

Lincolnshire County Council

Planning Permission

Town and Country Planning Act 1990

Town and Country Planning General Regulations 1992

Date of Proposal	13 February 2004	Application No.	2004/0170/CCC N/12/0387/04 M04/P/0279
		LCC Ref. No.	L/0170/04 N12.17.71/0387/04 W42.65/0279/04

Part 1 Planning Permission

- On 18 April 2005 the Lincolnshire County Council resolved, for the purposes of Regulation 3 of the Town and Country Planning General Regulations 1992, to construct a new highway around the eastern side of Lincoln between the A158 Wragby Road and A15 Sleaford Road (The Lincoln Eastern Bypass) in the Districts of North Kesteven, Lincoln and West Lindsey.
- 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 submitted subject to the following conditions.

Part 2 Conditions

- The development must be begun not later than the expiration of five years beginning with the date of this permission.
- The development shall be undertaken strictly in accordance with the details contained in the application, as amended and in full compliance with the mitigation measures detailed in the accompanying Environmental Statement except as may be modified by the requirements of other conditions of this planning permission or as may otherwise be agreed in writing with the County Planning Authority.

Signed
Head of Planning and Conservation
Lincolnshire County Council

Date 20th April 2005

NOTES:

- 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.
- 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.

3. Before any development is commenced the approval of the County Planning Authority is required to a scheme of landscaping and tree planting for the site (indicating inter alia the number, species, heights on planting and positions of all the trees). Such scheme as approved by the County Planning Authority shall be carried out in its entirety within the period of 12 months beginning with the date on which development is commenced, (or within such longer period as may be agreed in writing with the County Planning Authority). All trees, shrubs and bushes shall be adequately maintained for the period of 10 years beginning with the date of completion of the scheme and during that period all losses shall be made good as and when necessary.
4. Before any development commences, details of the bunds for noise mitigation and landscaping shall be submitted to and approved in writing by the County Planning Authority. The works shall be carried out in accordance with the approved details prior to the road being brought into use.
5. No development shall take place until the implementation of a programme of archaeological work in accordance with a written scheme of investigation has been submitted to and approved in writing by the County Planning Authority. The submitted scheme shall extend to include all site compounds and accommodation works.
6. Notwithstanding the provisions of Part 4 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order, with or without modification) no compounds or ancillary works shall be constructed in connection with the scheme without the prior written approval of the Director of Highways and Planning.
7. Before any development commences full details of all bridges, structures, underpasses, bridge wing walls, abutments and crossings incorporated into the scheme shall be submitted to and approved in writing by the County Planning Authority. The bridges, structures, underpasses, bridge wing walls, abutments and crossings shall be constructed in accordance with the approved details.
8. Before any development commences details of the exact clearance height between the Witham navigation and the underside of the bridge shall be submitted and approved in writing by the County Planning Authority.
9. Before the bypass hereby approved is brought into use details of the proposed lighting along the road shall be submitted to and approved in writing by the County Planning Authority. Thereafter the lighting shall accord with the approval details.
10. Before any development commences details showing any art work to be erected or incorporated into the design shall be submitted to and approved in writing by the County Planning Authority. The art work shall be undertaken in accordance with the approved details.
11. Should contamination not previously identified be found within the site during construction then no further development (unless otherwise agreed in writing with the County Planning Authority) shall be undertaken until the developer has submitted to and obtained written approval from the County Planning Authority for an addendum to the Method Statement. This addendum to the Method Statement shall detail how the unsuspected contamination shall be dealt with.

12. No development shall commence until the proposed method for piling foundations has been submitted to and approved in writing by the County Planning Authority. The piling shall thereafter be undertaken in accordance with the approved details.
13. Before any development commences a scheme for the provision and implementation of surface water drainage shall be submitted to and agreed in writing by the County Planning Authority. The work/scheme shall be constructed and completed in accordance with the approved details.
14. Any facilities, above ground, for the storage of oils, fuels or chemicals during the bypass construction phase shall be provided with adequate, durable secondary containment to prevent the escape of pollutants. The bunded area shall be designed, constructed and maintained in order that it can contain a capacity not less than 110% of the total volume of all tanks or drums contained therein. All filling points, vents, gauges and sight glasses should be bunded. Any tank overflow pipe outlets shall be directed into the bund. Associated pipework should be located above ground and be protected from accidental damage. There shall be no gravity or automatic discharge arrangement for bund contents. Contaminated bund contents shall not be discharged to any watercourse, land or soakaway. The installation must, where relevant, comply with the Control of Pollution (Oil Storage)(England) Regulations 2001 and the Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) Regulations 1991 and as amended 1997.
15. Before any development commences a detailed pollution prevention plan to incorporate measures to address run-off from the proposed development during construction and operation, shall be submitted to and approved in writing by the County Planning Authority.
16. Before any development commences a surface water quality monitoring scheme referred to in Paragraph 10.4.35 of the Environmental Statement received on 13 February 2004 shall be submitted to and approved in writing by the County Planning Authority.
17. No hedgerow or scrub clearance or site preparation works affecting breeding birds' habitats shall be undertaken from 1 March to 31 July inclusive.
18. Before any development commences a survey for the presence of bats shall be undertaken in Greetwell Wood, Manor Farm and Greetwell Quarry in accordance with a scheme which shall have been submitted to and approved in writing by the County Planning Authority. The results of the survey and any mitigation measures proposed shall be submitted to the County Planning Authority prior to construction works commencing.

The reasons for the conditions are:-

1. Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
2. To enable the County Planning Authority to adequately control the development and to minimise its impacts on the surrounding area.
3. To minimise the impact of the development upon the landscape, in the interest of visual amenity.
4. In the interests of the visual amenity of the area.

5. In order to ensure that satisfactory arrangements are made for the investigation, retrieval and recording of any possible archaeological remains on site.
6. In order to ensure that no known sites of archaeological remains are destroyed by ancillary operations.
7. In the interests of the visual amenity of the area.
8. To ensure that the users of the River Witham can navigate the river safely.
9. In the interest of amenity.
10. In the interest of visual amenity.
11. To ensure that the development complies with approved details in the interests of protection of Controlled Waters.
12. Part of the site may be potentially contaminated and piling could lead to the contamination of groundwater in the underlying aquifer.
13. To ensure a satisfactory method of surface water drainage.
- 14, 15 & 16
To protect the water resources of the area from pollution in the interests of the amenity of the area.
- 17 & 18 To minimise/mitigate against any adverse impacts on protected species.

Reason for Granting Permission

The application, subject to conditions, would allow the construction of a highway to the east of Lincoln removing traffic from the centre of Lincoln to reduce congestion and traffic levels to the benefit of local residents and the historic core of Lincoln. The proposed highway would be an important part of the necessary infrastructure to provide a strengthened regional role for Lincoln to realise and to support future redevelopment and new development taking place. The application is not considered to be a departure from the development plan nor contrary to local plan development control policies.

Policies Referred To

Approved Structure Plan (1982)

Policy 30 – Improvement of Existing Road System

Policy 31 – Determine Priorities for Improvements Within Country Strategic Road Network

Policy 34 – Effect of Highway Improvements upon the Landscape and Built Environment, and the Need to Conserve High Quality Agricultural Land.

Lincolnshire Structure Plan: Deposit Draft (2005)

Policy M1 – Strategic Road Network

Policy M8 – Cycling

Policy M9 – Pedestrians

Policy M10 – Freight

Policy BE4 – Archaeological Heritage

- Policy NE1 – Development in the Open Countryside
- Policy NE2 – Sites of Nature Conservation Importance
- Policy NE3 – Species Protection
- Policy NE4 – Trees, Woodlands, Hedgerows Protection
- Policy NE6 – Landscape Character and Natural Areas
- Policy NE7 – Development of Agricultural Land
- Policy NE10 – Water Resources and Water Quality
- Policy NE11 – Development and Flood Risk
- Policy LPA1 – Lincoln Policy Area Strategy
- Policy LPA7 – Movement Strategy
- Policy LPA9 – Protection of the Dominance of Lincoln Cathedral
- Policy T7 – Informal Recreation in the Countryside

City of Lincoln Local Plan (1998)

- Policy 5G – Strategic Network of Cycleways, Footpaths and Bridleways
- Policy 14G – Strategic and Major Road Proposals
- Policy 21 – Archaeological Assessment
- Policy 22 – Archaeological Constraints
- Policy 38D – Environmental Pollution Arising from Development Proposals
- Policy 38E – Development Adjacent to Greetwell Quarry
- Policy 44A – Sites of Special Scientific Interest and Other Critical Natural Assets
- Policy 44C – Protected Species
- Policy 45A – Trees and Other Ecological and Landscape Features on Development Sites
- Policy 46A – Woodland and Other Major Planting Initiatives
- Policy 55 – Long Views Into and Out of the City
- Policy 38F – Flood Risk
- Policy 34 – Design and Amenity Standards

West Lindsey Local Plan (1998)

- Policy G1 – Development Requiring Planning Permission
- Policy ENV10 – Landscape Conservation
- Policy ENV11 – Wildlife Conservation
- Policy ENV17 – Water Quality and Supply
- Policy ENV18 – Flood Risk Areas
- Policy ENV19 – River Corridors
- Policy SA8 – Ancient Monuments and Sites of Archaeological Importance
- Policy SA14 – Sites of Special Scientific Interest
- Policy SA15 – Sites of Nature Conservation Importance and Local Nature Reserves
- Policy C1 – Development in the Countryside
- Policy C2 – Development in the Countryside (Protecting Views of Lincoln Cathedral)
- Policy C3 – Quality of Agricultural Land
- Policy RC6 – Public Rights of Way
- Policy TR2 – Transport
- Policy TR4 – Road Transport – New Road Schemes

North Kesteven Local Plan (1996)

- Policy G3 – Development Outside Curtilage Lines
- Policy G5 – Landscaping Provision
- Policy G7 – Sites of Nature Conservation Interest
- Policy T1 – Protection of Road Lines
- Policy C6 – Protection of Archaeological Interest

Policy PU2 – River Witham Flood Protection Area
Policy PU3 – Flood Risk
Policy PU4 – Protection of Water Quality and Quantity

Informative

Attention is drawn to the following:

1. Prior to any works commencing the applicant is advised to contact British Waterways, Third Party Works Engineer (01636) 675768 in order to ensure that any necessary consent are obtained and the works are compliant with the Code of Practice for Works Affecting British Waterways.
2. The letter of Network Rail dated 2 February 2005 (Ref: LNER/AP/0/NOB/032) addressed to Lincolnshire County Council requiring the separation by an Armco or similar type of barrier along the private access beneath the proposed new road immediately alongside the Lincoln the Market Rasen railway line.
3. The requirements of the Environment Agency contained in letters dated 11 May 2004 (Ref: AN/2004/010338-1/1) and 14 September 2004 (Ref: AN/2004/010338-2/1) addressed to Lincolnshire County Council.