / commercial uses do not impact adversely on the amenities of nearby residents, in accordance with saved Policy GEN1 of the North East Lincolnshire Local Plan 2003.

12. No dwelling shall be occupied on site until the access, parking and manoeuvring arrangements which serve it have been completed and are available for use.

Reason:

This condition is imposed to ensure that the proposed access roads, parking and turning areas are constructed appropriately in the interests of public and highway safety in accordance with saved policy GEN1 of the North East Lincolnshire Local Plan 2003.

13. The outline permission hereby granted by this LDO is subject to the signing of an Agreement under Section 106 of the Town and Country Planning Act 1990, prior to the commencement of development, for the provision of affordable housing, education contributions and the adoption (if not retained by the applicant) and / or maintenance of open space and sustainable urban drainage systems incorporated within the scheme granted outline planning permission by this LDO.

Reason:

To ensure the provision of affordable housing, education contributions and to secure the adoption / maintenance of any open space and sustainable urban drainage systems on the site.
2. Statement of Reasons

2.1. Justification and Objectives for the LDO
The land that forms the basis of the Grant Street LDO is an important site within the context of NELC’s future regeneration plans for Cleethorpes, and its potential to act as a catalyst for change in this part of the town. The site has been vacant and undeveloped for several years, despite the fact that a planning permission is in place. A development of 35 apartments, incorporating retail and commercial units was approved in 2006 for the site. This planning permission was partially implemented through the demolition and clearance of the site and thus remains extant. However, no further construction works have since been undertaken.

The principal objective of the LDO is to maximise the likelihood that the Grant Street site is developed through removing the need to apply for outline planning permission, and thereby removing a key risk from the development process.

The preferred approach is a resident-led, mixed use development which will underpin the housing offer within Cleethorpes. This objective seeks to support the wider North East Lincolnshire housing market, contributing to solving the under supply of land available for housing development in the borough. The development must also provide a range of uses which contribute to the tourism offer in Cleethorpes.

The Grant Street site and the land surrounding it, offer an excellent opportunity to enhance the wider aspirations for Cleethorpes. The development of this site forms a fundamental part of a wider strategy that seeks to establish a new quarter and destination location within the town. It is intended that the development of the site will act as a catalyst for regeneration activity on other potential development sites in this locality.

2.2. The LDO Site
The LDO relates to vacant land associated with the former Clifton Bingo hall, which extends to 0.25 hectares (2,500m²) within Cleethorpes town centre, bound by Grant Street, Station Road and Station Approach (see site location plan, Appendix 1).

The site’s topography includes a steep upwards gradient from east to west, which provides an excellent opportunity for any development to take advantage of views across the Humber Estuary, street level interaction on Grant Street and parking provision at lower ground floor level. An electricity sub-station is located within the site’s boundary on Grant Street, and a larger sub-station is situated close to the site’s eastern boundary on Station Approach.

The site sits in a strategic location immediately adjacent to the Cleethorpes rail station, a short walk from the main shopping area, and close to the promenade, pier and seaside activities. It also lies within the Central Seafront conservation area, and close to a number of listed buildings, including the Grade II former Cleethorpes railway station buildings and Grade II railway station buffet and adjacent station buildings at Cleethorpes rail station.

2.3. Description of Development Permitted by LDO
The Grant Street LDO grants outline planning permission, for the development of a landmark, high density residential-led, mixed use development. While details of access from the public highway are fixed by the outline permission, developers are still required to submit reserved matters applications for details of appearance, landscaping, layout and scale. The outline permission granted by this LDO is also subject to a number of conditions.

The nature and location of the site lends itself to a high density residential apartment scheme, with the opportunity for a range of commercial uses to be located in an active ground floor fronting Grant Street with public realm to cater for free pedestrian circulation or outdoor space linked to the commercial uses. The development form could be achieved through a cluster of buildings sitting on a public open space. Uses appropriate for the site are dictated by several factors including its strategic location, a good degree of public transport access, proximity to Cleethorpes rail station, the town centre and the tourist resort area. Furthermore, both the extant planning permission and previous uses of the site acknowledge its historic role in providing accessible public spaces.
The ground floor commercial uses must complement the residential elements of the development, and the surrounding area, and enhance the local tourism offer in this part of Cleethorpes. The LDO does not seek to be too prescriptive in relation to the type of commercial uses that would be suitable within the A1, A3 and D2 use classes, although restaurants, café bars, and a small scale food retail and leisure use would be appropriate. An opportunity also exists for a hotel use as part the development.

The sloping topography of the site allows for a lower deck or semi-basement to be carved into the terrain. This could be utilised to accommodate a private car park, bike store, utilities room and storage. Also, to attenuate the volume of water discharge to the existing surface water network, a surface water run-off tank might be accommodated here.

For guidance purposes only, development scenarios for the LDO have been developed (see the Grant Street Illustrative Design Report for more detail). The development scenarios are based on a number of design principles to which the reserved matters planning applications detailing appearance, landscaping, layout and scale, need to conform. These design principles are outlined below:

- Building height up to a maximum of 12 storeys at the tallest point of the site;
- Development mix in the region of 80 residential units and 1,000m² of commercial space;
- Creation of a visual focal point through a landmark corner treatment on Grant Street, when viewed from the High Street / Alexandra Road roundabout;
- Vehicular access to potential on-site, lower ground floor level from Grant Street, giving access to private car park, cycle store, utilities room and storage space;
- To attenuate the volume of water discharge on the existing sewer network, a surface water run-off tank could be accommodated in the lower ground / basement structure;
- The sub-station facing Grant Street will need to be addressed;
- Disaggregating the mass of building(s) on the site by making the development visually permeable, with a plot coverage ratio in the region of 50% and by connecting Grant Street with the promenade through visual and physical connections;
- Providing a double aspect on to Grant Street and Station Approach, and beyond;
- Creating new public realm with the potential to use the roof space(s) for public access; and
- Achieving the Building for Life 12 Quality Mark.

2.4. LDO Timescales

This LDO takes effect on the date it is adopted by NELC, and is limited to a 5 year period, following which the LDO shall expire. Therefore, it will cease to apply on the day following the fifth anniversary of its adoption date. Provided reserved matters approval has been obtained, development which has commenced under the provision of the LDO can be completed following the expiry of the LDO after the end of the 5 year period.

Developers are advised to submit reserved matters applications in plenty of time to enable work to commence before the LDO expires.

At the end of the LDO’s 5 year period, NELC will review the impact of the LDO with a view to making a decision on whether to:

- Renew the LDO with no revisions;
- Renew the LDO with new terms and conditions; or
- Revoke the LDO.

2.5. LDO Conditions

The LDO conditions imposed on the outline consent are required to ensure a future development will be acceptable in planning terms. The conditions are used to:

- Confirm the approved land uses;
- Ensure development is designed to reduce impacts on the environment and road network;
- Require the submission of reserved matters applications, and
- Ensure that certain actions are taken prior to undertaking development permitted by the LDO.
2.6. Legislative Framework

The primary legislative provisions related to LDOs were introduced through the Planning and Compulsory Purchase Act 2004, and commenced in 2006. LDOs in effect grant planning permission for the specific form/type of development detailed in the order. These primary powers were amended by the commencement of section 188 of the Planning Act 2008 in June 2009.

More detailed legal provisions on LDOs are contained in sections 61A to 61D and Schedule 4A of the Town and Country Planning Act 1990, as amended and articles 38 and 41 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (the ‘DMPO’).

The DMPO came into force on 15th April 2015 as a consolidation of the Town and Country Planning (General Development Procedure) Order 1995 and instruments which have amended that Order. The Growth and Infrastructure Act 2013 removed the requirement to formally consult the Secretary of State prior to adoption enabling local authorities to approve an LDO immediately after reviewing the results of local consultations. This was replaced by a requirement to notify the Secretary of State, via the National Planning Casework Unit, as soon as practicable after adoption.

2.7. Statement of Relevant Planning Policies

2.7.1. North East Lincolnshire Local Plan

For the purposes of S38 (3) of the Planning and Compulsory Purchase Act 2004, the statutory Development Plan for the site currently comprises the saved policies of the North East Lincolnshire Local Plan (adopted 24th November 2003 (Saved policies 2007)). It will be replaced by a new Local Plan that is currently in preparation.

The requirement for LDOs to implement local plan policies was removed following commencement of section 188 of the Planning Act 2008 in June 2009. Nevertheless, the provisions of the LDO meet with the policy objectives of the North East Lincolnshire Local Plan.

As shown on the Proposals Map, the site is located within the Central Seafront conservation area and is allocated as a ‘Resort Area’. This is supported by saved Policy LTC9: Tourism Facilities, which is outlined below and recognises that the resort area of Cleethorpes needs to continue to develop attractions for visitors and tourists. The Policy further explains that uses which are intended to serve resort tourists will be permitted to locate within the defined resort area and the use of derelict, disused or reclaimed land or buildings will be encouraged.

The policies of relevance to the proposed LDO include:

- **Policy GEN1 ‘Development Areas’** outlines that within the defined development areas on the proposals map, proposals should adhere to a number of criteria to ensure their suitability;
- **Policy GEN3 ‘Development and Landscaping’** stipulates that ‘where appropriate’ a comprehensive landscape appraisal and landscaping scheme will be required in support of all development proposals;
- **Policy GEN8 ‘Protection of water resources’** outlines that development proposals likely to cause an unacceptable threat to the quality and/or quantity of ground waters or surface waters will not be permitted;
- **Policy LTC9 ‘Tourism facilities’** outlines that within the defined ‘Resort Area’ development proposals for tourist facilities or proposals likely to increase the attraction of the area to tourists and quality of facilities will be permitted;
- **Policy BH1 ‘Conservation Areas’** states that development proposals within a conservation area should have special regard to the desirability of preserving or enhancing the character or appearance of the surrounding environment;
- **Policy T6 ‘Development proposals and the provision of parking’** outlines that proposals will be expected to provide a level of parking no greater than the maximum standards required by the Council's Mobility and Parking Standards;
- **Policy T7 ‘Car Parking Provision for those with Mobility Impairments’** states that approximately 5% of total parking bays in new developments should be designed and located to meet the needs of people with mobility impairments;
- **Policy S1 ‘Shopping Hierarchy’** outlines that new shopping development will be permitted within the shopping hierarchy which includes Cleethorpes Town Centre; and
Policy NH3 ‘Protected Species’ states that development proposals likely to cause harm to species protected by law, or to lead to the destruction or obstruction of their habitats, will be permitted only if arrangements can be made through Planning Agreements or conditions to secure the protection of the species.

### 2.7.2. North East Lincolnshire Supplementary Planning Guidance Note No. 3 - Mobility and Parking Standards Adopted April 2004

This guidance supplements the planning policies and proposals outlined in the North East Lincolnshire Local Plan. The guidance also assists in the implementation of site specific policies and policies guiding the development of specific land use for example housing, employment, shopping and leisure. Within Section 2 of the document a number of standards are outlined relating to the provision of car and cycle parking and access to sustainable means of transport from new residential developments. The guidance outlines the criteria that must be met regarding car and cycle parking and states any application for residential development specifically, must provide a justification for the parking provision being proposed, should it be less or more than is outlined in the guidance.

### 2.7.3. North East Lincolnshire Supplementary Planning Guidance Note No. 4 – Developer Contributions to Education Facilities Adopted April 2005

This guidance supplements the planning policies and proposals outlined in the North East Lincolnshire Local Plan. The guidance sets out NELC’s justification on the use of planning obligations to meet educational needs arising from new residential development. It sets out the reasoning for the need for educational contributions and the procedures for calculating the contributions and the means of implementing the proposals.

### 2.8. Environmental Impact Assessment

Developments which are likely to have a significant impact on the environment are required to be subject to an Environmental Impact Assessment (EIA). The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (the EIA Regulations) stipulate that a development proposal constitutes EIA development if it is:

- Within one of the categories of development in Schedule 1 of the EIA regulations; or
- Within one of the categories of development in Schedule 2 of the EIA regulations and which is likely to have significant effects on the environment by virtue of factors such as its nature, size or location.

Schedule 3 of the EIA Regulations provides guidance on assessing development proposals that fall within Schedule 2 to determine whether they are likely to have significant effects on the environment. This assessment is undertaken in the first instance by the developer themselves but a formal decision can be obtained from the LPA who will issue a Screening Opinion on whether a proposal constitutes EIA development.

Article 38 paragraph 12 part (b) of the Town and Country Planning (Development Management Procedure) (England) Order (DMPO) 2015 states that an LDO cannot permit Schedule 1 development. An Order may be made to permit development that falls within Schedule 2. However, regulation 29 of the EIA Regulations applies in such instances, which states that a Local Planning Authority shouldn’t make an LDO for such development unless they have adopted a screening opinion and, if required, an environmental statement has been prepared in relation to the LDO.

The uses that are to be permitted within this LDO are classed within Schedule 2, Part 10(b) comprising ‘Urban development projects’ (as amended in the Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015). Therefore, in accordance with the EIA regulations, an EIA screening opinion will be sought from the local planning authority.

### 2.9. Current Planning Permissions on the LDO Site

Planning application DC/1162/05/SSU - Grant Street (Clifton Bingo) Site, Cleethorpes was approved by NELC on 13th January 2006. This planning permission was part implemented through the demolition and clearance of the site, following the discharge of relevant conditions and the signing of a Section 106 Agreement (as required by Condition 4 attached to the consent) and, as a consequence, remains extant. The consented development included for:
The demolition of the existing hall and erection of a building with 38 space car park, with 35 apartments and a retail/commercial unit.

Conditions 2 (Materials), 5 (Landscaping), 10 (Dust Suppression), 11 (Noise Suppression), 13 (Wheel Washing) and 14 (Tree Locations) were discharged on 28th October 2008 (application reference DC/1162A/05/SSU).

Condition 9 (Piling Foundations) was discharged on 18th October 2010 (application reference DC/1162B/05/SSU).

A Conservation Area Consent application was also submitted in 2008 in respect of demolition of the existing Clifton bingo building (Reference: DC/116/08/SSU), and was approved in May 2008.

2.10. Development Considerations

There are a number of site conditions and potential constraints that must be taken into account when preparing development proposals for the LDO site, which will need to be addressed through the submission of reserved matters applications and the discharging of planning conditions. The key potential considerations are outlined below and set out in the Grant Street Illustrative Design Report that accompanies this LDO.

Historic Environment

The site lies within the Central Seafront conservation area, and close to a number of listed buildings, including the Grade II former Cleethorpes railway station buildings and Grade II railway station buffet and adjacent station buildings at Cleethorpes rail station. The Cleethorpes Central Seafront Conservation Area Appraisal (CCSCA) was adopted in September 2013.

Development proposals will need to respond positively to these heritage assets, and be in keeping with the character of the conservation area as outlined in the CCSCA. The CCSCA accepts that the conservation area has the capacity to change, but asserts that this change must be for the better and will need to enhance the character of the conservation area. The development parameters set out above, and detailed in the Illustrative Design Report that accompanies this draft LDO, outline an appropriate response to these aspects.

Transport and Access

The outline permission granted through this LDO fixes the access from the development to the public highway off Grant Street, providing access to the site’s car parking and servicing provision.

The level of car parking that can be achieved on the LDO site is constrained by the site’s extent and topography. This means that in tandem with the need for a high density residential-led scheme, the level of parking that can be realised on site may not meet the maximum requirements set out in the Adopted Mobility and Parking Standards SPG Note 3 which requires a maximum on average of 1.5 spaces per dwelling. However, given the site’s location adjacent to Cleethorpes rail station and its general accessibility, car parking provision below this maximum requirement is acceptable. The development must also address cycle provision.

Electricity Sub-station

An electricity sub-station is located within the site’s boundary on Grant Street, and a larger sub-station is situated close to the site’s eastern boundary on Station Approach. The on-site sub-station will need to be incorporated into the development, and the site’s topography provides an opportunity for this.

Flood Risk and Drainage

The LDO site lies within Flood Zone 1 on the Environment Agency’s flood map, with the land assessed as having a less than 1 in 1,000 annual probability of river or sea flooding (<0.1%).

There will be a requirement to adopt a sustainable approach to drainage, avoiding positive connection to existing systems, which includes mitigation to avoid run-off to neighbouring sites. Therefore, underground storage may be needed.
The provision of permeable surfacing of external areas, a suitable landscaping scheme, a green roof and rainwater harvesting are encouraged in the scheme design.

Ground Conditions

Site investigations were carried out to support the previous approved scheme. The site investigation report concluded that site geology comprised of glacial till, proven to 10 metres. Testing indicated that conditions were relatively consistent both across the site and with depth.

Ecology

The LDO site has been vacant for several years, following demolition of the former Clifton Bingo and clearance works. Therefore, it is possible that during the intervening period suitable habitat has attracted the presence of protected species. A phase 1 ecological walkover will need to be undertaken to confirm whether any protected species are present on the site.

Amenity

The LDO site is adjacent to homes and a range of commercial, retail and leisure uses. As such it is important to consider the impact of the scheme on residents, including during construction.

The proposed uses have potential for impacts which could affect neighbouring amenity, such as noise and fumes from the retail / commercial uses within the scheme. These will need to be mitigated to limit their effects.

2.11. Heads of Terms

A legal agreement under S106 of the Town and Country Planning Act (TCPA) 1990 (as amended) is required. The draft heads of terms are outlined below. A flexible approach will be adopted, subject to adequate evidence of viability.

Affordable Housing

A minimum affordable housing provision of 20% of all new homes will be required, split between 75% social rent or affordable rent housing and 25% low cost home ownership housing, or as agreed by the Council’s Strategic Housing service. The affordable housing contribution is to be transferred to a Registered Provider, upon completion, at a cost that allows the properties to be let or sold as affordable housing or an equivalent off-site provision will be secured through s106 financial contribution.

Education

As set out in the adopted Developer Contributions to Education Facilities SPG (see 2.7.3 above), a standard calculation for an education contribution will be applied in accordance with the Education Contribution Formula applied to the qualifying housing (i.e. housing with more than one bedroom) constructed on the LDO site and payable to the Council with respect of the education works (i.e. means works to Primary, Infants or Junior schools within a 2 mile radius of the LDO site) pursuant to the outline permission granted by this LDO.

The size of the contribution equates to a sum of £11,276.64 payable for every four qualifying houses built on the LDO site.

Public Open Space and Sustainable Urban Drainage Systems

Provision will be sought through the legal agreement in relation to the adoption (if not retained by the applicant) and / or maintenance of any public open space or sustainable urban drainage systems incorporated within the scheme granted outline planning permission by this LDO.
2.12. 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 2015 (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 North East Lincolnshire Council.

2.13. Monitoring / Review
Development permitted under the LDO is subject to continuous monitoring to assess its effectiveness. Details of all applications received through the LDO are 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.