

**POST- ISSUE SPECIFIC HEARINGS  
SUBMISSION**

**DEADLINE 3**

**IP Ref: 20018303**

**A63 Castle Street Improvement Scheme  
HULL  
TR010016**



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## 1. Issue Specific Hearing 1 - Traffic and Movement

### 1.1 Central Barrier Requirement.

As submitted, the scheme depicts concrete barriers running along significant lengths of the central reservation to the road. Whilst the local planning authority recognises the importance of ensuring that the barrier is fit for purpose from a highway safety perspective, the suitability of the appearance of the barrier to the settings of the numerous listed building, and the special character and appearance of the Old Town Conservation Area through which it runs is material. An additional DCO requirement on the design of the central barrier would ensure that due and informed consideration is given to identifying optimal solutions for combining road safety requirements and sensitivity to the historic environment. Otherwise there is a risk that, notwithstanding the need to present a deterrent to unauthorised pedestrian crossing, the appearance of the barriers will fight against the objective of enhanced connectivity between the north and south.

Consequently, the following amendments to wording for requirement 12 within Schedule 2, Part 1 to the draft DCO are recommended:

#### **Fencing and vehicle restraint systems.**

**12.** (1) Any permanent or temporary fencing and other means of enclosure for the authorised development must be constructed and installed in accordance with Volume 1, Series 0300 of the Manual of Contract Documents for Highway Works except where any departures from that manual are agreed in writing by the Secretary of State in connection with the authorised development.

(2) No part of the authorised development is to commence until details and specifications for the scale, design and materials of the central reserve vehicle restraint system including any associated fence, barrier, wall or other means of enclosure along the entirety of the authorised development have been submitted to and approved in writing by the Secretary of State following consultation with the relevant planning authority on matters related to its function.

(3) The central reserve vehicle restraint system including any associated fence or barrier must be constructed in accordance with the approved details, unless otherwise agreed in writing by the secretary of State following consultation with the relevant planning authority on matters related to its function, gives consent to a variation.

Design solutions are subject to on-going discussions between the undertaker and the Council, and a meeting is arranged for the 27<sup>th</sup> June to hopefully agree a suitable design solution. If agreement is arrived at, it may be more appropriate for the drawings describing that agreed design solution to be identified as part of the authorised development within the Development Consent Order.

## **1.2 Suggested Requirement for High Street underpass route design and specification.**

HCC consider it to be paramount that the maximum benefits are secured along this entire extent of the scheme for pedestrians and cyclists. When factoring in the regenerated local environment in place in and around Humber Street alongside the further imminent development at both Blackfriargate and King William House, the propensity for significant increases in pedestrian and cycle movements in the area and across A63 Castle Street should be taken into consideration.

The High Street route must be designed to cater for all users and to accommodate such demands in an attractive, legible and safe manner. The approach should factor in the different types of users, both regular users (e.g. commuters) and the increasing visitor numbers. As such, all aspects of creating a coherent and comfortable environment should be explored in addition to the basic design and civils components. This should include the materials pallet, soft landscaping and the immediate public realm space, which might include, public information, art, CCTV, and importantly a clear wayfinding plan (with timing indicators), connecting with the wider network. The Council considers that this area should be an extension of the city centre as it will be a key pedestrian and cycle route connecting the city centre with the Fruit Market regeneration area and Hull marina/waterfront area. It should be a pedestrian orientated environment through which vehicles pass rather than a highway engineered environment.

As a key link for the city centre the objectives for the design of the underpass must reflect the vision and the objectives of the city centre public realm strategy:

The vision is for a city centre which:

- Welcomes people of all ages and abilities, is safe, fully accessible and easy to navigate
- Celebrates and respects the unique qualities of its streets and spaces and is capable of flexible use throughout the year
- Provides a durable, clutter free and easily maintained, accessible environment
- Encourages public life, enabling a variety of activities to take place, responsive to change throughout the day and seasonal needs
- Accommodates the needs of those who live and work in the city centre as well as catering for the needs of visitors.

The strategy has been designed to ensure that improvements to the public realm will meet the following objectives;

- De-cluttering – through an evaluation and rationalisation of all streetscape components to provide accessible, functional and legible spaces
- Improved connectivity/legibility across the city centre – through improved crossings, enhanced functional and architectural lighting and strategic interventions to ensure that streets are welcoming and safe, easy to navigate and thereby encourage greater use of the city centre
- Celebrate the city's historic and contemporary culture through adopting an approach which values the city's architectural and cultural heritage and integrates the skills and imagination of contemporary artists in the development and animation of the public realm to reflect the city's culture and identity.

The current key characteristics of the underpass area are:

- The underpass under the A63 on High Street is currently a large underused space
- Dominance of bollards
- Narrow footpaths

- Dominance of carriageway
- Lack of clear and safe pedestrian crossings
- Extensive use of tarmac and concrete block paving creates a distinct separation with the northern end of High Street and Scale Lane beyond

It is noted that Highways England's proposals for the underpass do not include any treatment to the eastern side of the underpass. This is not acceptable to the Council as it will not create an inviting pedestrian environment, nor address issues of safety in a coherent manner. Treatment of the underpass must include improvements to the whole area within the red line boundary in order to create an attractive, legible, coherent, safe and secure pedestrian environment otherwise there is a significant risk of pedestrians attempting to cross at grade without the benefit of a signalised crossing in place.

The Council are seeking a design for the route which incorporates more artistic aspects into the design which would make the route more inviting and interesting to the user as they negotiate the route. For example the three images below illustrate how an artistic lighting scheme can be used to provide interest whilst still providing functional lighting levels. This is only one example of how artistic creativity can be used to enhance the

The Council are currently waiting to receive a series of 3D images from Highways England to illustrate in more detail what is currently being proposed for the High Street underpass within the dDCO. Receipt of these images will hopefully allow the Council to constructively formulate a response over their design requirements for the underpass and its approaches.

As this is such a significant issue the Council is seeking a requirement within the DCO to ensure that an acceptable solution is secured with the aid of formal consultation with the local planning authority:

**Myton Bridge Underpass Improvement Works.**

**15.-(1) That part of the authorised development identified as Work No. 41 and described as the improvement of Myton Bridge underpass on High Street is not to commence until the following details have been submitted to and approved in writing by the Secretary of State, following consultation with the local planning authority on matters related to its function:**

(a) design;

(b) materials;

(c) hard and soft landscaping;

(d) means of enclosure;

(e) lighting;

(f) wayfinding and interpretation;

(g) public art;

(h) CCTV.

(2) The underpass improvement works must be undertaken before the commencement of any of Works 35, 36, 37, 38, 39, or 40 as set out within Schedule 1 hereto, and in accordance with the approved details, unless the Secretary of State, following consultation with the relevant planning authority on matters related to its function, gives consent to a variation.

### **1.3 NMU connectivity.**

#### *Construction period*

##### **Pedestrians:**

Hull City Council will require, as part of detailed design, and in support of traffic management plans, comprehensive information which sets out the proposed access, routing and connections that will facilitate pedestrian movement. This should be explained for all phases of construction and include details covering any proposed changes to width, direction and closures/restrictions. Any additional distance and journey time should be listed.

##### **Cyclists:**

Information is sought as per pedestrians above, including any requirement for cyclists to dismount through the works area(s). Access and provision on the south side of A63 must be explained, along with the tie-in to the existing highway and wider cycle networks.

For both user groups the detail should include:

- a) Proposed temporary signing strategy, including any recommended alternative routes and crossing points.
- b) Any resurfacing, temporary drop kerbs and tactile paving
- c) Type and specification of guarding/barriers
- d) Temporary/additional lighting
- e) Alternate/emergency diversions

#### *Operational period*

HCC seek further information to demonstrate the proposals with regards to access, routing and connections for cycling. As raised at the Issue Specific hearing on Traffic and Movement, at present the Non Motorised User Route Plans Sheets 3 and 6 do not show cycling facilities on the south side of the A63 (between St James Street and Queen Street). Nor do they show such facilities along the northern side of the A63 in the vicinity of Princes Quay Bridge, between the Earl de Grey and Princes Dock Street.

As currently shown it is possible to cycle to both pedestrian / cycle bridges and the Mytongate Bridge on the north side of the A63 and cross to the south side but there is no continuous onward connection to the wider cycle network and emerging proposals. There is no indication of how the scheme connects with the existing cycle network on the south side and no indication of where cyclists should go or how they would reach the southern ramps of the bridges.

However, the landscaping information submitted in support of the draft Development Consent Order (Landscape Proposals – Volume 2 Figure 9.8) does show shared pedestrian / cycle facilities being provided over this section of the A63 on the southern side. Hull City Council consider that it is essential for the scheme to include the maximum achievable benefit for cyclists such that journeys between the city centre/Old Town and the marina and Fruit Market and Digital Quarter regeneration area are fully facilitated and encouraged. The routing, design and layout should tie in positively with current infrastructure. The allocation of adequate space and width for the increases in both foot and cycle traffic needs to be factored into the scheme design.



#### **1.4 The case for retention of Princes Quay Bridge within the DCO.**

The Council recognise that the delivery of the Princes Quay Bridge, its associated environs and approaches is dependent upon acquisition of land and rights to be secured through voluntary agreement. It remains a possibility that such agreements could fall, or fail to be finalised, thereby rendering the bridge development in its entirety and its efficient function and accessibility undeliverable. The Council are, therefore, of the view that the certainty afforded by the compulsory acquisition enabled through the DCO process is essential to securing the delivery of this critical element of the DCO proposals and the fundamental contribution it stands to make to the connectivity objective set out in the submission.

The Council consider that Princes Quay Bridge is a fundamental and inherent element of the road improvement scheme, and without its delivery, the cross-city centre connectivity, congestion reduction, and enhanced accessibility objectives of the scheme would be unlikely to be fully delivered, given the otherwise robust arguments for retaining at grade pedestrian crossings within the vicinity of Princes Quay and Hull Marina. Similarly, without the momentum and funding input derived from the road improvement scheme, the early delivery of the bridge would not, in all likelihood, have been realised. Consequently, to detach Princes Quay Bridge from the overall improvement scheme, thereby failing to weigh into the consideration of the scheme its beneficial outcomes, would appear illogical and inappropriate.

The Council continue to harbour concerns about the townscape impact of particular detailed elements of Princes Quay Bridge supporting structure, and legibility and quality of experience for NMU users on approach to it from the north-west, as described within the DCO submission drawings, and indeed as described within the revised local planning authority approval for the same, when those detailed elements are considered in the context of the surrounding and connected elements of the submitted DCO scheme including alignment, breadth, and profile of the carriageway, the alignment of NMU routing, and the extent of both permanent and temporary land acquisition in the vicinity of the bridge (having been approved by the LPA in isolation from the main A63 Improvement scheme and without any detail of the remainder of the draft Development Consent Order scheme being made available at the time). The orientation of the steps as proposed within the submission would necessitate users making a ninety degree turn when travelling between the steps/ramps and the shared route on the north side of the A63. As the most vulnerable highway users, including some with visual and cognitive impairments it is vitally important that their needs are recognised and provision is of the highest quality and legibility, such that the complete journey in using this vastly improved facility is a pleasant and comfortable experience throughout.

Hull City Council have been engaging constructively with Highways England to explore revisions to address these concerns, and positive progress has been made in this respect, with an alternative design agreed in principle, and agreement established between both parties and adjoining land interests to include additional land to be secured and maintained by the local authority, in order to facilitate enhanced access and route specification necessitated by these revisions. However, at the time of writing, revised detailed designs have yet to be tabled, and the necessary land agreement referred to has yet to be finalised. Consequently, the local planning authority consider that it is imperative that Princes Quay Bridge be retained within the DCO to negate risk, and ensure that the impacts of the bridge design and its functional and visual relationship with the remainder of the DCO proposals are of suitable design and arrangement.

#### **1.5 Safety implications of the removal of controlled crossings at Market Place and Queen Street.**

The four signalised pedestrian crossings at the Market Place and Queen Street junctions are proposed within the submitted scheme to be replaced with uncontrolled crossing facilities. The crossings are located on the diverge and merge slips from/to the A63 carriageway; pedestrians are therefore likely to encounter relatively fast moving vehicles at these locations, particularly those across the A63 entry slips where vehicles will be accelerating to join the mainline. The reduction in the level of provision at these locations increases the likelihood of drivers unexpectedly encountering pedestrians in the carriageway, and associated collisions. The Council request amendments to ensure compliance with the recommendation identified in the Stage 1 Road Safety Audit (Problem Location 56) which identified that the east-west crossings for pedestrians and cyclists at both Market Place and Queen Street should be signalised as per the existing level of provision. This is particularly important in the context of the fact that the demand for movement across both side roads is predicted to increase, especially in connection with the use of the High Street Underpass as a consequence of the proposed removal of the north –south controlled crossing at Market Place.

Furthermore the local planning authority considers that the speed limit change from 40 mph to 30 mph should be altered such that the lower limit is located at a point prior to the controlled crossing points at both Market Place and Queen Street (Identified in Stage 1 Road Safety Audit Problem Location 62). This change will address the concerns raised of inappropriate speeds and related safety risk on approach to, and at the crossing points. Initial assessment of the

layout suggests that adequate carriageway length along the westbound and eastbound off slips will enable the introduction of the 30 mph in line with recommended design standards. The undertaker identified at the Issue Specific Hearing on Traffic and Transport that they agreed that the speed limits should be amended to take into account these safety concerns.

### **1.6 Temporary Traffic Management (TTM).**

The Council seek a comprehensive and robust approach to mitigate, as far as is possible, those impacts on both the Strategic Road Network (SRN) and Local Road Network (LRN) which are predicted to arise during the various stages in the construction of the scheme. Traffic modelling undertaken predicts that traffic is likely to divert to alternative routes, most significantly those running parallel to the A63. It is important that clear and consistent TTM and communication strategies are in place which aim to manage this re-routing and mitigate, where possible, the impact of any re-routing to unsuitable parts of the LRN. The Traffic Management Plan should be capable of adaptation if it becomes apparent that further mitigation measures are required to be undertaken once the various construction phases of the scheme have commenced. The mitigation measures may include but are not limited to measures such as:

- additional signage on the Local Road Network and Strategic Road Network
- extending the area of the signage on the Local and Strategic road networks
- use of VMS (including mobile)
- Park & Ride (being investigated)
- media communications

The Council is currently working with Highways England to investigate a range of mitigation proposals. The finally agreed proposals will need to be introduced early in the delivery programme in advance of the construction of the Mytongate underpass, at which point the restrictions on traffic movements will be more pronounced as a consequence of losing the direct connections between Ferensway and Commercial Road, and the removal of right turn and u-turns at the junction.

**1.7 Suggested amendments to Schedule 3 — Classification of roads etc., and Schedule 4 – Permanent stopping-up of streets and private means of access.**

Please see appendix A attached.

## 2. Issue Specific Hearing 2 – Water and Flood Risk

### 2.1 Requirement for Pumping Station Design and Resistance and Resilience to Flood Risk.

As stated at p.58, para.9.2 to the local planning authority's submitted Local Impact Report, and reiterated at the Issue Specific Hearing 2 on Water and Flood Risk, in order to ensure that the siting, design, materials, landscaping, and boundary treatments associated with the proposed pumping station are appropriate to the character of the Old Town Conservation Area, and the settings of adjacent listed and locally listed structures, a requirement for those design details to be submitted to and approved in writing by the Secretary of State following consultation with the local planning authority is requested. In addition, the level of flood resistance and resilience of the proposed pumping station is recognised by both the Council and the Environment Agency as critical to ensuring that the facility is able to withstand or recover promptly from different potential flood scenarios, and in the absence of information in this regard, flood resistance and resilience measures are also recommended for inclusion within the suggested requirement.

The Council will seek to work positively and proactively with the undertaker and the Environment Agency to ensure that an optimal solution, taking into account functional, resilience, and visual imperatives is identified prior to the undertaker's submission under any such requirement, and have discussed the content of the following recommended requirement with the latter.

#### Pumping station.

13.-(1) No part of the authorised development is to commence until the following details for the pumping station forming part of Work No. 24 have been submitted to and approved in writing by the Secretary of State, following consultation with the local planning authority and Environment Agency on matters related to their functions:

(a) siting;

(b) scale;

(c) design;

(d) materials;

(e) landscaping;

[\(f\) means of enclosure;](#)

[\(g\) flood risk resistance measures;](#)

[\(h\) flood risk resilience measures.](#)

[\(2\) The pumping station must be constructed in accordance with the approved details, unless the Secretary of State, following consultation with the relevant planning authority and the Environment Agency on matters related to their functions, gives consent to a variation.](#)

## **2.2 Inclusion of Flood Risk Management Plan within CEMP.**

As drafted within Part 1 to Schedule 2 of the draft DCO, requirement no.4 relating to the submission of a Construction and handover environmental management plan, includes within the list of management plans to be included in the latter, a Flood Evacuation Plan, and a Flood Evacuation and Emergency Plan. It does not include within that list, a plan for the management of flood water flows for all potential sources, during construction. Consequently, it is recommended that requirement no.4 be amended to remedy this as set out below.

### **Construction and handover environmental management plan**

4.—(1) No part of the authorised development is to commence until a CEMP, substantially in

accordance with the OEMP, for that part has been submitted to and approved in writing by the Secretary of State, following consultation with the relevant planning authority to the extent that it relates to matters relevant to its function.

(2) The CEMP must be written in accordance with ISO14001 and must—

(a) reflect the mitigation measures set out in the REAC;

(b) contain a record of all sensitive environmental features that have the potential to be

affected by the construction of the proposed development;

(c) require adherence to working hours of 07:30–18:00 Mondays to Fridays and 08:00–13:00

on Saturday except for—

- (i) night-time closures for bridge demolition and installation;
  - (ii) any oversize deliveries or deliveries where daytime working would be excessively disruptive to normal traffic operation;
  - (iii) junction tie-in works;
  - (iv) removal of overhead power lines;
  - (v) overnight traffic management measures; or
  - (vi) cases of emergency,
- unless otherwise agreed by the local authority in advance;
- (d) include the following management plans—
    - (i) Archaeological Project Design (APD);
    - (ii) Arboricultural Implications Assessment (AIA);
    - (iii) Arboricultural Method Statement (AMS);
    - (iv) Landscape and Ecology Management Plan (LEMP);
    - (v) Handover Environmental Management Plan (HEMP);
    - (vi) Marine Mammal Mitigation Plan (MMMP);
    - (vii) Groundwater Monitoring Plan (GMP);
    - (viii) Erosion Prevention and Sediment Control Plan (ESPCP);
    - (ix) Noise and Vibration Management Plan (NVMP);
    - (x) Materials Management Plan (MMP);
    - (xi) Site Waste Management Plan (SWMP);
    - (xii) Foundation Works Risk Assessment (FWRA);
    - (xiii) Materials Logistics Plan (MLP);
    - (xiv) Community Relations Strategy (CRS);
    - (xv) Traffic and Transport Management Plan (TTMP);
    - (xvi) Flood Evacuation Plan (FEP);
    - (xvii) Flood Emergency and Evacuation Plan (FEEP); [and](#)

(xviii) Flood Water Management Plan (FWMP).

(3) The construction of the authorised development must be carried out in accordance with the approved CEMP.

(4) A HEMP must be developed and completed by the end of construction, commissioning and handover stage of the authorised development, in accordance with the process set out in the approved CEMP.

(5) The HEMP must address the matters set out in the approved CEMP that are relevant to the operation and maintenance of the authorised development and must contain—

(a) the environmental information needed for the future maintenance and operation of the authorised development;

(b) the long term commitments to aftercare, monitoring and maintenance activities relating to the environmental features and mitigation measures that will be required to ensure the continued long term effectiveness of the environmental mitigation measures and the prevention of unexpected environmental impacts during the operation of the authorised development; and

(c) a record of the consents, commitments and permissions resulting from liaison with statutory bodies.

(6) The authorised development must be operated and maintained in accordance with the HEMP.

**2.3 Suggested Site for Early Warning Flood Highway Signage.**

At the Issue Specific Hearing on Water and Flood Risk, the local planning authority requested that provision be made for early warning signage along the eastbound carriageway of the A63 in a location which would allow motorists to exit the trunk road prior to entering the city, generally, in the event of a flood, and specifically with regard to the potential for the Mytongate underpass to be flooded.

In accordance with the Examining Authority's request for additional information, a recommended location approximating to (SE 9926NE) E499789 W426542 is depicted on maps and images contained within appendix B attached hereto.



## **2.4 Implications of predicted increase in flood water levels on sites allocated within the Hull City Council Local Plan.**

The local planning authority is informed by the Government's Planning Practice Guidance defines Flood Risk as '...a combination of the probability and the potential consequences of flooding from all sources...'. The document titled 'Supporting Figures to Applicant's Response to Environment Agency's Relevant Representation (REP 1-016) presented at Issue Specific Hearing 2 on Water and Flood Risk, describes both increases and decreases in flood water depth at different city centre sites allocated within the Local Plan.

The way in which each such site could be potentially affected by the scheme is set out in detail within appendix C hereto. Whilst recognising the beneficial effects of the decreases in flood water depth at many sites, these instances are excluded from the document as such impact requires no additional flood risk consideration. Similarly, where allocated sites would be subject to predicted increase in flood water depth, but the allocations relate to the conversion of upper floor of existing buildings only, they have also been excluded due to the resultant limited impacts. Likewise, those allocated sites which would experience no predicted effect, either adverse or beneficial, have been excluded from the table.

The local planning authority recognises the distinction between an increase in the depth of flood water, and an increase in the probability or potential consequences of flooding, as the former may not necessarily result in either or both of the latter, although in certain circumstances it will.

Given that 95%+ of the local authority area is located within flood risk zone, the City Council, in consultation with the Environment Agency, have developed a robust Level 2 Strategic Flood Risk Assessment, and a 'Standing Advice Matrix' which breaks the high flood risk zone in the city down into sub-zones, and identifies appropriate resistance and resilience measures for those different sub-zones, allowing for a more nuanced, sophisticated, and procedurally efficient approach to flood risk and development to be adopted.

Predicted increases in flood water depth are shown to be of limited magnitude, either less than 0.005m, or within a range of 0.05 – 0.11m, with most sites affected already being subject to similar predicted depths. Given the predicted flood water depths set out within the Council's Strategic Flood Risk Assessment, and the degree of change described, the Council does not consider that the impact of the scheme in flood risk terms would be such that the development allocated sites affected would not be able to come forward, or could not be delivered for the uses specified. Nor is it considered that the consequences of the changes predicted would fundamentally alter the approach to construction within those sites nor the nature and implications of resistance and resilience measures that would be deemed appropriate and necessary.

The Council also recognise that the scheme works would be taking place within the same timeframe as the Environment Agency's on-going £42m Humber Hull Frontages and £36.5m River Hull Frontages defence enhancement schemes, which will have the effect of upgrading the standard of tidal and fluvial defences for the entire city centre, in light of predicted climate change effects including sea level rise and extreme weather events up to 2040, with contingency built-in for adaptation thereafter.

### 3. Issue Specific Hearing 3 – Historic Environment

#### 3.1 Earl de Grey relocation as proposed within the draft DCO

The local planning authority accepts the undertaker's reasoning and justification for the need to dismantle and relocate the Grade II listed Earl de Grey public house in order to deliver the objectives of the scheme, maintain the appropriate function of the trunk road during construction, and construct the proposed scheme safely.

The local planning authority also accepts that the proposed partial rebuilding of the Earl de Grey in an adjacent location is preferable to its entire loss. However, the submission contains little detail with regard to how the works described will be undertaken. The description under Work No. 30 within Schedule 1 describing the authorised development is very basic, there is an absence of reference to cultural heritage management within the CEMP, no current requirement relating to these works within Schedule 2, Part 1, and limited mitigation is identified within the submitted Cultural Heritage Assessment, Record of Environmental Actions or Commitments, or Environmental Statement beyond archaeological recording.

In the event that the proposal under Work No. 30 to rebuild the Earl de Grey approximately 3 metres northwards of its current position remains within the DCO, the local planning authority requests that the following additional requirement be included within Schedule 2, Part 1:

#### Earl de Grey public house.

14.-(1) No works to the Earl de Grey public house are to commence until a method statement describing full details of how the Earl de Grey public house shall be:

(a) structurally assessed;

(b) recorded in situ to level 4 building recording in accordance with Historic England guidance;

(c) dismantled, including compiling an inventory of all building materials to be rep-used, and justification for excluding any historic fabric;

(d) stored;

(e) reconstructed,

has been submitted to and approved in writing by the Secretary of State, following consultation with the local planning authority and Historic England on matters related to their functions

(2) The development authorised under Work No. 30 must be carried out in accordance with the approved details, unless the Secretary of State, following consultation with the relevant planning authority and Historic England on matters related to their functions, gives consent to a variation.

### **3.2 Alternative Earl de Grey relocation and AMEP precedent**

At Issue Specific Hearing 3 on the Historic Environment, the local planning authority reiterated its expressed opinions set out within para. 5.3.3 of the submitted Local Impact Report and responses to ExQ1 1.5.3 and 1.5.7 on the relocation of the Earl de Grey, and preference for the partial reconstruction of the building on adjacent land utilising planning permission and listed building consent granted by Hull City Council under reference nos. 19/00333/FULL and 19/00334/LBC. The solution identified within these proposals enabled the local planning authority and Historic England to conclude that less than substantial harm would be caused to the Earl de Grey itself, with no harm caused to setting of Castle Buildings, in contrast to the not preferred solution and lack of detail provided within the DCO scheme submission.

During the same Hearing Session, the local planning authority drew the Inspector's attention to a decided NSIP scheme as an example of where a site situated beyond the order limits, and the subject of a separate planning permission from the relevant planning authority, had been taken into consideration and identified as mitigation in the form of compensatory habitat. The project in question is the Able Marine Energy Park TR030001, the DCO for which came into force 29<sup>th</sup> October 2014.

As a consequence of reservations over the efficacy of proposed mitigation compensatory habitat expressed by, amongst others, Natural England and the RSPB, additional compensatory land was proposed which fell outside the order limits, and consequently required a separate planning permission from the relevant local planning authority, in that case, the East Riding of Yorkshire Council.

The relevant examination closed in November 2012, but was subject to two deadline extensions under sub-section 107(3) of the Planning Act 2008. Planning permission was granted for the additional compensatory habitat by the East Riding of Yorkshire Council on 30.05.2013. An associated legal agreement to secure the compensatory

habitat including details of related management plans was signed by the undertaker and Natural England, a copy of which was submitted to the Inspectorate.

In addition, the AMEP undertaker has subsequently secured a further planning permission for the creation of mitigation land from North Lincolnshire Council, post-decision, at Halton Marshes, under reference PA/2016/649, and the Department for Transport is understood to be currently considering a request for a non-material amendment to the DCO to exchange this land which sits outside the order limits, for land previously identified, which sits within it. Having regard to this decision, the Council are therefore content that it is possible for this DCO to refer to decisions on land beyond the red line boundary in terms of making the scheme acceptable.

In the case of this application for development consent, and the particular situation with regard to the Earl de Grey public house, the necessary full planning permission and listed building consent required for the partial reconstruction of the building on a preferred, alternative, albeit adjacent site have already been secured in advance of the closure of the examination, as confirmed at the Issue Specific Hearing. It is understood that the undertaker and landowner/applicant for the alternative relocation scheme have reached agreement in principle over roles and contributions to with regard to the potential relocation, and that the degree of confidence over formal agreement being reached prior to the close of examination is high.

In order to enable the alternative preferred relocation of the Earl de Grey, it is proposed that the recommended requirement set out above be amended to read as follows:

14.-(1) No works to the Earl de Grey public house are to commence until:

(a) details of the location for the partial reconstruction of the Earl de Grey public house, and

(b) a method statement describing full details of how the Earl de Grey public house shall be:

(i~~a~~) structurally assessed;

(ii~~b~~) recorded in situ to level 4 building recording in accordance with Historic England guidance;

(iii~~c~~) dismantled, including compiling an inventory of all building materials to be rep-used, and justification for excluding any historic fabric;

(iv~~d~~) stored;

(ve) reconstructed,

has been submitted to and approved in writing by the Secretary of State, following consultation with the local planning authority and Historic England on matters related to their functions

(2) The development authorised under Work No. 30 must be carried out in accordance with the approved details, unless the Secretary of State, following consultation with the relevant planning authority and Historic England on matters related to their functions, gives consent to a variation.

### **3.3 Recommended changes to Schedule 1, Authorised Development, Work No. 30.**

In connection with the suggested requirement amendments set out above, and by way of clarification and confirmation of matters discussed at the related hearing session, the following revisions to the Schedule 1 are recommended:

**Work No.30** — Work to listed buildings – Castle buildings and Earl de Grey; installation of vibration monitoring equipment to Castle Buildings, and partial demolition of the Earl de Grey, followed by ~~and partially~~ rebuilding of the Earl de Grey in the location identified on plans approved under Hull City Council full planning permission 19/00333/FULL and listed building consent 19/00334/LBC approximately 3 metres to the north of existing position.

## 4. Issue Specific Hearing 4 – draft Development Consent Order

### 4.1 Incorporation of Princes Quay access steps and associated landscaping within Landscaping requirement No.5.

#### Landscaping

5.—(1) No part of the authorised development is to commence until a landscaping scheme which sets out details of all proposed hard and soft landscaping works and which has been submitted to and approved in writing by the Secretary of State, following consultation with the relevant planning authority on matters related to its function.

(2) The landscaping scheme must reflect the mitigation measures set out in the REAC and must be based on the illustrative environmental masterplan annexed to the environmental statement.

(3) The landscaping scheme prepared under sub-paragraph (1) must include details of—

(a) location, number, species mix, size and planting density of any proposed planting;

(b) cultivation, importing of materials and other operations to ensure plant establishment;

(c) existing trees to be retained, with measures for their protection during the construction period (subject to necessary works that may be required under article 35 (felling or lopping of trees and removal of hedgerows));

(d) proposed finished ground levels;

(e) location, orientation, design, and materials to be used in the construction of the access steps and ramps serving the new bridge over the A63 between Princes Quay shopping centre and Humber Dock (Work No. 31), and

(e) implementation timetables for all landscaping works.

(4) All landscaping works must be carried out to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised codes of good practice.

(5) Any tree or shrub planted as part of the landscaping scheme that, within a period of 5 years after planting, is removed, dies or becomes in the opinion of the relevant planning authority, seriously damaged or diseased, must be replaced in the first available planting season with a specimen of the same species and size as that originally planted, unless the Secretary of State, following consultation with the relevant planning authority on matters related to its function, gives consent to a variation.

#### **4.2 Recommended amendments to Article 18 to address the LPA’s concerns about the impact on listed buildings of protective works.**

The LPA notes that the undertaker is given power by article 18 to “carry out such protective works to any building which may be affected by the authorised development as the undertaker considers necessary or expedient.” The LPA also notes the definition of protective works in article 18(11) and that this includes work that would, were it not for the provisions of the draft DCO, require listed building consent. For this reason requests the following amendment to article 18:

##### **Protective work to buildings**

**18.—(1)** Subject to the following provisions of this article, the undertaker may at its own expense carry out such protective works to any building which may be affected by the authorised development as the undertaker considers necessary or expedient.

(2) Protective works may be carried out—

(a) at any time before or during the carrying out in the vicinity of the building of any part of the authorised development; or

(b) after the completion of that part of the authorised development in the vicinity of the building at any time up to the end of the period of 5 years beginning with the day on which that part of the authorised development is first opened for use.

(3) For the purpose of determining how the functions under this article are to be exercised the undertaker may enter and survey any building falling within paragraph (1) and any land within its curtilage.

(4) For the purpose of carrying out protective works under this article to a building the undertaker may (subject to paragraphs (5) and (6))—

(a) enter the building and any land within its curtilage; and



(b) where the works cannot be carried out reasonably conveniently without entering land which is adjacent to the building but outside its curtilage, enter the adjacent land (but not any building erected on it).

(5) Before exercising—

(a) a right under paragraph (1) to carry out protective works to a building;

(b) a right under paragraph (3) to enter a building and land within its curtilage;

(c) a right under paragraph (4)(a) to enter a building and land within its curtilage; or

(d) a right under paragraph (4)(b) to enter land,

the undertaker must, except in the case of emergency, serve on the owners and occupiers of the building or land not less than 14 days' notice of its intention to exercise that right and, in a case falling within sub-paragraph (a) or (c), specifying the protective works proposed to be carried out.

(6) Where a notice is served under paragraph (5)(a), (c) or (d), the owner or occupier of the building or land concerned may, by serving a counter-notice within the period of 10 days beginning with the day on which the notice was served, require the question whether it is necessary or expedient to carry out the protective works or to enter the building or land to be referred to arbitration under article 44 (arbitration).

(6A) Where the proposed protective works would, but for the provisions of this Order require consent under [section 8] [Chapter II of Part 1] of the Planning (Listed Buildings and Conservation Areas) Act 1990 the undertaker may not serve a notice under paragraph 5(a) until the proposed protective works have been submitted to and approved in writing by the Secretary of State following consultation with the relevant planning authority and , only for such works as would normally require such consultation under the Planning (Listed Buildings and Conservation Areas) Act 1990 as set out in the Arrangements for Handling Heritage Applications – Notification to Historic England and National Amenities Societies and the Secretary of State (England) Direction 2015, [Historic England](#).

(7) The undertaker must compensate the owners and occupiers of any building or land in relation to which rights under this article have been exercised for any loss or damage arising to them by reason of the exercise of those rights.

(8) Where—

(a) protective works are carried out under this article to a building; and

(b) within the period of 5 years beginning with the day on which the part of the authorised development carried out in the vicinity of the building is first opened for use it appears that the protective works are inadequate to protect the building against damage caused by the carrying out or use of that part of the

authorised development, the undertaker must compensate the owners and occupiers of the building for any loss or damage sustained by them.

(9) Nothing in this article relieves the undertaker from any liability to pay compensation under section 152 of the 2008 Act (compensation in case where no right to claim in nuisance).

(10) Any compensation payable under paragraph (7) or (8) is to be determined, in case of dispute, under Part 1 of the 1961 Act (determination of questions of disputed compensation).

(11) In this article “protective works” in relation to a building means—

(a) underpinning, strengthening and any other works the purpose of which is to prevent damage which may be caused to the building by the carrying out, maintenance or use of the authorised development; and

(b) any works the purpose of which is to remedy any damage which has been caused to the building by the carrying out, maintenance or use of the authorised development.

#### **4.3 Recommended amendments to Article 29 to address the LPA’s concerns about the temporary use of land for carrying out the authorised development.**

29.—(1) The undertaker may, in connection with the carrying out of the authorised development, but subject to [paragraph \(2A\)](#) article 22(2) (time limit for exercise of authority to acquire land compulsorily)—

(a) enter on and take temporary possession of—

(i) the land specified in column (1) of Schedule 7 (land of which temporary possession may be taken) for the purpose specified in relation to that land in column (2) of that Schedule relating to the part of the authorised development specified in column (3) of that Schedule; and

(ii) any other Order land in respect of which no notice of entry has been served under section 11 (powers of entry) of the 1965 Act (other than in connection with the acquisition of rights only) and no declaration has been made under section 4 (execution of declaration) of the 1981 Act;

(b) remove any buildings and vegetation from that land;

(c) construct temporary works (including the provision of means of access) and buildings on that land; and

(d) construct any works on that land as are mentioned in Schedule 1 (authorised development).

(2) Not less than 14 days before entering on and taking temporary possession of land under this article the undertaker must serve notice of the intended entry on the owners and occupiers of the land and explain the purpose for which entry is taken in respect of land specified under paragraph 1(a)(ii).

(2A) Where the proposed removal of any buildings under paragraph (1)(b), the proposed construction of temporary works (including the provision of means of access) and buildings under paragraph (1)(c) or the proposed works as are mentioned in Schedule 1 under paragraph (1)(d) would, but for the provisions of this Order require consent under [section 8] [Chapter II of Part 1] of the Planning (Listed Buildings and Conservation Areas) Act 1990 the undertaker may not exercise any power granted under paragraph (1)(b), (1)(c) or (1)(d) until details of the proposed works have been submitted to and approved in writing by the Secretary of State following consultation with the relevant planning authority and, only for such works as would normally require such consultation under the Planning (Listed Buildings and Conservation Areas) Act 1990 as set out in the Arrangements for Handling Heritage Applications – Notification to Historic England and National Amenities Societies and the Secretary of State (England) Direction 2015, [Historic England](#).

(3) The undertaker may not, without the agreement of the owners of the land, remain in possession of any land under this article—

(a) in the case of land specified in paragraph (1)(a)(i), after the end of the period of one year beginning with the date of completion of the part of the authorised development specified in relation to that land in column (3) of Schedule 7, or

(b) in the case of any land referred to in paragraph (1)(a)(ii), after the end of the period of one year beginning with the date of completion of the work for which temporary possession of the land was taken unless the undertaker has, by the end of that period, served a notice of entry under section 11 of the 1965 Act or made a declaration under section (4) of the 1981 Act in relation to that land.

(4) Before giving up possession of land of which temporary possession has been taken under this article, the undertaker must remove all temporary works and restore the land to the reasonable satisfaction of the owners of the land; but the undertaker is not required to—

- (a) replace a building removed under this article;
- (b) restore the land on which any permanent works have been constructed under paragraph (1)(d);
- (c) remove any ground strengthening works which have been placed on the land to facilitate construction of the authorised development; or

(d) remove any measures installed over or around statutory undertakers' apparatus to protect that apparatus from the authorised development.

(5) The undertaker must pay compensation to the owners and occupiers of land of which temporary possession is taken under this article for any loss or damage arising from the exercise in relation to the land of the provisions of this article.

(6) Any dispute as to a person's entitlement to compensation under paragraph (5), or as to the amount of the compensation, is to be determined under Part 1 of the 1961 Act.

(7) Any dispute as to the satisfactory removal of temporary works and restoration of land under paragraph (4) does not prevent the undertaker giving up possession of the land.

(8) Nothing in this article affects any liability to pay compensation under section 152 of the 2008 Act (compensation in case where no right to claim in nuisance) or under any other enactment in respect of loss or damage arising from the carrying out of the authorised development, other than loss or damage for which compensation is payable under paragraph (5).

(9) The undertaker may not compulsorily acquire under this Order the land referred to in paragraph (1)(a)(i) except that the undertaker is not to be precluded from—

(a) acquiring new rights over any part of that land under article 23 (compulsory acquisition of rights and restrictive covenants); or

(b) acquiring any part of the subsoil (or rights in the subsoil of or airspace over) that land under article 27 (acquisition of subsoil or airspace only).

(10) Where the undertaker takes possession of land under this article, the undertaker is not required to acquire the land or any interest in it.

(11) Section 13 (refusal to give possession to acquiring authority)(a) of the 1965 Act applies to the temporary use of land under this article to the same extent as it applies to the compulsory acquisition of land under this Order by virtue of section 125 of the 2008 Act (application of compulsory acquisition provisions).

#### **4.4 Amendments to article 35.**

The LPA notes the power in Article 35 for the undertaker to fell or lop any tree or shrub where it reasonably believes it is necessary to do so to prevent the tree or shrub from obstructing or interfering with the construction, maintenance or operation of the authorised development and associated matters; or from constituting a danger to persons using the authorised equipment. The LPA further notes the obligation to pay compensation for losses thereby arising.

The scheme as submitted describes the loss of 317 trees with the planting of 362 trees by way of replacement. As explained within the Council's submitted Local Impact Report (p.52, para. 6.26), local plan policy requires that two replacement trees be planted for any tree felled in accordance with that policy, although the constraints to replanting trees in accordance with this specified ratio within the order limits are also recognised.

Given the breadth of the power afforded by the Article 35 as proposed within the draft DCO, in addition to extant powers afforded to the undertaker to cut or fell trees under the Highways Act 1980, the Council remain concerned that additional trees could be lost as a consequence of the article as worded, without any obligation for appropriate replanting and at variance with impacts and associated mitigations assessed and identified in connection with the submission. Consequently, the following amendments are proposed:

**35.—**(1) The undertaker may ~~fell or lop~~ or cut back the roots of any tree, or ~~fell, lop,~~ or cut back the roots of any shrub within or overhanging land within the Order limits, ~~or cut back its roots,~~ if it reasonably believes it to be necessary to do so to prevent the tree or shrub—

(a) from obstructing or interfering with the construction, maintenance or operation of the authorised development or any apparatus used in connection with the authorised development; or

(b) from constituting a danger to persons using the authorised development.

(2) In carrying out any activity authorised by paragraph (1), the undertaker must do no unnecessary damage to any tree or shrub and must pay compensation to any person for any loss or damage arising from such activity.

(3) Any dispute as to a person's entitlement to compensation under paragraph (2), or as to the amount of compensation, is to be determined under Part 1 of the 1961 Act.

(4) The undertaker may, for the purposes of carrying out the authorised development but subject to paragraph (2), remove any hedgerow within the Order limits that is required to be removed.

(5) In this article "hedgerow" has the same meaning as in the Hedgerow Regulations 1997(a) and includes important hedgerows.

(6) In this article, "tree" has the same meaning as in Chapter 1 of Part VIII of the 1990 Act but subject to the exceptions set out within regulations 14 and 15 to the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

#### **4.5 Recommended amendments to paragraph 13 of Part 2 to Schedule 2, in order to clarify arrangements for consultation with the relevant planning authority.**

The Council notes the provisions related to the obtaining of consent for certain matters under the DCO and further notes that a number of provisions are subject to a requirement of consultation with the LPA. The Council notes the absence within the DCO of any specification as to the terms of such consultation, and is concerned to ensure that the same is both meaningful and effective. The Council, therefore, seeks the inclusion within the DCO of minimum consultation requirements in this regard, and recommends the amendment of paragraph 13 to Schedule 2 to read as follows as follows:

##### **Applications made under requirements**

**13.—**(1) Where an application has been made to the Secretary of State for any consent, agreement or approval requirement by a requirement (including consent, agreement or approval in respect of part of a requirement) included in this Order the Secretary of State must give notice to the undertaker of the decision on the application within a period of 8 weeks beginning with—

(a) the day immediately following that on which the application is received by the Secretary of State; or

(b) the day immediately following that on which further information has been supplied by the undertaker under paragraph 14; or

(c) such longer period as may be agreed between the parties.

(2) Subject to sub-paragraph (3), in the event that the Secretary of State does not determine an application within the period set out in sub-paragraph (1), the Secretary of State is taken to have granted all parts of the application (without any condition or qualification at the end of that period).

(3) Where—

a) an application has been made to the Secretary of State for any consent, agreement or approval required by a requirement included in this Order;

(b) the Secretary of State does not determine such application within the period set out in sub-paragraph (1); and

(c) the application is accompanied by a report from a body required to be consulted by the undertaker under the requirement that considers it likely that the subject matter of the application would give rise to any materially new or materially worse environmental effects in comparison with those reported in the environmental

statement, the application is taken to have been refused by the Secretary of State at the end of that period.

(4) Where any requirement in this Order requires the undertaker to consult with the relevant planning authority, the undertaker must

(a) not less than 21 days before making the application referred to in paragraph (1)(a) provide all information to the relevant planning authority subsequently to be submitted to the Secretary of State as constituting the undertaker's proposed application;

(b) give due consideration to any representations made by the relevant planning authority about the proposed application; and

(c) include with its application to the Secretary of State copies of any representations made by the relevant planning authority about the proposed application, and a written account of how any such representations have been taken into account in the submitted application.

#### **4.6 Vertical Limits of deviation.**

The draft Development Consent Order affords the following Principal Powers under Part 2 thereof:

##### ***Limits of deviation***

**6. *In carrying out the authorised development the undertaker may—***

*(a) deviate laterally from the lines or situations of the authorised development shown on the works plans to the extent of the limits of deviation shown on those plans; and*

*(b) deviate vertically from the levels of the authorised development shown on the engineering drawings and sections to a maximum of 0.5 metres upwards or downwards, except that these maximum limits of vertical deviation do not apply where it is demonstrated by the undertaker to the Secretary of State's satisfaction and the Secretary of State, following consultation with the relevant planning authority, certifies accordingly that a deviation in excess of these limits would not give rise to any materially new or materially worse adverse environmental effects in comparison with those reported in the environmental statement.*

At Issue Specific Hearing 4 on the draft Development Consent Order, the Council reiterated concerns about the extent of the vertical deviation afforded by this power in the context of potential impacts upon matters such as equitable access, flood water flows, and heritage assets. The Council expressed a preference for a less extensive limit of deviation (without requirement to notify the Secretary of State) and referenced a recently decided application where such a narrower limit had been applied.

In accordance with a request from the Examining Authority the Council makes reference to that decision below:

A19 / A184 Testos Junction Improvement - TR010020

***Limits of deviation***

***6. In carrying out the authorised development the undertaker may—***

*(a) deviate laterally from the lines or situations of the authorised development shown on the works plans to the extent of the limits of deviation shown on those plans; and*

*(b) deviate vertically from the levels of the authorised development shown on the engineering drawings and sections to a maximum of 0.25 metres upwards or 0.25 metres downwards,*

*except that these maximum limits of vertical deviation do not apply where it is demonstrated by the undertaker to the Secretary of State's satisfaction, and the Secretary of State, following consultation with the relevant planning authority, certifies accordingly that a deviation in excess of these limits would not give rise to any materially new or materially different environmental effects in comparison with those reported in the environmental statement.*



## **Appendix A**

### **Suggested amendments to Schedule 3 & Schedule 4 to the draft Development Consent Order**

**(Please see separate submission)**

## **Appendix B**

**Suggested Site for Early Warning Flood Highway Signage.**





## **Appendix C**

**Implications of predicted increases in flood water depth on sites allocated within the Hull Local Plan.**

Site	Local Plan reference	Allocation	Flood water depth affected by scheme	Development Status	Current potential flood water depths	Magnitude of change	Flood risk management approach
Albion Square	Mixed Use 1	Retail with other main town centre uses, 270 dwellings and a MSCP.	Both increase and decrease.	Outline approved granted.	0 -300mm / 300 – 600mm / 600 – 900mm.	<p>Increase: 0.01m – 0.05m</p> <p>1 in 1000 open Tidal Barrier River Hull tidal event and,</p> <p>1 in 200 undefended tidal event from the Humber, and the latter plus climate change scenarios.</p> <p>Decrease: 0.01m – 0.05m</p> <p>1 in 200 plus climate change Humber overtopping, and 1 in 1000 Humber overtopping .</p>	<p>Following submission of site specific FRA and consultation with the Environment Agency (EA), approved subject to a condition requiring:</p> <p>finished floor levels (FFL) to be raised and 900mm of flood resilience measures above FFL, plus place of safety for each unit at 5m A.O.D. min. No residential accommodation at ground floor.</p> <p>With a lack of more vulnerable uses at ground floor, raised floor levels, robust construction and resilient finishes, and place of safety for all uses, the magnitude of increase in flood water depth would not have a material effect in terms of the probability or consequences of flooding.</p>

Fruit Market and Digital Quarter – Former Bonus	Mixed Use 4	Main town centre uses including small-scale retail, restaurant/café uses, leisure and cultural services, B1 office, and a share of 150 dwellings.	Increase.	Approved in full for mixed use office and multi-storey car park, and outline with all matters reserved for 34 dwellings and retail /financial and professional services/ restaurant/cafe drinking establishment /hot food takeaway/office	0 – 300mm /300 – 600mm / 600 – 900mm /900mm – 1.2m / >1.2m.	<p>Increase: 0.01m – 0.05m</p> <p>1 in 200 plus climate change Humber overtopping</p> <p>Increase: 0.01m – 0.10m</p> <p>1 in 1000 open Tidal Barrier River Hull tidal event, 1 in 200 open Tidal Barrier River Hull tidal event, 1 in 1000 Humber overtopping, 1 in 200 undefended tidal event from the Humber and the latter plus climate change scenarios.</p> <p>Increase: 0.01m – &gt;0.10m</p>	<p>Following submission of site specific FRA and consultation with the Environment Agency (EA), approved subject to a condition requiring:</p> <p>Details of passive flood resistance measures that will ensure the exclusion of water to a minimum level of 600mm above finished floor levels for the ground floor of all dwellings.</p> <p>Details of the resilience measures proposed to a minimum level of 600mm above finished floor levels for the ground floor of all dwellings.</p> <p>The office and MSCP elements approved in full avoid more vulnerable uses at ground floor, with car parking in both cases and a ‘sacrificial’ resilient lower foyer area in the case of the former.</p> <p>The outline elements are indicated as having less</p>
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						<p>1 in 200 Humber overtopping tidal event.</p>	<p>vulnerable commercial uses at ground floor level with residential above in some cases, but where purely residential development is indicated, raised finished floor levels to 600mm would represent the standard approach to resistance, with flood resilience measures to a further 600mm, a place of safety at 7.25m A.O.D. or above for all uses, and avoidance of sleeping accommodation at ground floor level, to be secured through the reserved matters process.</p> <p>Taking the above into account, and the fact that the approved residential elements of the scheme avoid the areas currently affected by the highest potential flood water depth, the magnitude of increase described would not have a material effect in terms of the probability or consequences of flooding.</p>
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Fruit Market and Digital Quarter – Marina Gateway	Mixed Use 5	Main town centre uses including small-scale retail, restaurant/café uses, leisure and cultural services, B1 office, and a share of 150 dwellings.	Increase.	Allocated.	0 – 300mm /300 – 600mm / 600 – 900mm /900mm – 1.2m / >1.2m.	<p>Increase: 0.01m – 0.10m</p> <p>1 in 1000 open Tidal Barrier River Hull tidal event, 1 in 200 open Tidal Barrier River Hull tidal event</p> <p>Increase: 0.01m – 0.05m</p> <p>1 in 1000 Humber overtopping, 1 in 200 undefended tidal event from the Humber and the latter plus climate change, and 1 in 200 Humber overtopping tidal event and the latter plus climate change scenarios.</p>	<p>Any application for this site would need to be accompanied by a site specific flood risk assessment, upon which the EA would be consulted. Development would be expected to be constructed to be flood resistant through raising floor levels to 600mm where possible with flood resilience measures incorporated to maximum potential flood levels above FFL. More vulnerable development such as residential would be avoided at ground floor altogether , or as a minimum for a purely residential scheme, no sleeping accommodation would be permitted at ground floor level, with more robust and lower risk uses such as storage, parking, kitchens and bathrooms appropriate.</p> <p>In this context, the magnitude of increase described would not have a material effect in terms of the probability or consequences of flooding over and above the existing situation.</p>
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Fruit Market and Digital Quarter – Humber Street Area	Mixed Use 7	Main town centre uses including small-scale retail, restaurant/café uses, leisure and cultural services, B1 office, and a share of 150 dwellings.	Increase.	Partly completed. Partly under construction. Partly approved in full. Partly allocated.	300 – 600mm / 600 – 900mm / 900mm – 1.2m	<p>Increase: 0.01m – 0.10m</p> <p>1 in 1000 open Tidal Barrier River Hull tidal event</p> <p>Increase: 0.05m – 0.10m</p> <p>1 in 200 open Tidal Barrier River Hull tidal event</p> <p>Increase: 0.01m – 0.05m</p> <p>1 in 200 Humber overtopping tidal event and the latter plus climate change, 1 in 1000 Humber overtopping, 1 in 200 undefended tidal event from the Humber and the</p>	<p>This allocation includes much existing development, and has been the focus for regeneration involving the conversion and extension of the same, as well as infill development and individual new-build blocks, with some brownfield parcels still remaining. A whole series of individual applications have been approved in recent years, with a host of conditions informed by site specific flood risk assessments and consultation with the EA. Such conditions have involved involve raised FFL and other resistance measures such as demountable flood barriers, flood resilience measures, places of safety at set levels above ordnance datum, an absence of living accommodation or sleeping accommodation At ground floor level, and in the case of some commercial uses, flood evacuation plans.</p> <p>For remaining development</p>
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						<p>latter plus climate change.</p>	<p>parcels, any application for this site would need to be accompanied by a site specific flood risk assessment, upon which the EA would be consulted. Development would be expected to be constructed to be flood resistant through raising floor levels to 600mm where possible with flood resilience measures incorporated to maximum potential flood levels above FFL. More vulnerable development such as residential would be avoided at ground floor altogether , or as a minimum for a purely residential scheme, no sleeping accommodation would be permitted at ground floor level, with more robust and lower risk uses such as storage, parking, Kitchens and bathrooms appropriate.</p> <p>Given existing predicted depths in the case of a tidal flood event, allied to the extent and nature of mitigation measures either put in</p>
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							place for consented and constructed development, or applicable for new proposals, the magnitude of increase described would not have a material effect in terms of the probability or consequences of flooding over and above the existing situation.
Former Central Police Station and George Street Car Park	Mixed Use 20	100 dwellings, B1 office and/or educational uses with car parking.	Increase.	Partly under construction. Partly allocated.	0 – 300mm /300 – 600mm	<p>Increase: 0.01m – 0.05m</p> <p>1 in 1000 open Tidal Barrier River Hull tidal event</p> <p>Increase: 0.01m – 0.10m</p> <p>1 in 200 undefended tidal event from the Humber, and the same plus climate change.</p>	<p>Around half of the site is undergoing conversion to residential use, subject to conditions relating to increased thresholds, place of safety, and flood resilience measures. The Local Plan envisages that the remainder of the site would be cleared, with any redevelopment scheme subject site specific flood risk assessment and consultation eighth the EA, with likely conditions relating to FFL, flood resilience measures and place of safety provision to specified height AOD.</p> <p>In the context of the limited increases predicted over and above existing potential depths,</p>

							and the measures either in place or required or applicable to future development, the magnitude of increase described would not have a material effect in terms of the probability or consequences of flooding over and above the existing situation.
Land adjacent to the Central Fire Station.	Mixed Use 21	Theatre extension and University Technical College.	Increase.	Completed.	0 – 300mm /300 – 600mm	Increase: 0.01m – 0.05m  1 in 200 undefended tidal event from the Humber, and the same plus climate change.	These developments have already taken place, subject to flood risk related conditions securing flood resistance and resilience measures, places of safety and restrictions on ground floor uses. Given these measures, the limited increases predicted over and above existing potential depth, and the nature and limited number of events in question, the magnitude of increase described would not have a material effect in terms of the probability or consequences of flooding over and above the existing situation.

Egginton Street	Housing 2	24 dwellings	Increase.	Allocation.	0 – 300mm /300 – 600mm	Increase: 0.01m – 0.05m  1 in 200 undefended tidal event from the Humber, and the same plus climate change.	Any scheme to develop this brownfield site, which would appear to be only marginally affected by limited depth increase in two scenarios, would be accompanied by site specific flood risk assessment which should identify raised FFL, to 600mm if possible, flood resilience measures, and place of safety, with no ground floor sleeping accommodation. Given these measures, the limited increases predicted over and above existing potential depth, and the nature and limited number of events in question, the magnitude of increase described would not have a material effect in terms of the probability or consequences of flooding over and above the existing situation.
Fruit Market Site B (Blanket Row)	Housing 195	109 dwellings	Increase.	Under construction.	300 – 600mm / 600 – 900mm /900mm – 1.2m / >1.2m.	Increase: 0.01m – >0.10m  1 in 1000 open Tidal Barrier River Hull tidal event, 1 in 200	This allocation is under construction, and is subject to conditions requiring FFL at least 600mm above adjacent ground levels for residential development, with no self-

						<p>open Tidal Barrier River Hull tidal event, 1 in 200 Humber overtopping tidal event, 1 in 1000 Humber overtopping, 1 in 200 undefended tidal event from the Humber, and the same plus climate change.</p> <p>Increase: 0.01m – 0.10m</p> <p>1 in 200 Humber overtopping tidal event plus climate change.</p>	<p>contained ground floor flats and no ground floor sleeping accommodation, all flood sensitive equipment to be raised at least 600mm, and all properties with internal access to a place of safety above 7.25mAOD.</p> <p>Given existing predicted depths in the case of a tidal flood event, allied to the extent and nature of mitigation measures put in place for consented and constructed development, the magnitude of increase described would not have a material effect in terms of the probability or consequences of flooding over and above the existing situation.</p>
Baker Street Garage	Housing 313	55 dwellings	Both increase and decrease.	Allocated.	0 – 300mm /300 – 600mm	<p>Increase: 0.01m – 0.05m</p> <p>1 in 200 undefended tidal event from the Humber, and the</p>	<p>Any scheme to develop this brownfield site, affected by limited depth increase in two scenarios, would be accompanied by site specific flood risk assessment which should identify</p>



						same plus climate change.	raised FFL, to 600mm if possible, flood resilience measures, and place of safety, with no ground floor sleeping accommodation. Given these measures, the limited increases predicted over and above existing potential depth, and the nature and limited number of events in question, the magnitude of increase described would not have a material effect in terms of the probability or consequences of flooding over and above the existing situation.
63-71 High Street	Housing 376	100 dwellings	Increase.	Allocated.	300 – 600mm / 600 – 900mm / 900mm – 1.2m / >1.2m.	Increase: 0.01m – 0.05m  1 in 1000 open Tidal Barrier River Hull tidal event, 1 in 200 open Tidal Barrier River Hull tidal event, 1 in 200 Humber overtopping tidal event plus climate change, 1 in 200 undefended tidal event from the	Any application for this site would need to be accompanied by a site specific flood risk assessment, upon which the EA would be consulted. Development would be expected to be constructed to be flood resistant through raising floor levels to 600mm where possible with flood resilience measures incorporated to maximum potential flood levels above FFL. More vulnerable residential would be avoided at ground floor altogether , or as a

						<p>Humber, and the same plus climate change.</p> <p>Increase: 0.05m – 0.10m</p> <p>1 in 200 Humber overtopping tidal event, 1 in 1000 Humber overtopping.</p>	<p>minimum for a purely residential scheme, no sleeping accommodation would be permitted at ground floor level, with more robust and lower risk uses such as storage, parking, kitchens and bathrooms appropriate.</p> <p>In this context, the magnitude of increase described would not have a material effect in terms of the probability or consequences of flooding over and above the existing situation.</p>
High Street east of Blaydes Staith	Housing 398	64 dwellings	Increase.	Approved in full.	300 – 600mm / 600 – 900mm / 900mm – 1.2m	<p>Increase: 0.01m – 0.10m</p> <p>1 in 200 Humber overtopping tidal event</p> <p>Increase: 0.01m – 0.05m:</p> <p>1 in 1000 Humber overtopping, 1 in 200</p>	<p>This site has the benefit of an extent historic permission which has never come forward. Any new application for this site would need to be accompanied by a site specific flood risk assessment, upon which the EA would be consulted.</p> <p>Development would be expected to be constructed to be flood resistant through raising floor levels to 600mm where possible with flood resilience measures</p>

						undefended tidal event from the Humber, and the same plus climate change.	incorporated to maximum potential flood levels above FFL. , No sleeping accommodation would be permitted at ground floor level, with more robust and lower risk uses such as storage, parking, kitchens and bathrooms appropriate. In this context, the magnitude of increase described would not have a material effect in terms of the probability or consequences of flooding over and above the existing situation.
2-5 High Street	Housing 399	33 dwellings	Increase.	Allocated.	300 – 600mm / 600 – 900mm /900mm – 1.2m	Increase: 0.01m – 0.10m  1 in 200 Humber overtopping tidal event Increase: 0.01m – 0.05m:  1 in 1000 Humber overtopping, 1 in 200 undefended tidal event from the Humber, and the	Any application for this site would need to be accompanied by a site specific flood risk assessment, upon which the EA would be consulted. Development would be expected to be constructed to be flood resistant through raising floor levels to 600mm where possible with flood resilience measures incorporated to maximum potential flood levels above FFL. More vulnerable residential would be avoided at ground floor altogether , or as a

						same plus climate change.	<p>minimum for a purely residential scheme, no sleeping accommodation would be permitted at ground floor level, with more robust and lower risk uses such as storage, parking, kitchens and bathrooms appropriate.</p> <p>In this context, the magnitude of increase described would not have a material effect in terms of the probability or consequences of flooding over and above the existing situation.</p>
Blaydes Dock	Housing 400	64 dwellings	Increase.	Approved in full.	0 – 300mm /300 – 600mm	<p>Increase: 0.01m – 0.05m</p> <p>1 in 1000 open Tidal Barrier River Hull tidal event, 1 in 200 open Tidal Barrier, River Hull tidal event, 1 in 200 Humber overtopping tidal event and plus climate change, 1 in 200 undefended</p>	<p>This site has the benefit of an extent historic permission which has never come forward, but in part is now subject to a current application for a less vulnerable use, with an accompanying flood risk assessment. Any future development would be expected to be constructed to be flood resistant through raising floor levels to 600mm where possible with flood resilience measures incorporated to maximum</p>

						<p>tidal event from the Humber, and the same plus climate change.</p> <p>Increase: 0.01m - &gt;0.10m</p> <p>1 in 1000 Humber overtopping</p>	<p>potential flood levels above FFL. More vulnerable residential would be avoided at ground floor altogether , or as a minimum for a purely residential scheme, no sleeping accommodation would be permitted at ground floor level, with more robust and lower risk uses such as storage, parking, kitchens and bathrooms appropriate.</p> <p>In this context, the magnitude of increase described would not have a material effect in terms of the probability or consequences of flooding over and above the existing situation.</p>
Land to the west of and Burnett House, Castle Street.	Housing 429	17 dwellings	Increase.	Allocated.	900mm – 1.2m	<p>Increase: 0.05m – 0.10m</p> <p>1 in 1000 open Tidal Barrier River Hull tidal event</p> <p>Increase: &gt; 0.10m</p> <p>1 in 200 open Tidal</p>	<p>Any application for this site would need to be accompanied by a site specific flood risk assessment, upon which the EA would be consulted. Development would be expected to be constructed to be flood resistant through raising floor levels to 600mm where possible with flood resilience measures incorporated to</p>

						Barrier, River Hull tidal event, 1 in 200 Humber overtopping tidal event and plus climate change, 1 in 1000 Humber overtopping, 1 in 200 undefended tidal event from the Humber, and the same plus climate change.	<p>maximum potential flood levels above FFL. More vulnerable residential would be avoided at ground floor altogether , or as a minimum for a purely residential scheme, no sleeping accommodation would be permitted at ground floor level, with more robust and lower risk uses such as storage, parking, kitchens and bathrooms appropriate.</p> <p>In this context, the magnitude of increase described would not have a material effect in terms of the probability or consequences of flooding over and above the existing situation.</p>
Land parcels to the north of Walker Street	Housing 502	12 dwellings	Both increase and decrease.	Under construction.	0 – 300mm /300 – 600mm / 600 – 900mm /900mm – 1.2m	Increase: 0.01m – 0.05m	<p>This site has been approved for development of manged residential accommodation subject to FFL 900mm above the average road level , flood resilience measures, demountable flood barriers, and place of safety.</p> <p>Given these measures, the</p>

							limited increases predicted over and above existing potential depth, and the nature and limited number of events in question, the magnitude of increase described would not have a material effect in terms of the probability or consequences of flooding over and above the existing situation.
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