

Lincolnshire County Council Planning Permission

Town and Country Planning Act 1990

Town and Country Planning General Regulations 1992

Date of Proposal 6 June 2014

Application No. 2014/0643/CCC

LCC Ref. No. L/0643/14

Part 1 Planning Permission

1. On 6 October 2014 the Lincolnshire County Council resolved, for the purposes of Regulation 3 of the Town and Country Planning General Regulations 1992, to vary Conditions 2, 10 and 24 of planning permission L/0110/13 relating to the Lincoln Eastern Bypass proposed at land to the east of Lincoln.
2. Take notice that Planning Permission is hereby granted by Lincolnshire County Council to carry out the above development in accordance with the application and plans originally submitted and approved as set out in the Council's Decision Notice Reference no. L/0110/13 dated 10 June 2013 and those supporting this application and subject to the following new conditions set out below:

Part 2 Conditions

1. The development hereby permitted shall be commenced before 10 June 2016. Written notification of the date of commencement of development shall be sent to the County Planning Authority (CPA) within seven days of commencement.

Signed **N McBride**
Development Manager
Lincolnshire County Council

Date 7 October 2014

NOTES:

1. This permission must be entered in the statutory register of planning decisions maintained by the District Council (as required by the Town and Country Planning General Regulations 1992). In addition the District Council is requested to make an entry in the Land Charges Register of any conditions attached to this permission.
2. This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, byelaw, order or regulation.

2. The development hereby permitted shall be undertaken strictly in accordance with the details contained in the application and in full compliance with the mitigation measures identified and set out in the Environmental Statement (originally date stamped received 8 January 2013), the supporting letters dated 27 August 2014 and 6 June 2014 and the drawings (as set out below) except where modified by the conditions attached to this planning permission or by details subsequently approved pursuant to those conditions.

Approved Drawings

Drawing No. 1030171-LEB-016 'Planning Boundary'

Drawing No. 1030171-LEB-017 'Permanent Highway Boundary'

both date stamped received 8 January 2013; and

Drawing No. HCMSA0021/LEB/100/101 Rev.A0 'Main Carriageway: Revised Plan & Profile - Sheet 1'

Drawing No. HCMSA0021/LEB/100/102 Rev.A0 'Main Carriageway: Revised Plan & Profile - Sheet 2'

Drawing No. HCMSA0021/LEB/100/103 Rev.A0 'Main Carriageway: Revised Plan & Profile - Sheet 3'

Drawing No. HCMSA0021/LEB/100/104 Rev.A0 'Main Carriageway: Revised Plan & Profile - Sheet 4'

Drawing No. HCMSA0021/LEB/100/105 Rev.A0 'Main Carriageway: Revised Plan & Profile - Sheet 5'

all date stamped received 13 June 2014; and

Drawing No. HCMSA0021/LEB/100/106 Rev.A2 'Hawthorn Road Junction Alteration'

Drawing No. HCMSA0021/LEB/100/107 Rev.A0 'Diversion under the River Witham Bridge'

Drawing No. HCMSA0021/01/108/ Rev.A1 'Extents of acoustic fencing'

date stamped received 27 August 2014 and 3 October 2014.

3. No development shall take place until a detailed landscaping scheme, including any proposed fencing, has been submitted to and approved in writing by the CPA. The landscaping scheme shall include information on the species, numbers, spacing and positions of all grasses, trees, shrubs, hedgerows and bushes to be planted as part of the development and include details of the long term maintenance and aftercare proposals to ensure their success for a period of 10 years commencing from the date of completion of the development. Any plants which at any time during the development and/or 10 year aftercare period die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing with the CPA. In respect of fencing, details shall include the type, height, treatment/colour and position of any fencing to be erected as part of the development. The approved scheme shall thereafter be carried out and maintained in accordance with the approved details.
4. No development shall take place until details of the bunds for noise mitigation and landscaping to be constructed along the boundaries of the development have been submitted to and approved in writing by the CPA. Such details shall include

appropriate cross sections of the bunds and include details of the location, size and height of the bund as well as details of the proposed materials and method of construction. Following the construction of the bunds they shall be grass seeded, landscaped and maintained in accordance with the details approved pursuant to Condition 3. Thereafter the bunds shall be constructed and all works implemented and carried out in full accordance with the approved details and thereafter whilst ever the development subsists.

5. Unless minor variations are otherwise agreed in writing by the CPA, construction works which are audible at the site boundary shall only take place between 07:00 – 19:00 Monday to Friday, and 09:00 – 13:00 on Saturdays, and not at any time on Sundays, Public or Bank Holidays. Construction activities which are assessed as being inaudible at the site boundary (such as electrical work) may be undertaken outside of these times.
6. All vehicles, plant and machinery shall be maintained in accordance with the manufacturer's specification at all times, and shall be fitted with and use effective silencers. Any breakdown or malfunction of silencing equipment or screening shall be treated as an emergency and should be dealt with immediately. Where a repair cannot be undertaken within a reasonable period, the equipment affected should be taken out of service.
7. (a) No development shall take place until a written scheme of archaeological investigation has been submitted to and approved by the County Planning Authority. This scheme should reflect the practices and mitigation measures to reduce or avoid impacts on archaeological deposits as set out in Chapter 12, Section 12.6 of the Environmental Statement and include the following items set out below and be in accordance with the archaeological brief supplied by the Lincolnshire County Council Historic Environment advisor on behalf of the County Planning Authority:
 - (1) An assessment of significance and proposed mitigation strategy (i.e. preservation by record, preservation in situ or a mix of these elements);
 - (2) A methodology and timetable of site investigation and recording;
 - (3) Provision for site analysis;
 - (4) Provision for publication and dissemination of analysis and records provision for archive deposition;
 - (5) Nomination of a competent person/organisation to undertake the work;
 - (6) The scheme to be in accordance with the Lincolnshire Archaeological Handbook.
- (b) The archaeological site work shall be undertaken only in full accordance with the approved written scheme. The applicant will notify the County Planning Authority of the intention to commence at least fourteen days before the start of archaeological work in order to facilitate adequate monitoring arrangements. No variation shall take place without prior consent of the County Planning Authority.
- (c) A copy of the final report will be submitted within three months of the work to the County Planning Authority for approval (or according to an agreed programme). The material and paper archive required as part of the written scheme of investigation shall be deposited with an appropriate archive in

accordance with guidelines published in The Lincolnshire Archaeological Handbook.

8. (a) No development shall take place until details of the historic landscape survey referred to in Chapter 12, Paragraph 12.6.15 of the Environmental Statement have been submitted to and approved in writing by the CPA. The submitted scheme shall provide for the recording of the identified Historic Landscapes affected by the development (as identified by the Drawing No.1030171-LEBEIA-HER-003a contained within Section 12.7 (Volume 2) of the Environmental Statement) and should include measured survey of any field boundaries to be removed as well as photographic survey of the wider area and long views to and from the Historic Landscape Types. The historic landscape survey shall be carried out prior to any construction works taking place within the identified Historic Landscape areas, in full accordance with the approved scheme.
- (b) A copy of the final report relating to the above shall be submitted within three months of the work to the County Planning Authority for approval (or according to an agreed programme). The material and paper archive shall be deposited with an appropriate archive in accordance with guidelines published in The Lincolnshire Archaeological Handbook.
9. (a) No development shall take place until details of a scheme of historic building recording relating to the Railway Underbridge (Site 220) as referred to in Chapter 12, Paragraph 12.6.14 of the Environmental Statement has been submitted to and approved in writing by the CPA. The scheme shall provide a written and photographic record of the structure (as appropriate) and provide a permanent record of the structure in its current condition. The historic building recording works shall thereafter be implemented and carried out prior to the structures demolition, in full accordance with the approved scheme.
- (b) A copy of the final report relating to the above shall be submitted within three months of the work to the County Planning Authority for approval (or according to an agreed programme). The material and paper archive shall be deposited with an appropriate archive in accordance with guidelines published in The Lincolnshire Archaeological Handbook.
10. (a) No development shall take place until full details of all permanent bridges, structures, underpasses, bridge walls, abutments and crossings have been submitted to and approved in writing by the CPA. Such details shall include information on the colours and treatment of all surfaces, finishes and textures associated with these elements (e.g. railings, wing walls, side walls of underpass) as well as exact clearance heights. The bridges, structures, underpasses, bridge wing walls, abutments and crossings shall thereafter be constructed in accordance with the approved details.
- (b) Prior to the installation of any temporary bridges during construction such temporary works will be submitted to and approved in writing by the CPA. Such details shall include information on the colours and treatment of all surfaces, finishes and textures associated with these elements (e.g. railings, wing walls, side walls of underpass) as well as exact clearance heights. The bridges, structures, underpasses, bridge wing walls, abutments and crossings shall thereafter be constructed in accordance with the approved details.

11. All floodlighting and external site lighting associated with the construction of the development hereby permitted shall be positioned and operated to minimise the potential nuisance of light spillage from the site.
12. Before the bypass hereby approved is brought into use details of all proposed lighting to be implemented as part of the development (including street lighting and that associated with the bridges, underpasses and other circulation areas, etc) shall be submitted for the approval of the CPA. Thereafter the lighting shall be implemented and carried out in full accordance with the approved details.
13. No development shall take place until a method statement, detailed plan and timetable of works to mitigate the impacts of the development on the Greetwell Hollow Quarry SSSI have been submitted to and approved in writing by the CPA. All works shall thereafter be carried out in full accordance with the approved details.
14. No development shall take place until details of the facilities to be constructed to provide public/pedestrian access to the quarry floor and retained exposures of the Greetwell Hollow Quarry SSSI have been submitted to and approved in writing by the CPA. All works shall thereafter be carried out in full accordance with the approved details and the means of access completed at the date the bypass is open for traffic.
15. No development shall take place until a method statement, detailed plan and timetable of works to mitigate the impacts to bats, water voles and grass snakes have been submitted to and approved in writing by the CPA. All works shall thereafter be carried out in full accordance with the approved details.
16. No earthworks, site clearance or ground disturbance works shall take place between March and September, inclusive unless otherwise agreed in writing with the CPA. If these works cannot be undertaken outside this time, they should be evaluated and checked for breeding birds by an appropriately qualified ecologist and if appropriate, an exclusion zone set up. No work shall be undertaken within the exclusion zone until birds and any dependent young have vacated the area.
17. No development shall take place until a scheme for the provision of surface water drainage, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the CPA, in consultation with surface drainage authorities, including the Internal Drainage Boards and the Environment Agency. The scheme shall reflect the principles, mitigation measures and specification requirements as set out in Chapter 7, Section 7.6 of the Environmental Statement including the provision of level for level floodplain compensatory storage as indicated in the applications Flood Risk Assessment. The approved scheme shall be implemented and carried out before the development is completed and shall thereafter be maintained for the duration that the development hereby permitted subsists.
18. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, or the capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and site glasses must be located within the bund. The drainage

system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund.

19. No development shall take place until a Construction Environmental Management Plan has been submitted to and approved in writing by the CPA. The Plan shall include details of the development which shall include but not necessarily be limited to the following:
 - (a) identify the locations of the contractor's temporary site storage areas/compounds including details of the number, size (including height) and location of contractors' temporary buildings;
 - (b) the means of moving, storing and stacking all materials, plant and equipment around the site;
 - (c) the measures to be adopted during all works to ensure that dust emissions are minimised (reflecting those practices and mitigation measures set out in Chapter 11, Section 11.6 of the Environmental Statement);
 - (d) the measures to be adopted during all works to minimise the incidence and impacts of noise and vibration arising from the development (reflecting the practices and mitigation measures set out in Chapter 10, Section 10.6 of the Environmental Statement);
 - (e) the measures to avoid the pollution and discharge of any substances, including surface water run-off, into controlled water during the construction and operation phases of the development (reflecting the practices and measures set out in Chapter 7, Section 7.6 of the Environmental Statement);
 - (f) details of any wheel wash facility, use of water bowsers and any other measures necessary to ensure that vehicles do not leave the site in a condition whereby mud, clay or other deleterious materials are carried onto the public highway. The approved plan shall thereafter be implemented and carried out in full accordance with the approved details.

20. No development shall take place until a detailed strategy and method statement for minimising the amount of construction waste resulting from the construction of the development shall be submitted to and approved in writing by the CPA. The statement shall include details of the extent to which waste materials arising from construction activities will be reused on site and demonstrating that as far as reasonably practicable, maximum use is being made of these materials. If such reuse on site is not practicable, then details shall be given of the extent to which the waste material will be removed from the site for reuse, recycling, composting or disposal. All waste materials shall thereafter be reused, recycled or dealt with in strict accordance with the approved strategy and method statement.

21. No development shall take place until a scheme to assess the nature and extent of any contamination on the site and the methods proposed to deal with the risks associated with contamination of the site has been submitted to and approved in writing by the County Planning Authority. The scheme shall include:
 - (1) A preliminary risk assessment which has identified:
 - all previous uses;
 - potential contaminants associated with those uses;

- a conceptual model of the site indicating sources, pathways and receptors;
 - potentially unacceptable risks arising from contamination at the site.
- (2) A site investigation scheme, based on (1), to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site;
 - (3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 - (4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the **express** written consent of the County Planning Authority. The scheme shall be implemented as approved.

22. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the County Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the County Planning Authority detailing how this unsuspected contamination will be dealt with and obtained written approval from the County Planning Authority. The remediation strategy shall be implemented as approved.
23. The development hereby permitted shall not be brought into public use until the acoustic fence as shown on Drawing No. HCMSA0021/01/108/ Rev.A1 has been erected in accordance with details which have previously been submitted to and approved in writing by the County Planning Authority. Those details shall meet the minimum height parameters of 2.3m for the section shown in 'blue' and 1.8m for the section shown in 'green' on the attached plan HCMSA0021/01/108/ Rev.A1. The design, specification and colour of the proposed fencing shall meet DMRB standards or that of its successor document. The acoustic fencing shall thereafter be maintained and retained in a condition fit for purpose whilst ever the development hereby permitted subsists.
24. No development shall take place until details relating to the translocation of the Giant Bellflower have been submitted to and approved in writing by the County Planning Authority. Such details shall include the findings and results of a survey conducted to identify the locations of any stands affected by the development hereby permitted, details of the proposed methods to be adopted to translocate those species, the locations where those stands/ species are to be relocated, a timetable for carrying out such works and details of the measures to be adopted to ensure the successful establishment and maintenance of those translocated species. All works shall thereafter be carried out in accordance with the approved details.

The reasons for the conditions are:-

1. To reflect the original deadline for implementation of the planning permission as imposed by Section 91 of the Town and Country Planning Act 1990.
2. To ensure that the development is carried out in accordance with the details as contained in the application and the principles of the mitigation set out in the Environmental Statement in order to minimise the environmental effects of the development.
- 3 & 4 To minimise the impact of the development on the local landscape in the interests of visual amenity.
- 5, 6 & 23 To minimise the impacts of noise arising from the development, in the interests of amenity.
- 7 to 9 To ensure that satisfactory arrangements are made for the investigation, retrieval and recording of archaeological deposits within the site and to secure appropriate schemes for recording of the historic railway underbridge and historic landscape features as identified and proposed within the Environmental Statement.
10. To ensure that the final design, scale and appearance of the proposed structures are appropriate and would not adversely detract or impact upon the visual amenity of the area and views to and from the historic city centre. Such details would also ensure that adequate clearance is provided to allow safe and unrestricted access by users of the River Witham and to protect the bridge from defacement/vandalism as per the recommendations of British Waterways.
- 11 & 12 In the interests of visual amenity and to minimise the impacts of light pollution on the local landscape and adjoining land uses (e.g. railway infrastructure).
- 13 & 14 In accordance with the recommendations of Natural England and to minimise the impacts of the development on the SSSI and to mitigate for the loss of the SSSI by ensuring suitable access to the retained exposures of the SSSI is secured in the interest of nature conservation.
15. In accordance with the recommendations of Natural England so as to protect bats, water voles and grass snakes that have been identified as being affected by the development and to secure the mitigation measures for these species as set out in Section 10.7 of the Environmental Statement.
16. In the interests of safeguarding nesting birds that are protected by law.

17 & 18

- To reflect the recommendations and conditions proposed by Environment Agency so as to prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity and ensure future maintenance of the surface water drainage system.
- 19. To ensure that the development does not give rise to adverse impacts by virtue of noise, dust and to protect water resources from pollution in the interests of the amenity of the area.
- 20. To minimise the amount of construction waste to be removed from site for final disposal.

21 & 22

- In accordance with the recommendations and advice of the Environment Agency and to ensure that appropriate remediation measures can be secured to protect controlled waters for any contaminated land which may be present within the site and to ensure that any unforeseen contamination encountered during development is dealt with in an appropriate manner.
- 24. To secure the measures proposed to mitigate and ensure the successful translocation of Giant Bellflower as part of the development.