

**Open Report on behalf of Richard Belfield, Assistant Director  
(Development Services)**

Report to:	<b>Planning and Regulation Committee</b>
Date:	<b>4 October 2010</b>
Subject:	<b>County Council Development – L/0170/10</b>

**Summary:**

Planning permission is sought for the construction of a 7.85km long dual carriageway bypass to the eastern side of Lincoln known as the Lincoln Eastern Bypass. The bypass would link the existing northern relief road at the junction of the A15/A158 (Wragby Road) to the A15 (Sleaford Road) and pass through the Parishes of Lincoln, Nettleham, Greetwell, Washingborough, Canwick and Bracebridge Heath.

**Recommendation:**

That conditional planning permission be granted.

Background

Planning permission (L/0170/04) for a Lincoln Eastern Bypass (LEB) extending from the A158 Wragby Road roundabout to the A15 Sleaford Road south of Bracebridge Heath was granted by Lincolnshire County Council in April 2005. In 2005 work began on identifying alternative route options for the LEB in order to take into account the future growth and potential long-term urban expansion of Lincoln which had been identified in the East Midlands Regional Plan (revoked in July 2010).

Planning permission for the original LEB route has now expired and this application has been submitted which seeks to secure permission for a revised route. The revised route, subject of this application, has been developed through consultation with key stakeholders and the public. The northern section of the revised LEB route (e.g. between Wragby Road and Washingborough Road) is congruent with that which was granted planning permission in 2005. However, the southern section of the route (e.g. between Washingborough Road and Sleaford Road) does differ in its alignment to that originally granted permission and is now situated more to the east. A full description of the revised bypass route is given in this report (see "Route Description" section below) along with a summary of the planning

application documentation, consideration of the relevant development plan policies and a summary of the comments received through consultation and publicity.

### The Application

1. Planning permission is sought to construct a 7.85km long dual carriageway linking the existing northern relief road at the junction of the A15 and A158 (Wragby Road) in the north to the A15 (Sleaford Road) in the south. The proposed route of the Lincoln Eastern Bypass (LEB) would bisect the Districts of West Lindsey, Lincoln and North Kesteven and run through an area of predominately arable land situated to the east of the city of Lincoln and the villages of Canwick and Bracebridge Heath and west of the outlying villages of North Greetwell, Cherry Willingham, Washingborough and Branston. In addition to the main LEB carriageway, the application also includes proposals for road improvements to a section of Greetwell Road running east from its junction with Outer Circle Road and a new roundabout junction between Greetwell Road and the LEB. As part of these works a new road access junction from Greetwell Road into the Allenby Road Industrial Estate would be constructed.
2. The key overall features of the scheme are as follows:
  - Construction of new bridges/structures along the LEB route including:
    - three bridges to carry Hawthorn Rd, the Lincoln-Spalding railway line and Heighington Road over the proposed LEB;
    - two bridges to carry the LEB carriageway over the Lincoln-Market Rasen railway line and River Witham and adjacent watercourses;
    - three pedestrian/cycleway bridges at Greetwell Road, Sustrans (South Delph) and Bloxholm Lane;
    - a new pedestrian/cycleway underpass at Lincoln Road (B1188) which would allow passage beneath the LEB.
  - Creation of six new junctions which include:
    - A15/A158 Wragby Road roundabout;
    - Greetwell Road/LEB roundabout;
    - Greetwell Road/Dowding Road access junction to the Allenby Industrial Estate;
    - B1190 Washingborough Road/LEB roundabout;
    - B1188 Lincoln Road/LEB roundabout;
    - A15 Sleaford Road/LEB roundabout.
  - Street lighting would be provided at all of the roundabout junctions and on the approach to each roundabout. The whole section between Greetwell Road and Washingborough Road would also be lit;
  - Construction of dedicated surface water catchment/attenuation lagoons along the route of the LEB. These would be interlinked and discharge

waters at controlled rates into Greetwell Beck, North Delph, Canwick Fen Drain and Branston Brook;

- Significant earthworks comprising of deep cuttings and creation of raised embankments to carry the alignment of the LEB carriageway;
- Areas of land adjacent to the LEB have also been identified as storage areas for topsoil's excavated as part of the engineering works and as temporary compound areas to house site offices, plant and machinery and materials used during the construction of the LEB;
- Provision of a 3m wide combined pedestrian/cycleway along the western side of the LEB for the full length of its route;
- The LEB would have a speed limit of 70 mile per hour;
- Loss of the south-eastern edge of Greetwell Quarry SSSI and Greetwell Wood SNCI deciduous woodland habitat;
- Creation of compensatory habitat areas comprising of habitat ponds, grassland and tree and shrub planting;
- Construction of 2.5m high noise screening bunds within the lower depression land between Canwick Manor Farm and Sleaford Road (A15);
- Extensive landscaping works comprising of new tree, shrub and hedgerow planting;
- The construction period for the LEB is anticipated to be approximately 36 months commencing in 2013 for completion by 2016. However, the applicant is seeking an extended period in which to implement the planning permission (e.g. 15 years) due to the current economic climate and in the event that alternative funding needs to be secured in order to deliver the project.

### Route Description

#### Wragby Road (A158) to Greetwell Road

3. The route would commence at the existing A15/A158 roundabout junction. A new four arm roundabout junction would be constructed to replace the existing roundabout and this would have an approximate external diameter of 100m. From here the LEB would pass southwards at existing ground level before passing into a cutting below the level of the existing Hawthorn Road. Embankments would be constructed on either side of the LEB and a new overbridge constructed to carry Hawthorn Road. The overbridge would be a two-span continuous concrete bridge and incorporating 2m wide footways on both the northern and southern sides of the bridge.

4. From Hawthorn Road the route would continue southwards mainly in a cutting towards its junction with Greetwell Road. Within this section the LEB route would bisect the minor public highway Greetwell Fields which would be stopped up and a new turning head constructed. On the eastern side of the LEB an area of compensatory habitat would be created comprising of a habitat pond, native woodland and shrub planting and wildflower grassland.
5. From this point the LEB would continue south and cross the south eastern edge of Greetwell Quarry (SSSI) on a man-made embankment that would be constructed within the cavity of the quarry. A pedestrian/cycle bridge would be provided over the bypass to the north of Greetwell Road where a new four arm roundabout would be constructed with an external diameter of approximately 80m.
6. The following features/provisions would also be made along this section of the LEB route:
  - a combined 3m wide combined pedestrian/cycle path would be provided along the south side of Wragby Road (A158) to connect to existing facilities along the A15 Wragby Road/Bunkers Hill and new pedestrian/cycle paths to be constructed alongside the LEB;
  - provision of a 3m wide combined pedestrian/cycle path along the entire western side of the LEB between Wragby Road (A15/A158) and Greetwell Road;
  - provision of a 3m wide pedestrian/cycle path along the eastern side of the LEB for part of the route running between Wragby Road (A15/A158) and Hawthorn Road;
  - new maintenance/private access tracks constructed along the eastern side of the LEB to provide access to the Greetwell Fields from Hawthorn Road;
  - re-alignment and culverting of the existing Greetwell Fields Drain beneath the LEB and Greetwell Field's access road;
  - the construction of surface water drainage catchment/attenuation lagoons to accommodate waters derived from the LEB. These would be constructed on the eastern flanks of the LEB in two distinct areas along this part of the route being: (i) an area of land lying immediately south of Hawthorn Road, and; (ii) immediately north of proposed Greetwell Road/LEB roundabout junction;
  - new landscape planting comprising of native tree, shrub, grass and hedge planting alongside the LEB route.

#### Greetwell Road/LEB roundabout junction to Outer Circle Road

7. Road improvements would be carried out along a section of the western arm of Greetwell Road from its junction with the new LEB/Greetwell Road roundabout to east of its junction with Outer Circle Road. The works would comprise of the re-alignment of the road so as to remove a dip and bend which currently exists in the roads alignment. In addition to these works a new junction and linkage road into Allenby Road Industrial Estate would be constructed from Greetwell Road. Two surface water drainage

catchment/attenuation lagoons would also be constructed in an area of land east of the Allenby Road Industrial Estate and immediately south of Greetwell Road. These lagoons would be connected to those which run along the main LEB carriageway route and would discharge waters derived from the scheme in a controlled manner into the adjacent Greetwell Beck. A 3m wide shared cycle/footway would also be constructed along the northern and southern sides of Greetwell Road as well as new landscape planting comprising of native tree, shrub, grass and hedge planting.

#### Greetwell Road/LEB roundabout junction to Lincoln-Spalding Railway

8. From Greetwell Road the LEB would continue south on an embankment towards the Lincoln-Market Rasen railway line. A new single span steel composite bridge carrying the LEB over the Lincoln-Market Rasen railway line would be provided and this would also accommodate a shared cycle/footway along the eastern side. The LEB would then veer south-westerly and fall gently into the Witham Valley corridor on an embankment towards the River Witham and the adjacent watercourses. A five span bridge would be constructed to carry the LEB over the River Witham, North and South Delphs, a Sustrans cycleway, an access track and part of the flood plain. A pedestrian/cycle bridge would also be provided to link the shared pedestrian/cycle path running adjacent to the LEB to the Sustrans national cycleway which runs alongside the river. This pedestrian/cycle bridge would be a single span steel bridge and carry the pedestrian/cycle path over the South Delph before linking to the existing Sustrans route.
9. The LEB would then pass under the Lincoln-Spalding railway line (which already runs along a raised embankment) and immediately to the south would connect to the B1190 Washingborough Road via a new four-arm roundabout. The new roundabout would have an external diameter of approximately 95m.
10. The following features/provisions would also be made along this section of the LEB route:
  - provision of a 3m wide combined pedestrian/cycle path along the entire western side of the LEB;
  - new maintenance/private access tracks constructed along the eastern side of the LEB to provide access to adjacent farmland and surface water drainage lagoons;
  - the construction of surface water drainage catchment/attenuation lagoons to accommodate waters derived from the LEB. These would be constructed on the eastern flanks of the LEB in three distinct areas along this part of the route, being: (i) an area of land north of the North Delph watercourse; (ii) in an area of land between the South Delph and Lincoln-Spalding railway, and; (iii) in an area of land between the Lincoln-Spalding railway line and Washingborough Road (B1190);
  - provision of a flood compensation area (approximate capacity of 1,110m<sup>3</sup>) in an area west of the LEB and south of the South Delph;

- a 3m wide combined pedestrian/cycle path around the western side of the B1190 Washingborough Road/LED roundabout linking into facilities along Washingborough Road;
- new landscape planting comprising of native tree, shrub, grass and hedge planting alongside the LEB route.

#### Washingborough Road (B1190) to Lincoln Road (B1188)

11. From Washingborough Road the bypass would travel in a south south-easterly direction while climbing in a deep cutting towards Heighington Road. The LEB would pass underneath Heighington Road which would be carried over the bypass on a new overbridge approximately in line with its existing route. The bridge would be a two-span continuous concrete bridge supported with an intermediate reinforced concrete pier. The LEB would then veer south west towards its junction with Lincoln Road (B1188). A pedestrian/cycle underpass would be constructed to allow passage under the bypass just north of a new four arm roundabout (approximate external diameter of 85m) which would connect the LEB to Lincoln Road (B1188).
12. The following features/provisions would also be made along this section of the LEB route:
  - provision of a 3m wide combined pedestrian/cycle path along the entire western side of the LEB;
  - new maintenance/private access tracks constructed to provide access to adjacent farmland;
  - new landscape planting comprising of native tree, shrub, grass and hedge planting alongside the LEB route.

#### Lincoln Road (B1188) to Sleaford Road (A15)

13. From Lincoln Road (B1188) the route continues south-westwards towards Sleaford Road (A15). Immediately south of the Lincoln Road (B1188) roundabout, on the eastern side of the LEB, two surface water drainage lagoons would be constructed. On the western side of the LEB an area of compensatory habitat would be created comprising of a habitat pond, native woodland and shrub planting and wildflower grassland.
14. As the LEB travels south lay-bys for both northbound and southbound traffic would be provided. Landscape/noise bunds would also be constructed alongside the LEB. The existing alignment of Bloxholm Lane would be severed by the LEB and a combined pedestrian/cycle path bridge be provided at this point to link the two halves of Bloxholm Lane. A four arm roundabout junction would be formed where the LEB meets the A15 Sleaford Road and this would incorporate a new road linking back to the eastern arm of Bloxholm Lane. New landscape planting comprising of native tree, shrub, grass and hedge planting would also be carried out alongside the LEB route.

## Environmental Statement

15. The application is accompanied by an Environmental Statement (ES) pursuant to the provisions of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. The ES sets out the results/findings of the EIA, including proposals of a number of mitigation measures that would be implemented to prevent and/or minimise any adverse effects. These are set out under a series of separate chapters which are as summarised as follows:

**Chapter 1 sets out the context of the ES**, outlining the purpose and background to the application, general description of the scheme and its settings, legal basis for the Environmental Statement and description of the existing environment subject of the application.

**Chapter 2 provides a detailed description of the scheme** which has been summarised in this report (see above).

**Chapter 3 provides an overview of the alternative route corridors and subsequent route alignments that were considered for the LEB.** This chapter explains that in 2007 five potential route corridors were identified and assessed as possible routes for the LEB (Stage 1 Assessment). From this assessment, three potential routes were identified based on two of the corridors identified during Stage 1 and these were known as Routes X, Y and Z. The three routes were comparatively assessed (Stage 2 Assessment). The alignment of all three routes between Wragby Road and Washingborough Road were identical but varied in alignment from Washingborough Road. All three routes terminated at the same proposed junction at A15 Sleaford Road. Following a public consultation exercise (detailed in Chapter 5 - below) Route Z was identified as the preferred option for the LEB. Route Z is the route subject of this application.

**Chapter 4 sets out the methodology and approach taken in preparing the Environmental Impact Assessment (EIA).** This chapter explains that the EIA has been carried out to assess the potential environmental effects of both the construction and operation of the proposed bypass. Where appropriate the EIA has also taken into account guidance set out in the Highways Agency's publication "Design Manual for Roads and Bridges (DMRB)" which sets out the general principles for EIA on highway schemes.

**Chapter 5 explains what pre-application consultation took place in identifying the proposed LEB route and in preparing the EIA.** In 2008 a series of public exhibitions were held in Lincoln and villages east of Lincoln and comments were invited from the public and third party organisations on the three potential routes identified during the Stage 2 Assessment for the LEB. Comments received during this exercise were collated and taken into account in identifying the final preferred route. The final route chosen is that which is subject of this application and which received the highest level of support during the consultation exercise.

This chapter also explains that a number of statutory consultation bodies and public and voluntary organisations have been approached and consulted in order to aid the preparation of the EIA. Consultation was carried out for a range of purposes including obtaining baseline information and data, seeking advice and comments on the scope of the EIA, comments on the potential environmental affects of the proposed scheme and advice on the design and mitigation proposals put forward within the application.

**Chapters 6-15 summarise the potentially significant effects arising from the development and identifies any mitigation measures considered necessary to avoid identified negative effects.** Each chapter comprises of baseline studies and an assessment of the potential impacts of the development and details of any proposed mitigation measures. A summary of each chapter is as follows:

**Chapter 6: Air Quality** - Fugitive dust is identified as the most likely pollutant on air quality during the construction phase. Dust emissions could affect people living up to 500m from the site although the level of any impact could vary depending on the type of construction activity, ground conditions, topography, distance and weather conditions. The ES states that the impacts of dust emissions could be effectively controlled at source and generally be avoided by good site practice. A range of mitigation measures to minimise the effects of airborne dust are identified in the ES and include (inter alia):

- dampening down of areas at risk of creating dust;
- utilising water suppression (where appropriate) on plant/machinery used for earthworks/material cutting;
- controlling construction activities to minimise dust release;
- enclosing significant material stockpiles as far as is practicable;
- speed limits for construction plant/machinery to minimise dust;
- use of wheelwash facilities.

The dust mitigation measures could be secured as part of a 'Construction Environmental Management Plan' and would ensure that any dust arising during the construction of the LEB would be within acceptable levels.

During the operation of the LEB the potential impacts on air quality are primarily identified as being those associated with pollutants and pollution derived from traffic. The ES compares existing background pollutant concentrations with those that are predicted to exist once the LEB was operational. The ES states that traffic in the City of Lincoln would decrease considerably as a result of the LEB. The majority of the identified sample receptors, especially those within the centre of Lincoln, would therefore experience a reduction in existing pollutant concentrations. However, for properties closer to the bypass pollutant concentrations would increase slightly due to the re-distribution of traffic on the local highway network. The properties most adversely affected would be those located nearest to the LEB junctions at Bunkers Hill, Lincoln Road and Hawthorn Road but any increases are assessed as being within acceptable levels and would not



exceed the air quality objectives for the area. Overall, therefore the ES states that the impact of the development on air quality is not predicted to be significant and in some areas could lead to improvements in existing air quality levels. As such no specific mitigation measures are proposed as they are not considered necessary.

**Chapter 7: Noise & Vibration** - Noise and vibration impacts would vary throughout the construction period and are most likely to be experienced by residents and other sensitive receptors alongside the proposed LEB route. More specifically, the greatest increases in noise and vibration levels are likely to be experienced by those properties that are closest to the areas where new bridges are proposed to be constructed (e.g. over and under the railway lines and River Witham) due to the nature of the construction activities required (e.g. piling). Any impacts could be limited due to the duration of such activities and minimised through the implementation of a range of mitigation measures which include (inter alia);

- compliance with health and safety and environmental protection legislation;
- switching off of plant and machinery when not in use for long periods of time;
- use of low emission plant and effective silencers and exhausts;
- regular maintenance of plant;
- use of temporary noise screens;
- programming works so as to limit working to normal hours of working.

Such mitigation measures could be secured as part of a detailed 'Construction Environmental Management Plan' and would ensure that impacts during the construction of the LEB would be within acceptable levels.

During its operation the LEB would introduce a new source of traffic noise to the areas east of Lincoln and the impacts of this would be experienced greatest by those properties and farms located in closest proximity to the proposed alignment of the LEB. Such properties include those located on Hawthorn Chase which forms part of the new housing estate situated in the north east sector of the City. Due to the low background levels that currently exist, and if no mitigation was proposed, the impact of increased noise on these properties is assessed as being significant.

In addition to the above, the ES also shows that properties fronting the main arterial roads within the City of Lincoln (including Bunkers Hill and Nettleham Road) would experience noise level decreases as a result the re-distribution of traffic. It is likely that such noise reductions would be noticeable to occupants of these properties and therefore the LEB would have beneficial impacts on these properties. There would also be reductions in traffic flow on the Lincoln Road (B1190) and Sleaford Road (A15), however, the noise benefits that would experienced by these properties is assessed as being 'Negligible'. Properties located in a relatively rural location such as Glebe Farm, Heighington Road; Westfield Farm, Folly Lane, and; Canwick Manor,

Canwick Avenue currently experience high ambient noise levels due to frequent aircraft movements from the nearby RAF Waddington air base and therefore the impact of the LEB on these properties is assessed as being 'Negligible to No Change'.

In order to minimise the adverse impacts of noise during the operation of the LEB, a number of mitigation measures have been proposed. These include:

- use of the existing earth bund constructed as part of the residential development at the northern end of the LEB route between A15 Wragby Road and Hawthorn Road;
- construction of earth bunds throughout the scheme particularly through the southern section of the route including the lower depression land between Canwick Manor Farm and Sleaford Road (A15);
- use of the engineered faces/slopes arising from the 'cuttings' created as a result of the vertical alignment of the LEB route;
- use of low noise surfacing which would reduce noise levels by up to 3.5dB(A) when compared to that if standard hot rolled asphalt were to be used.

In respect of vibration, for the majority of properties located on roads within the City vibration nuisance levels are predicted to decrease as a result of the LEB. Such changes are as a result of re-distribution of traffic on the road network. For properties that are predicted to experience increases in vibration nuisance, the levels are predicted to be low and therefore should not require any specific mitigation as part of the scheme.

In conclusion, the greatest impacts of noise and vibration would be on properties located nearest to the proposed LEB route. Whilst properties nearest to the LEB would experience increases in noise levels as a result of the introduction of traffic to the area, the levels experienced would be below the level at which the Highway Authority would have a duty to fit additional noise insulation to those properties (pursuant to the Noise Insulation Regulations 1975). Notwithstanding this, the LEB includes a number of mitigation measures that would be employed during both the construction and operational phases of the development which would aim to further minimise any adverse impacts. In terms of vibration, whilst there would be an increase in vibration on the nearest properties, such increases are considered be low and therefore no specific mitigation considered necessary.

**Chapter 8: Cultural Heritage** - This chapter considers the potential impacts of the LEB on features of cultural heritage importance (archaeological remains, historic buildings and historic landscapes). Each of these elements are considered in turn below:

**Archaeology:** The LEB route passes through or adjacent to a series of archaeological sites which vary from findspots of individual artefacts to the remains of settlements dating from the prehistoric period to the modern day. Due to the nature of the development impacts on archaeological features

would be inevitable. Damage to these archaeological sites would arise as a result of the construction of the road and thus the physical removal of remains during the excavation and engineering works, as well as potential damage caused by the movement of site vehicles and plant. However, in order to avoid or minimise such impacts a range of mitigation measures have been incorporated/proposed as part of the scheme and these include the following:

- development of the LEB route so as to avoid physical impacts on Scheduled Ancient Monuments and other designated sites;
- where possible to preserve archaeological deposits/features in situ;
- where preservation in situ is not feasible/acceptable, then the appropriate mitigation strategy would be preservation by record. Such measures to be adopted include:
  - detailed archaeological excavation of selected sites;
  - strip, mapping and sampling of selected sites;
  - creation of exclusion zones using protective fencing around selected sites which are not within the footprint of the road but which could be at risk of damage from construction traffic;
  - adoption of a targeted watching brief for areas between Wragby Road and Heighington Road and in the areas immediately adjacent to Bloxholm Lane and Sleaford Road (A15);
  - adoption of a general archaeological watching brief for all other areas throughout the scheme.

The ES states that the detailed design and full extent of the methodology for each of the mitigation works would be set out in a detailed Written Scheme of Investigation which would be submitted for the approval by the County Council's Historic Environment Team in consultation with English Heritage prior to any works taking place on site.

Historic/Listed Buildings: Within the study area a total of 28 sites or groups of historic buildings were identified for assessment. These sites include farmhouses and 19<sup>th</sup> century buildings close to the proposed bypass, a small number of medieval churches and post-medieval manor houses and, at a distance, Lincoln Cathedral and Castle and the historic town centre. Predicted impacts during both the construction and operation of the LEB have been identified as part of the ES and, where relevant, mitigation measures identified in order to reduce or minimise any adverse impacts.

In terms of construction, the potential impacts are largely identified as being those associated with noise and visual intrusion arising from the construction activities. In most cases, the unmitigated impacts are assessed as being Negligible to Moderate in magnitude. However, during the construction of the LEB a railway underbridge at Washingborough Road would be removed. Whilst this bridge is not listed or benefits from any other designation, the permanent impact of the LEB scheme on this individual site is assessed to be of Major magnitude.

During the operation of the LEB, potential unmitigated impacts are identified as also being those associated with noise and visual intrusion but this time related to traffic using the LEB and the visual impacts of new structures and lighting within the landscape setting. The ES assesses these impacts as being Negligible to Minor in terms of their magnitude of impact.

Mitigation measures proposed to minimise the adverse impacts of the LEB on historic buildings include:

- creating a historic building recording for the railway underbridge prior to its removal. This would comprise a written, drawn and photographic record as appropriate and the reports of this would be lodged with the Lincolnshire Historic Environment Record for future reference;
- use of new hedgerow, tree and shrub planting along the road embankment to the north of the river. When mature this planting would aid the integration of the scheme into the landscape;
- to the south of the river and west of the cutting, the retention of existing hedgerows and use of wildflower planting along the cuttings so as to integrate the scheme into the landscape;
- use of directional lighting to reduce visual impacts on the valley crossing.

Subject to the implementation of the above mitigation measures, the overall impact of the LEB on the identified sites are considered to range from Negligible to Slight in magnitude. Furthermore the ES states that a general reduction in traffic levels through Lincoln would have a beneficial positive impact upon Listed Buildings and Conservation Areas within the city centre.

Historic Landscape: Impacts on the historic landscape associated with the LEB are identified as being those deriving from the excavation, engineering and construction works and include the severance of field boundaries, introduction of road junctions and elevated walkways which are out of keeping with the established road pattern, road noise and visual intrusion due to the introduction of street lighting. These magnitude of these impacts are assessed as ranging from Negligible to Moderate and in order to mitigate and minimise the impacts of these works a range of measures have been proposed. These include:

- carrying out a historic landscape survey prior to the construction of the LEB which records selected Historic Landscape Types identified within the study area. The design of these works would include the measured survey of any field boundaries to be removed and a photographic survey of the wider area including long views to and from the landscape types;
- retention (where possible) of existing hedgerows and reinstatement of hedgerows that are removed during construction of the LEB;
- retention of original field boundaries where the LEB would cut across the corners or edges of existing fields;
- landscape planting using species that are characteristic to the local landscape;
- creation of noise bunds to reduce road noise and grading back of bunds for return to agriculture and integration within the local topography.

**Chapter 9: Landscape & Visual Impact Assessment (LVIA)** – the LVIA includes an analysis of the existing landscape character of the area, identifies the potential sources of landscape and visual impact arising as a result of the development and includes an assessment of the significance of these on the character and appearance of the area.

The ES identifies a number of impacts that the LEB would have on the landscape and visual resources within the study area. These impacts include those which would be derived during the construction of the LEB as well as during its ultimate operation. A summary the principal physical impacts identified are as follows:

- introduction of new and widened roundabout junctions with the associated loss of vegetation adjacent to the road;
- loss of arable farmland to accommodate new carriageway;
- loss of hedgerow boundaries and vegetation and severance of existing field patterns;
- the realignment of Hawthorn Road on man-made embankments and the introduction of a new overbridge as the main carriageway of the LEB passes beneath the road in a cutting. Such works would have impacts on the topography of the area and visual impacts on the houses adjacent;
- introduction of 2.5m high noise bunds within the rolling countryside. These would be in view from the edge of housing to the north east of Lincoln and also within the lower depression of land between Canwick Manor Farm and Sleaford Road;
- significant earthworks and changes in the topography to incorporate cuttings for the proposed route of the LEB and creation of large-scale embankments;
- loss of mature deciduous woodland as the LEB passes the edge of Greetwell Wood Site of Nature Conservation Importance (SCNI);
- significant earthworks to the southeast edge of Greetwell Quarry SSSI resulting in the loss of improved grassland and elements of the exposed rock faces;
- construction of surface water catchment/attenuation lagoons along the route of the LEB;
- introduction of elevated structures and bridges within the local landscape including bridges to carry the LEB carriageway and (e.g. over the Lincoln to Market Rasen railway line and River Witham) as well as cycleway/footpath bridges.

Mitigation measures proposed to reduce (where possible) impacts arising from the implementation of the scheme comprise of:

- landscape and tree planting would be carried out to screen critical views from adjacent receptors, reduce the impact of large-scale earthworks and integrate the scheme with existing landscape features;

- use of indigenous tree/plant species to reflect those found locally and where possible enhance the existing vegetation pattern;
- the LEB would be lit only at junctions and up to 350m back on each arm. The section from Greetwell Road to Washingborough Road, however, would be fully lit. Lighting would be directionally lit in order to only light the road surface;
- the layout (horizontal and vertical alignment) has been designed to minimise disruption of existing physical features and to position the roadway away from sensitive visual receptors;
- replacement and extended woodland habitat to be created to compensate for that that lost as a result of the LEB associated with the Greetwell Wood SNCI;
- retention of as much of the open rock face of the Greetwell Quarry SSSI as possible and provision of access from the proposed embankment to increase access to the features of geological interest.

Overall the proposed alignment and planting (once mature) would help to integrate the bypass into the local landscape and the replacement and extended habitats to be created as part of the development would encourage and increase biodiversity interest in a largely agricultural landscape. The development would inevitably give rise to visual impacts on the local landscape and the most adverse of these would be on long distant views in and out of Lincoln. Mitigation proposals to reduce these impacts would seek to screen major elevated sections within the valley whilst allowing for valued views into and out of the city.

**Chapter 10: Ecology & Nature Conservation** – the LEB would result in the inevitable loss and severance of a number of different habitats that currently exist within the area. These habitats vary in terms of their type, size, quality and significance and their loss or disturbance also has implications in terms of the individual plant and animal species which rely on these to provide breeding, foraging and terrestrial habitat.

The ES contains a desk-based study, extended Phase 1 Habitat Survey, hedgerow survey and field surveys and assessments for individual species (including legally protected species) such as breeding birds, badgers, bats, water voles, amphibians, reptiles, invertebrates and otters. For each of these elements the ES identifies the potential impacts of the LEB and an assessment of the significance of these to the nature conservation feature/species. Significance is defined based upon the geographical scale at which the impact is considered to be material in terms of maintaining the nature conservation status of the feature. An impact can therefore be significant at Local, County, Regional, National and International scales.

A summary of the predicted impacts and their significance of the designated sites and individual species and features of nature conservation interest affected by the development are as follows:

Greetwell Quarry Site of Scientific Importance - this site is designated for its geological features (i.e. exposures of Lincolnshire Limestone) which are

considered to be of National Importance. The LEB would result in the severance and loss of a 0.5 hectare area of land which is situated in the south east corner of the site. This land is currently comprised of improved grassland and areas of exposed quarry face and would be lost to incorporate the alignment of the LEB carriageway along this section of the route. Potential impacts arising from the operation of the LEB include disturbance from traffic noise and vibrations and lighting. Without mitigation the ES assesses the significance of these impacts as being negative at a Local scale. However, with mitigation measures in place (detailed below) the long-term residual impacts are considered to be negligible.

Greetwell Wood Site of Nature Conservation Importance – this site is of County Importance and not afforded any legal protection, however, policies contained in the Local Plan do seek to protect such locally designated sites. The alignment of the LEB would result in the loss of 0.42 hectares of broadleaf woodland and associated ground flora and scrub which include the presence of a Giant Bellflower which is a native plant species is found in damp woods, shaded riversides and hay meadows. Disturbance to the habitat would be likely during the construction phases as well as during the operation of the LEB as a result of traffic noise and car head-lights. Without mitigation the ES assesses the significance of these impacts as being negative at a County and Local scale. However, with mitigation measures in place (detailed below) the long-term residual impacts are considered to be negligible.

River Witham Local Wildlife Site – this site is also of County Importance and not afforded any legal protection, however, policies in the Local Plan do seek to protect it. The proposed road is planned to cross the River Witham, North and South Delphs via a bridge passing over all three waterways. Some habitat loss of the terrestrial habitats associated with this corridor is expected during the construction phase. During the operation of the LEB, impacts are predicted to be those associated with disturbance from heavy traffic. Without mitigation the significance of these impacts are assessed as being negative at a Local/Less than Local scale. However, with mitigation measures in place (detailed below) the long-term residual impacts are considered to be negligible.

Willingham Fen West Local Wildlife Site – this site is of County Importance and is an area of marshy grassland that provides important habitat for breeding birds. The land take from this designated site would be small (approx. 0.07ha) as the proposed road would take only small area from the south eastern corner. Without mitigation the significance of this impact is assessed as being negative at a Local scale. However, with mitigation measures in place (detailed below) the long-term residual impacts are considered to be negligible.

Bloxholm Lane Local Wildlife Site – this site was designated due to the presence of calcareous grassland on the road verges and its designation means the site is therefore of County Importance. The construction works and alignment of the LEB around the Bloxholm Lane section of the route

would result in the loss of areas of this calcareous grassland habitat. Specific assessment and consideration of the significance of the impact of the LEB on this site has not been given in the ES. However, in order to compensate for any adverse impacts mitigation measures have been proposed to offset these impacts (detailed below).

Amphibians – impacts include the loss of an existing pond which is known to support a small population of smooth newts and thus the permanent loss of suitable breeding habitat; the severance of terrestrial habitat within 1km of a pond known to be used by common toads; loss of vegetation during the construction of the LEB and potential direct mortality of common toads during such works. The species identified are of Local Importance and without mitigation the significance of these impacts is assessed as being negative at a Local scale. However, with mitigation measures in place (detailed below) the long-term residual impacts are considered to be negligible.

Badgers – loss and destruction of an outlier sett as result of construction activities; disturbance during construction works including noise and light impacts as resulting in potential abandonment of existing setts; severance of existing territories and foraging habitats, and; increased badger deaths due to higher traffic flows within the foraging area. Badgers are of Local Importance and without mitigation the significance of these impacts are assessed as being negative at a Local scale. However, with mitigation measures in place (detailed below) the long-term residual impacts are considered to be negligible

Bats – impacts include loss of foraging habitat through loss of 0.42 hectares of Greetwell Wood SNCI, woodland edge, loss of hedgerows, scrub and grasslands; severance and restriction of flightlines/commuting routes; loss of trees which may be suitable for roosting sites; disturbance as a result of operational noise and lighting and potential increased incidence of bat mortality through road deaths. Bats are of County Importance and without mitigation the significance of these impacts are assessed as being negative at Local scale. With mitigation measures in place (detailed below) the long-term residual impacts are considered to be negligible although there would still be some negative impact at a local scale.

Breeding Birds – impacts include loss of 0.42 ha of woodland habitat, 7km of hedgerows and loss of 43ha of arable land that provide a key resource for breeding and wintering birds. Disturbance would also arise as a result of noise and lighting associated with both the construction and operations of the LEB. Bird death rates may also increase as a result of the introduction/increased traffic in the area. The bird species identified are of Local Importance and without mitigation the significance of these impacts are assessed as being negative at a Local scale. However, with mitigation measures in place (detailed below) the long-term residual impacts are considered to be negligible.



Barn Owls – impacts include loss of hunting/foraging habitat; severance of flightlines such as hedgerows and woodland edge; disturbance as a result of construction noise, vibrations and lighting and increased incidence of death due to introduction/increased traffic flow. Barn Owls are of County Importance and without mitigation the significance of these impacts are assessed as being negative at a County and Local scale. With mitigation measures in place (detailed below) the long-term residual impacts are considered to be negligible although there would still be some negative impact at a local scale.

Reptiles (Grass Snakes) – impacts include damage and loss of habitat, accidental deaths during site clearance associated with construction works and future maintenance operations. Grass snakes are of Local Importance and without mitigation the significance of these impacts are assessed as being negative at a Local/Less than Local scale. However, with mitigation measures in place (detailed below) the long-term residual impacts are considered to be negligible.

Water Voles – impacts include short term disturbance associated with the initial vegetation clearance and site construction works. No impacts are predicted as a result of the operation of the LEB. Water Voles are of County Importance and without mitigation the significance of these impacts are assessed as being negative at a Less than Local scale. However, with mitigation measures in place (detailed below) the long-term residual impacts are considered to be negligible.

Invertebrates – impacts include direct loss of habitats (e.g. 1.8ha of semi-improved grassland; 1ha of improved grassland; 0.42ha of woodland; 0.07ha of marshy grassland and 0.01ha of standing water); severance of suitable habitats and accidental deaths as result of site clearance works. Invertebrates are of Local Importance and without mitigation the significance of these impacts are assessed as being negative at a Local scale. However, with mitigation measures in place (detailed below) the long-term residual impacts are considered to be negligible.

Mitigation Measures - A package of mitigation measures have been proposed within the ES which would be adopted to minimise and/or offset any adverse impacts. A summary of the main mitigation measures are as follows:

- creation/replacement of habitats lost as a result of the scheme. The habitat types and approximate quantities to be gained (net-gain) as a part of the scheme are as follows:

Habitat Type	Net Gain
Broadleaved woodland	5.65 ha
Standard broadleaved trees	537 nos
Hedgerows	7.5 km
Wildflower grasslands	10.4 ha
Amenity grassland	7.9 ha

Areas of standing/open water	0.27 ha
Marginal plants	0.09 ha
Dense scrub	1.63 ha
Reed beds	0.5 ha

- retention of as much of the open rock face of the Greetwell Quarry SSSI as possible and provision of access from the proposed embankment to increase access to the features of geological interest;
- translocation of the Giant Bellflower within Greetwell Wood SNCI to a suitable location within the development footprint of the bypass;
- carrying out of pre-construction/site clearance surveys to identify the potential presence of individual species within the development site;
- timing of site operations to the appropriate times of year so as not to impact upon the breeding/nesting seasons of individual species;
- erection and provision of bird and bat boxes;
- erection of exclusion fencing to minimise risks to badgers during both the construction works and to restrict access to the LEB;
- long-term maintenance and management of habitats and land to ensure their continued suitability as replacement habitats.

The above measures would be secured as part of a 'Construction Environmental Management Plan' which would be prepared during the detailed design stage of the LEB.

**Chapter 11: Road Drainage & Water Environment** – a detailed assessment of the potential impacts of the proposed bypass on the water environment including surface waters, groundwater and flood risk has been carried out.

Surface Waters - the LEB would be situated in the vicinity of two watercourses that are classed as main rivers which are the River Witham and South Delph and non main river watercourses which include North Delph and Canwick Fen Drain. There are also a number of smaller drainage ditches which exist within the development area including Reepham Beck, Greetwell Fields Drain and Branston Brook. During the construction/operation of the LEB there are a series of risks and pollutants that have the potential to affect surface waters which include:

- pollution from sedimentation and suspended solids from site run-off water;
- pollution from leakages or spillages of fuel, oil or chemicals;
- contamination from cement and concrete which can affect the pH of watercourses;
- disturbance of contaminated land;
- contaminants and pollutants such as fuels, oils, hydrocarbons, chemicals arising from spillages, leaks and traffic accidents;
- significant volumes of surface water run-off derived from the LEB which would create approximately 25ha of impermeable surface.

Mitigation measures to be adopted/incorporated as part of the LEB to reduce, manage and mitigate these impacts include (inter alia);

- carrying out construction works in accordance with relevant Environment Agency Pollution Prevention Guidelines;
- the use and storage of any cement close to any watercourse or drain would be carefully monitored to minimise the risk of any material entering the water;
- appropriate storage of all oils, fuels and chemicals in designated compound areas;
- avoidance of discharges of any substance into controlled waters;
- the culverting of watercourses that bisect the proposed LEB route;
- construction of a dedicated surface water drainage scheme which would direct run-off from the LEB to a number of dedicated attenuation/catchment lagoons. A number of such lagoons would be developed along the route of the bypass and these would be interlinked and surface waters from these discharged at controlled rates into nearby water courses (e.g. North Delph, Canwick Fen Drain and a tributary of Branston Brook).

Groundwater – the LEB route extends over a succession of aquifers and non aquifers which results in a complex relationship between groundwater within the aquifers and surface waters. Overall, the study area is identified as lying within the Outer Zone and Total Catchment Area of a Groundwater Source Protection Zone. The groundwater in the study area is therefore considered to be of high importance.

Predicted potential impacts on groundwater during both the construction and operation of the LEB are similar to those identified above in relation to surface waters (e.g. contamination from spills or leaks of fuel, oils and chemicals, etc). In addition there is the potential for changes to occur in groundwater flow due to the interception of natural pathways and the creation of hard surfacing which can present a barrier to rainwater reaching the underlying strata and thus prevent recharge of the underlying aquifers. However, the ES considers that the cuttings associated with the LEB would have a negligible impact on groundwater flows and the volumes of water that would be intercepted and prevented from reaching the groundwater are low and therefore any impact would be insignificant. Finally, good site practice during construction would minimise and prevent the potential risks and incidence of pollution and contamination from spills and leaks and would ensure that the development would not have a significant adverse impact on the underlying groundwater system.

Flood Risk – the majority of the LEB route lies within land designated as Flood Zone 1, however, the bypass also crosses the floodplain of the River Witham. The flood plain is considered to be of high importance.

Fluvial flooding is currently well managed in the River Witham catchment meaning there is a limited number of people and properties at flood risk. Existing defences within the area are of a good condition and consist of

earth embankments and upstream flood storage reservoirs. These systems provide protection against a flood event with a 1% chance occurring in any year (e.g. 1 in 100 year). The construction and operation of the LEB has the potential to be at risk of flooding from the existing watercourse systems as well as to give rise to flooding elsewhere (e.g. through increased surface water run-off). The ES and Flood Risk Assessment assess the potential impacts of the bypass on flood risk.

Peak water levels in the River Witham and South Delph are lower than the proposed road level and therefore would not be at risk of flood from these watercourses. Even during a 1 in 100 year flood event the deck of the bypass bridge would be significantly higher than the water level and thus would not constrict flow or be negatively impacted upon during such an event. Existing flood defences are already in place and should a breach occur floodwaters would flow out of the bank and reach the adjacent plains. Therefore the risk of embankment breach is the same as that as the existing conditions and therefore so long as these existing defences are protected during construction and operation of the LEB the residual flood risk is considered to be minimal.

In order to prevent flood risk happening elsewhere as a result of the LEB, a detailed road surface water drainage scheme has been designed which would manage surface waters derived from the bypass. The scheme has been designed so that there is no increase in flooding in a 1 in 100 year event plus a 30% increase in rainfall intensity to account for possible climate change events. The drainage scheme reduces the potential flood risk as it is a dedicated system and thus controls surface waters derived from the bypass catchment separately to those derived from the existing catchment. The LEB derived surface waters would be directed to a series of attenuation lagoons which would be developed along the route of the bypass. These lagoons would be interlinked and surface waters from these discharged at reduced and controlled rates into nearby water courses (e.g. North Delph, Canwick Fen Drain and a tributary of Branston Brook therefore helping to manage surface waters and reduce flood risk.

Watercourses that bisect the proposed route of the bypass would be culverted so as not to constrict the existing drainage systems. The culverts have been designed with a sufficient capacity to pass the 1 in 100 year design flood event with an additional 30% increase in design flow for possible climate changes events.

Finally, in addition to the surface water drainage system the development includes proposals to create two areas of flood compensation/storage. The largest of these would have a capacity of 1044m<sup>3</sup> and would be situated on the southern floodplain approximately 750m upstream of the bypass. The second would have a capacity of 66m<sup>3</sup> and would be situated on the southern floodplain immediately upstream of the bypass.

In conclusion, the greatest impacts on water quality are likely to occur as a result of construction phase accidents and the handling/storage of fuels, oils

and chemicals. However, mitigation measures (outlined above) have been identified which would address these would the residual impact of routine run-off and such spillages on surface water quality would be reduce to slight adverse in terms of their significance. The residual impact on groundwater is assessed as being neutral and the flood risk assessment found that the bypass would not increase flood risk in the area.

**Chapter 12: Soils and Geology** – impacts on soils along the proposed route is inevitable during the construction operations and in the long term as a number of deep cuttings and embankments would be constructed as part of the development. Potential impacts that could arise during the construction and operation of the scheme are identified as follows:

- potential disturbance of contaminated land and remobilisation of residual pollutants that are already present in the ground but which are stable or inactive in their present condition;
- creation of new pollution pathways as a result of excavation activities which may potential contamination of soils as a result of accidental spillages or leaks of fuels and oils from construction plant and machinery;
- compaction and consolidation of soils through vehicular movements which may affect the drainage of surface and ground waters;
- potential landslips arising from the deep cuttings and reactivation of existing slips;
- deterioration of soil structures and creation of dust by on site construction activities;
- consolidation of soils underlying the embankments to be created as part of the development could lead to changes in groundwater flow beneath the embankments or impair their flow. This could lead to ponding of water at the toe of the embankment structure.

In respect of contaminated land, preliminary ground investigations have demonstrated that there has been limited industrial land use within the route corridor. Therefore the potential contamination sources are limited. However, the preliminary ground investigations have demonstrated that there is evidence of possible contaminated land to the south of Greetwell Road to the east of Allenby Industrial Estate and therefore further contamination testing would be required before works take place in this area. Such testing would allow any potential risks to be determined and an appropriate engineered scheme to be designed which would ensure that any contaminated land is appropriately managed so as not to pose and unacceptable risk to identified receptors.

In addition to the above, the following mitigation measures would be adopted to minimise and reduce the risks/impacts on soils and geology that have identified above. These are as follows:

- implementation of measures to control and minimise the amount of sedimentation/loss of soils through surface water run-off (these

measures reflect those discussed in Chapter 11 regarding controlling surface waters);

- phasing of works so as to minimise vegetation clearance and exposed areas to only those which are necessary;
- cutting slopes shall be engineered and designed to minimise the potential for instability (e.g. shallow slope angles may be adopted or where steeper slope angles are required then the use of soil nailing could be implemented);
- define access routes to all working areas and restrict access to only these areas in order to minimise ground disturbance;
- restrict speed limits on site to minimise the incidence of dust;
- stripping, careful handling and storage of soils prior to construction (where necessary);
- careful soil placement in accordance with best practice guidance and standards.

**Chapter 13: Land-use** – most of the land that would be affected by the LEB would be arable farmland with some grazing land alongside the north of the River Witham. The proposed bypass would result in the permanent loss of around 65.6 ha of agricultural land some of which is classed as being of the ‘best and most versatile’ in terms of its grade and quality. The approximate areas lost would equate to around 54.2ha of Grade 2 land, 6.4ha of Grade 3a land and 5ha of Grade 4 land. Nine farm businesses have been identified which would be affected by land-take as a result of the bypass taking between 0.1% and 10.2% of the land area of each farm. The impacts of the bypass on this existing land use and farm businesses are identified as including:

- the severance of farmland resulting in smaller, irregular shaped fields;
- permanent loss of workable land either as a result of the bypass carriageway or associated works such as surface water lagoons or landscaping works (e.g. embankments and areas of ecological enhancement such as wildflower planting);
- loss of existing fields accesses resulting in the need to undertake significant detours in order to access land;
- disruption of existing land drainage systems.

Mitigation measures proposed to address these impacts include:

- where possible, making provision to allow access to farmland during the construction works. However, this may need to involve extended journeys depending on the area of works;
- the careful handling and storage of soils to ensure that any agricultural land temporarily used as part of the development (e.g. contractor compound sites, haul routes and topsoil storage areas) can be suitably restored back to agricultural use;
- provision of shared and private means of access (PMA) to ensure continued access to farmland for severed areas which could not be accessed once the road is constructed;

- ensuring suitable outlets for existing drainage systems;
- provision of livestock-proof fencing along the highway boundary (where necessary);
- provision of sleeved culverts/pipes under the bypass to continue the benefit from existing irrigation systems;
- possible compensation for those occupiers where extended journeys between blocks of land would arise as a result of the bypass.

In addition to farmland, the other major existing land use affected by the LEB would be the former quarry north of Greetwell Road which is now designated as a Site of Special Scientific Interest (SSSI). The impacts of this land take on the SSSI and the mitigation measures proposed to address these have been discussed in Chapter 11 (above). Furthermore, the proposed scheme would not have any impact on land currently allocated for development or any planning developments that have either been started or that are not currently under construction.

In respect of future development, the revised LEB route would not impact upon land lying to the east of Lincoln which could be developed in the future as an urban extension to the city (as previously supported by the East Midlands Regional Plan). The East Midlands Regional Plan was revoked in July 2010, however, the expansion of Lincoln is to continue to be promoted and identified through the Central Lincolnshire Core Strategy. The Core Strategy will set out the future planning policy strategy for Central Lincolnshire and is being developed as a partnership between the County, City of Lincoln, North Kesteven and West Lindsey District Councils.

Finally, the development would not result in the loss of any land from existing community land uses (e.g. golf course, recreation grounds, etc). A number of public rights of way would be affected by the scheme and the impacts of these are considered in Chapter 14 (below).

#### **Chapter 14: Pedestrians, Equestrians, Cyclists and Community Effects**

– this chapter assesses the impact of the scheme on the journeys that people make on foot, bicycle or on horses using the public right of way network. Additionally the affects of the scheme on local communities and their ability to access and use community facilities and services has also been examined.

Predicted impacts (negative and positive) during the construction and operation of the LEB are identified below:

- temporary closure and severance of existing routes (including footpaths, cyclepaths and highways) during the construction of the LEB;
- provision of alternative routes for those temporarily severed/closed during construction works (where possible). These diversions may increase journey times/length for users of these routes;
- permanent closure of the eastern section of an existing footpath (ref: PF 186/140/1) which runs between Wragby Road and Hawthorn Road which

would be severed by the bypass and which lies within the development footprint;

- minor impacts on the amenity of non-motorised users using routes along the banks of the River Witham after the opening of the bypass;
- reduction of traffic within Lincoln as a result of traffic using the LEB. This would improve conditions for non-motorised users;
- reduced severance between communities north and south of the River Witham through the provision of a new link bridge and cycleway/footpath;
- provision of new facilities to allow access across the LEB (e.g. new overbridges and underpass) and access to the Sustrans route;
- provision of new cycleway/footpath along the whole route of the LEB.

In conclusion, the LEB could result in an increase in traffic on some of the local roads but would reduce traffic flows and congestion in other areas such as the city centre. It is anticipated that certain vulnerable users would be deterred from making non-motorised journeys, however, the scheme design incorporates new crossing facilities across the bypass and over the River Witham and therefore would help to reduce community severance. The LEB also includes the provision of a new cycleway/footpath along the western side of the LEB as well as new links to the existing non-motorised user routes. These help to reduce community severance and can encourage and promote the use of other non-motorised forms of transport which can lead to added positive benefits in terms of improved health and physical fitness.

**Chapter 15: Vehicle Travellers** – in respect of vehicle travellers, the ES indicates that the construction of the new bypass would provide an enhanced environment for vehicle travellers and a reduction in accident rates (although the benefits would be offset by predicted accidents that could occur on the LEB). Driver stress levels are predicted to be lower with the bypass in comparison to the current road infrastructure resulting in a beneficial impact. This would be because the bypass would be less congested and there would be better signage so drivers would be more certain of their route. Drivers in the city centre would benefit from reduced traffic levels in the city as a result of the redistribution of traffic on the network.

Finally, the views available to drivers would vary with some becoming better and some becoming worse. In general, views of Lincoln north and south along the bypass would be better than those experienced without the scheme although these would be limited in places due to the presence of cuttings, bunds and associated landscaping. Views east and west towards the new bypass would be worse than those currently experienced due to the physical presence of the structures and embankments associated with the bypass. Overall, however, it can be concluded that the bypass would have beneficial impacts for vehicle users.

**Chapter 16: Disruption due to Construction** – significant impacts and disruption due to the construction of the LEB would be localised to areas adjacent to the bypass route and where the bypass would cross or impact upon the existing road network or public rights of way. For example,



construction traffic on roads leading to the construction site and associated road closures and diversions would impact on travellers using these roads as well as residents that may live along these routes. Heighington Road, Greetwell Road and Hawthorn Road would all be closed at some stage for part of the construction period and these closures would lead to disruption.

The construction of the bypass would also require extra working areas next to the line of the bypass. In these areas machinery and materials would be stored and some activities such as rock processing would be undertaken. Potential impacts associated with these activities include localised increases in noise and vibration, dust creation, general mud and dirt as well as visual intrusion and amenity impacts. However, any impacts would be temporary and to mitigate against these a number of measures would be implemented on site. The mitigation measures to be adopted have already been identified and discussed in relation to the specific topic/impacts discussed in previous Chapters of the ES (e.g. dust, noise, etc – see above). The mitigation measures could be secured as part of a detailed 'Construction Environmental Management Plan' and would ensure that impacts during the construction of the LEB would be within acceptable levels.

Finally, following the end of construction, the potential impacts on ecology, landscape and visual amenity would come to an end as the temporary areas and land used in association with the construction activities (e.g. contractors site compounds, haul roads, etc) would be reinstated and restored.

**Chapter 17: Cumulative Effects** – this chapter identifies the cumulative impacts of the scheme and residual impacts which may continue after the establishment of mitigation measures.

The proposed bypass would affect certain places in a number of ways. For example, Greetwell Quarry SSSI would be impacted as a result of land take and the loss of exposed rock faces in order to incorporate the alignment of the bypass. However, in order to minimise these impacts the land take would be restricted to a small corner of the site and the most important features of interest would not be affected. Greetwell Wood SNCI would experience impacts in terms of both ecology and visual amenity associated with the loss of land and trees and a small number of properties located close to the LEB route corridor would experience changes to their views and increases in noise and vibration, short term disruption due to construction and a slight reduction in air quality.

The residual impacts identified in respect of nature conservation are temporary adverse impacts resulting from construction works. There would be long term residual impacts in terms of the fragmentation of habitat for species such as badgers and barn owls, however, these are assessed as being negligible. The scheme would also result in a permanent linear feature on the landscape the impacts of which would be reduced as the landscaping proposed as part of the development matures and helps to integrate the bypass into the local landscape. Impacts associated with lighting would be difficult to mitigate. However lighting would be restricted to

only those sections of the route where they are deemed necessary for safety reasons and would be directed so as to minimise light spillage. Landscaping would also, in time, help to soften the impacts of this lighting on the wider surrounding landscape.

In conclusion, it is argued that these negative cumulative effects are mitigated by the positive impacts upon the road network and surrounding land uses in Lincoln city centre including a reduction in congestion, reduction in accident numbers, improved community linkage and reduced severance.

### Site and Surroundings

15. The proposed route of the LEB runs from the junction of the A158 and A15 north east of Lincoln City Centre. It would run along a corridor east of Lincoln, crossing North Delph, River Witham and South Delph prior to rising to cross the B1188 Lincoln Road east of Canwick and then continuing through agricultural land to meet the A15 south of Bracebridge Heath. A full description of the route and the landscape and its surroundings has been given in earlier in this report (see 'Route Description' section of this report)

### Main Planning Considerations

#### National Guidance

16. The following national Planning Policy Statements (PPS)/Planning Policy Guidance Notes (PPG) are of most relevance to this proposal. A general overview of the key aims and objectives of these policies is given (summarised):

**PPS1 (Delivering Sustainable Development)** sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system. PPS1 states that planning should facilitate and promote sustainable and inclusive patterns of urban and rural development by:

- making suitable land available for development in line with economic, social and environmental objectives to improve people's quality of life;
- contributing to sustainable economic development;
- protecting and enhancing the natural and historic environment, the quality and character of the countryside, and existing communities;
- ensuring high quality development through good and inclusive design, and the efficient use of resources; and,
- ensuring that development supports existing communities and contributes to the creation of safe, sustainable, liveable and mixed communities with good access to jobs and key services for all members of the community.

In reaching a decision on a proposed development PPS1 acknowledges that planning may give different weight to social, environmental, resource or

economic considerations. Where this is the case, the reasons for doing so should be explicit and the consequences considered. In all cases, adverse environmental, social and economic impacts should be avoided, mitigated, or compensated for.

**PPS5 (Planning for the Historic Environment)** sets out the planning policies for the conservation of the historic environment and states that the overarching aim is that the historic environment and its heritage assets should be conserved and enjoyed for future generations. To achieve this, the key objectives for planning are to deliver sustainable development by ensuring that policies and decisions recognise the importance of the historic environment and heritage assets; conserve England's heritage assets in a manner appropriate to their significance, and; to contribute to our knowledge and understanding of our past by ensuring that opportunities are taken to capture evidence from the historic environment and to make this publicly available, particularly where a heritage asset is to be lost.

**PPS9 (Biodiversity & Geological Conservation)** sets out the Government's vision and policy approach for conserving and enhancing biological diversity in England. PPS9 states that planning decisions should aim to maintain, enhance, restore or add to biodiversity and geological conservation interests. Local Planning Authorities (LPAs) should therefore ensure that appropriate weight is attached to designated sites of international, national and local importance; protected species; and to biodiversity and geological interests within the wider environment.

Where granting planning permission for new development would result in significant harm to those interests, LPA's will need to be satisfied that the development cannot reasonably be located on any alternative sites that would result in less or no harm. In the absence of any such alternatives, LPA's should ensure that, before planning permission is granted, adequate mitigation measures are put in place. Where a planning decision would result in significant harm to biodiversity and geological interests which cannot be prevented or adequately mitigated against, appropriate compensation measures should be sought. If that significant harm cannot be prevented, adequately mitigated against, or compensated for, then planning permission should be refused.

**PPG13 (Transport)** forms part of the overall approach to addressing the needs of motorists, other road users, public transport users and business by reducing congestion and pollution and by achieving better access to development and facilities. A key planning objective is to ensure that jobs, shopping, leisure facilities and services are accessible by public transport.

**PPS23 (Planning and Pollution Control)** sets out the planning policy for determining the location of development that may give rise to pollution, either directly or indirectly, and ensuring that other uses and development are no (as far as possible) affected by major existing or potential sources of pollution.

**PPG24 (Planning and Noise)** gives advice on how to minimise the adverse impact of noise and outlines the considerations to be taken into account in determining planning applications both for noise-sensitive developments and for those activities which generate noise.

**PPS25 (Development and Flood Risk)** sets out the national planning policy on development and flood risk and seeks to ensure that flood risk is taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding, and to direct development away from areas at highest risk.

### Local Plan Context

17. **The City of Lincoln Local Plan (CLLP)** 1998 (Saved Policies 2007) contains the following policies which are of most relevance to this proposal (summarised):

Policy 5 (Strategic Network of Cycleways, Footpaths and Bridleways) restricts developments which would hinder the completion of the strategic network of cycleways, footpaths and bridleways. Support is given to developments which would make suitable provision for stretches of cycleway, footpaths or bridleways to connect with or parts of the network.

Policy 14 (Strategic & Major Road Proposals) states that land required for the construction of the Eastern Bypass will be safeguarded and planning permission will not be granted for any development which would hinder the construction of that road.

Policy 15B (Greetwell Hollow Road Improvement) states the length of Greetwell Road between the proposed Eastern Bypass and Allenby Road will be improved as indicated on the Proposals Map. The scheme will provide a link between Greetwell Hollow and open countryside to the south.

Policy 34 (Design & Amenity Standards) states planning permission will be granted for developments which meet a range of criteria identified in the policy. Such criteria include the need for developments to be of a complementary size, scale, design and layout, include proposals for appropriate boundary treatment, not adversely impact upon the amenities of neighbouring residents, etc.

Policy 38E (Development Adjacent to Greetwell Quarry) restricts residential development adjacent to Greetwell Quarry.

Policy 44A (Sites of Special Scientific Interest or other Critical Natural Assets) states planning permission will not be granted for any development that would diminish, or in any other way adversely affect, the interest or importance of a Site of Special Scientific Interest. In respect of other critical natural assets, permission will only be granted if it is satisfied that the development would not harm the ecological, scientific, geological,

geomorphological or landscape qualities and interest of the site and designated area.

Policy 44C (Protected Species) restricts development which would harm protected species unless adequate protection can be secured by planning conditions or obligations.

Policy 45A (Trees & Other Ecological and Landscape Features on Development Sites) requires all new development proposals to retain as many trees and existing ecological and landscape features within the landscape as possible.

Policy 46A (Woodland & Other Major Planting Initiatives) seeks to secure the provision of new woodland and major planting schemes to provide linear buffers.

Policy 46B (Protecting the Water Environment) seeks to protect existing lakes, ponds and watercourses from development unless adequate provisions are made to minimise any adverse impacts.

Policy 55 (Long Views Into & Out of the City) restricts developments which would obstruct views into and out of the city including those of the historic hilltop city and/or Lincoln Edge and Witham Gap from identified locations including (inter alia) the A57 and Eastern Bypass and line of the Eastern Bypass where it crosses the floor of the Witham Gap.

Policy 70 (Greetwell Quarry) supports development proposals for the following uses within Greetwell Quarry – business and general industrial uses (B1 and B2); public open space; storage and distribution uses (B8), and; Park and Ride.

**The West Lindsey Local Plan (WLLP) 2006** (Saved Policies 2009) contains the following policies which are considered of most relevance to this proposal (summarised):

Policy STRAT1 (Development Requiring Planning Permission) states planning permission will be granted for development proposals which meet a range of criteria identified in the policy. Such criterion include the need for developments to be of a complementary size, scale, design and layout, include proposals for appropriate boundary treatment, not adversely impact upon the character, appearance and amenities of neighbouring land, amenities of residents, etc.

Policy STRAT3 (Development in the Countryside) restricts development in the countryside unless it is essential to the needs of agriculture, horticulture, forestry, mineral extraction or other land use which necessarily requires a countryside location or otherwise meets an objective supported by other Plan policies.

Policy SUS1 (Development Proposals & Transport Choice) supports developments which generate a significant volume of traffic movement, when they are located where they can be easily and efficiently served by an existing or expandable public transport service, and where there are good local pedestrian and cycle links available or to be provided.

Policy SUS4 (Cycle & Pedestrian Routes in Development Proposals) restricts developments unless the needs of cyclists and pedestrians have been considered and, where practicable opportunities exist, facilities for the safe and convenient passage of cyclists and pedestrians are incorporated into the development.

Policy ECON13 (Lincoln Eastern Bypass) states that planning permission will not be granted for developments which would prejudice the implementation of the bypass along the route as identified on the Proposals Map.

Policy CORE10 (Open Space & Landscaping within Developments) requires all new development proposals to retain as many existing trees and landscaping features as possible and include proposals for new landscaping.

Policy CRT9 (Public Rights of Way affected by Development) restricts developments which would extinguish or adversely affect an existing public right of way unless an alternative route or diversion is provided which would not be significantly detrimental to users.

Policy NBE10 (Protection of Landscape Character in Development) restricts developments where they are likely to have an adverse impact on the features, setting or general appearance of the landscape character and landscape amenity value. Proposals will be supported where they respect and enhance local distinctiveness, reflect local styles in terms of their scale, design and materials, maintain or enhance important landscape features and not be detrimental to skylines or important views.

Policy NBE11 (Development Affecting Sites of Special Scientific Interest & National Nature Reserves) restricts developments that either directly or indirectly affects such sites unless there is an overriding national need for the development and there is no other site available for the particular purpose and the reasons for the development clearly outweigh the nature conservation value of the site itself and the national policy to safeguard such sites. Where development is permitted, conditions will be imposed on the planning permission to require that before development commences: (i) adequate opportunity is provided to enable proper recording of the site; (ii) where appropriate, practical measures are taken by the developer to enable the rescue and re-colonisation of species to other suitable existing or new sites.

Policy NBE12 (Development Affecting Locally Designated Nature Conservation Sites & Ancient Woodlands) restricts developments unless

there is a demonstrable overriding regional or local need for the development which cannot be accommodated elsewhere and the reason for the development clearly outweighs the need to safeguard the substantive nature conservation value of the site.

Policy NBE13 (Nature Conservation in Wildlife Corridors) restricts developments that would result in the loss or cause significant harm to important wildlife habitats.

Policy NBE14 (Waste Water Disposal) requires developments to include provision for attenuation or mitigation measures to deal with foul and surface waters arising from the development.

Policy NBE15 (Water Quality & Supply) restricts developments which would constitute a risk to the quality or quantity of water resources or to amenity, nature conservation or fisheries through pollution from development.

Policy NBE16 (Culverting Watercourses) permits the culverting of watercourses only where it is essential for public safety or to provide access across the watercourse.

Policy NBE17 (Potentially Polluting Uses) supports developments which would not adversely affect or give rise to pollution of water, air or soil, noise, dust, vibration, light heat or radiation.

Policy NBE18 (Light Pollution) restricts developments which include lighting scheme unless they propose the minimum amount of lighting necessary to achieve its purpose and minimise glare and light spillage from the site. In determining proposals, consideration will be given to the aesthetic effect of the light produced and to its effect on local residents, vehicle users, pedestrians and the visibility of the night sky.

The following policy is also relevant as it relates to land adjoining the application site:

Policy STRAT10 (Longer Term Development Options – Lincoln & Bardney) this policy relates to land located adjacent to the bypass which is identified as potential future development land for mixed uses including housing, employment and transport. However, the land shall not be released for development until a strategic need for the land has identified as part of an Areas Action Plan as part of the replacement Local Development Framework.

**The North Kesteven Local Plan (NKLP) 2007** contains the following policies which are considered of most relevance to this proposal (summarised):

Policy C2 (Development in the Countryside) restricts development in the countryside unless it meets a range of criteria identified in the policy.

Policy C3 (Agricultural Land Quality) seeks to protect the loss of the best and most versatile agricultural land from development.

Policy C5 (Effects on Amenities) supports proposals that would not adversely affect the amenities enjoyed by other land users to an acceptable degree.

Policy C7 (Comprehensive Development) supports developments which would not prejudice the future development of other land identified for development in the Local Plan or prevent or hinder access to other land or introduce a new use to an area that is incompatible with a proposal that is under active consideration.

Policy C10 (Flood Risk) supports developments where they would not be at an unacceptable risk of flooding or unacceptably increase flood risk elsewhere.

Policy C11 (Pollution) supports developments which would not give rise to unacceptable risks of pollution to receptors such as flora and fauna, water, air and soil and the general amenity of the area.

Policy C14 (Surface Water Disposal) supports developments which include measures designed to safely manage surface water run-off.

Policy C19 (Landscaping) supports developments that make appropriate provision for high quality landscaping.

Policy C22 (External Lighting Schemes) states that external lighting schemes associated with development proposals shall ensure that they do not compromise highway safety; will not adversely affect the amenities of nearby land-users; and will not adversely affect the character of the area.

Policy T4 (Safety) supports developments that would not adversely affect the safety of people using roads, cycleways, footpaths, bridleways or railways.

Policy T7 (Lincoln Eastern Bypass) restricts developments which would prevent or hinder the provision of desirable infrastructure. In particular this seeks to safeguard land required in connection with the construction and operation of the proposed Lincoln Eastern Bypass.

RST2 (Public Rights of Way) restricts developments which would adversely affect an existing public right of way.

Policy RST4 (Public Access to the Countryside) supports developments that will increase public access to the countryside.

Policy LW1 (Landscape Conservation) seeks to protect the distinctive landscapes of the identified Landscape Character Areas and any special features which contribute to that character. Where development is



acceptable, it will be required to contribute to the local distinctiveness of the area, be well integrated into the local landscape character, protect any features of importance to the local scene, and respect any important views.

LW2 (Green Wedges) restricts development within areas designated as a Green Wedge which would not adversely affect, the landscape setting of the City of Lincoln and any other settlement; the appearance or landscape character of the Green Wedge; the recreational value of the Green Wedge, and; the wildlife value of the Green Wedge.

LW3 (Visual Amenity Areas) states permission will only be granted for proposals that adversely affect a designated Visual Amenity Area where the development clearly overrides the amenity value of the area.

LW4 (Sites of Special Scientific Interest) restricts developments that either directly or indirectly affect a SSSI unless the benefits of the development clearly outweigh the likely impacts of the site that make it of special scientific interest, cannot be feasibly located in a less sensitive location and (where appropriate) the implementation of measures to minimise, mitigate or compensate for any harm is secured by means of conditions or a legal agreement.

LW6 (County Wildlife Sites & Local Nature Reserves) restricts developments that directly or indirectly affect a site unless the need for the development clearly outweighs the importance of the designated site, cannot be feasibly located in a less sensitive location, and (where appropriate) the implementation of measures to minimise, mitigate or compensate for any harm is secured by means of conditions or a legal agreement.

LW7 (Features of Importance for Wildlife) seeks to protect important habitats or existing landscape features (e.g. ponds, hedgerows, woodland, etc) that are important to wild flora and fauna unless the need for development clearly outweighs the importance of the feature and (where appropriate) the implementation of measures to minimise, mitigate or compensate for any harm is secured by means of conditions or a legal agreement.

Policy LW8 (Protected Species) seeks to ensure that protected species or habitats are not adversely affected by development proposals.

Policies HE1 to HE3 (Protection of Features of Archaeological Interest) these policies collectively seek to protect archaeological deposits and features of interest from development. Developments that affect a site where evidence suggests that archaeological remains are likely to be present must be accompanied by an assessment identifying the extent and importance of any remains, together with any proposals for their protection or to mitigate adverse effects.

## Other Material Planning Considerations

18. The 2<sup>nd</sup> Lincolnshire Local Transport Plan (LTP) sets out the key objectives and aspirations that are to be implemented to achieve the longer term vision for transport during the period 2006 to 2011. The LTP supports the development of the Lincoln Eastern Bypass which is recognised as a key component to the sustainable economic growth of the local and regional economy through improving journey times and journey reliability on the strategic network for all users. It would also make a substantial contribution to meeting the potential longer term targets for the strategic urban expansion of Lincoln. As well as reducing congestion by removing through traffic from key corridors in the city, the scheme would also release road space to provide opportunities for improvements for buses, walking and cycling. At the same time, it would substantially improve air quality within the declared Air Quality Management Area.
19. It is recognised that because of the size and complexity of the scheme and its high costs, the scheme is likely to only progress and be brought forward in the next LTP period which would run from 2010/11 onwards. However, the LTP states that the County Council and its partners still believe that the Eastern Bypass is fundamental to the future of Lincoln. Hence, work on the development of the proposed Lincoln Eastern Bypass will continue during the 2nd LTP period to ensure that when the regional priorities for transport funding are reviewed in due course, or additional sources of funding become available, then the scheme is at a good state of readiness and a strong case can be argued for its implementation.

## Results of Consultation and Publicity

20.
  - (a) Nettleham Parish Council - has no comments to make on the application.
  - (b) Greetwell Parish Council - has no objections and comment that they welcome the project.
  - (c) Bracebridge Heath Parish Council (comments summarised) – are in favour of the bypass, however, comment that the bypass should also extend beyond the proposed junction with the A15 so as to provide a complete ring road/bypass around Lincoln. Without this there are concerns that traffic travelling north and south would still travel through the city and cause major traffic problems in Bracebridge Heath and Waddington. The only way to serve Lincoln in the manner that it deserves and needs is to construct the complete bypass.
  - (d) Washingborough Parish Council - has no comments or observations to make on the proposals other than it should be started as soon as possible to help relieve traffic.
  - (e) British Waterways – has raised concerns regarding certain aspects of the development but has commented that these matters could be

addressed/resolved through the imposition of suitable planning conditions. The specific issues/concerns raised are:

- to ensure that there is adequate clearance between the navigation and the underside of the bridge proposed to cross the River Witham;
- that a suitable anti-graffiti surface/finish be applied to the bridge to reduce the likelihood of it being defaced/vandalised;
- that suitable protection/mitigation measures be implemented to prevent materials entering the watercourse during the construction works.

*It is your Officer's view that the above matters could be adequately addressed through the imposition of planning conditions should planning permission be granted.*

- (f) Campaign to Protect Rural England (CPRE) - object to the development and state that the alignment of the bypass should be that as originally proposed and for which planning permission was granted in 2005. CPRE consider that the previous alignment was the most appropriate in terms of minimising damage to the landscape to the east of Lincoln and the original route was determined as a result of lengthy consultation which sought to reach a general consensus as to the most appropriate route. The alignment subject of this application is therefore not the least damaging in terms of landscape impact and has been revised in order to accommodate substantial residential growth in the vicinity of Bracebridge Heath. Overall, in CPRE's opinion the proposed line and the associated release of development land between the bypass and Bracebridge Heath would result in a major area of intrusive development in what is currently a rural and largely unspoiled landscape providing a clearly defined edge to the urban area. The ensuing development on greenfield sites would therefore entail the irreversible loss of good quality farm land.
- (g) English Heritage (comments summarised) – the proposed bypass affects the physical preservation and setting of numerous designated and non-designated heritage assets and would be visible from views from key locations within the city such as the Lincoln Castle, Lincoln Cathedral and Bishop's Palace. The physical impact of the bypass construction on heritage assets should be mitigated through the comprehensive programme of archaeological investigation and the harmful impacts on the setting of historic Lincoln should be mitigated through carefully considered designs for construction and the implementation of the measures such as landscaping, screening and lighting, etc.

Overall, English Heritage confirms that they do not object to the proposed bypass but would welcome continued involvement in the process of defining and approving any detailed mitigation schemes should permission be granted.

- (h) Environment Agency - no objection subject to planning conditions to secure the provision of an equivalent volume/area of compensatory flood storage for that lost, details of the surface water drainage scheme and the need to submit a contaminated land remediation scheme in the event that contaminated land is identified or found during excavation works. A number of advisory comments have also be provided which the Agency requests be drawn to the attention of the applicant and which could be appropriately included as Informatives should planning permission be granted.
- (i) Highways Agency - no comments to make on the application as it is not near any of their Trunk Roads.
- (j) Lincolnshire Wildlife Trust (LWT) – initially objected on the following grounds (summarised):
- the bypass would result in the loss of habitats including semi-natural grasslands, hedgerows and arable land and concerns over inadequate replacement habitat being proposed to compensate or mitigate for these losses;
  - the ES needs to reviewed to reflect changes to locally designated sites which have occurred since the original data search was carried out. This is necessary to ensure that the appropriate weight is given when assessing the impacts of the development on these locally designated sites;
  - concerns over the potential impact of the bypass and loss of a population of giant bellflower which is known to exist in Greetwell Wood;
  - compensatory habitats should include the creation of calcareous grassland which is a UK and Lincolnshire BAP species;
  - need for further presence/absence species surveys to be carried out and, where necessary, identify any mitigation measures that may need to be incorporated/secured as part of the development.

The applicant subsequently held discussions with LWT regarding these concerns and submitted additional information to address/resolve these issues. This information includes a supplementary document which considered the changes to locally designated sites in the area since the initial data search for the ES was carried out as well as an amphibian survey. These have been forwarded to LWT for their attention and comments.

LWT has considered the additional information submitted and whilst they disagree with some of the conclusions and interpretations regarding the significance of the impacts on certain designated sites, they have stated that they would be willing to withdraw their objection if a range of mitigation measures and recommendations are incorporated into the scheme so as to compensate for the impacts and habitats lost. Such measures include the translocation of the giant bellflower to a

new location within the footprint of the bypass; creation of calcareous grasslands alongside the bypass route to compensate for those areas lost around Bloxholm Lane; and, maximising opportunities to increase biodiversity interest and create habitats for wildlife through careful design and long-term management.

*The above recommendations/measures could be adopted as part of a wider package of mitigation measures which have been identified and set out earlier in this report (see the section 'Environmental Statement - Chapter 10: Ecology & Nature Conservation' for further details) and it is your Officer's view that these matters could be adequately secured by way of a planning condition on any permission granted.*

- (k) Natural England – initially objected on the grounds that the application contained inadequate information to determine the likely effects of the bypass on the Greetwell Quarry SSSI and protected species (e.g. bats). Details were also requested to identify any mitigation and compensation measures that would be implemented in order to minimise any adverse impacts.

The applicant subsequently held discussions with Natural England regarding these concerns and agreed to implement a number of measures which would address/resolve the concerns raised. These measures could be adopted as part of a wider package of mitigation measures which have been identified and set out earlier in this report (see the section 'Environmental Statement - Chapter 10: Ecology & Nature Conservation' for further details).

Subject to the development being carried out in strict accordance with the details and plans of the application and the imposition of a number of recommended conditions to secure the mitigation measures/details as agreed, Natural England has confirmed that they withdraw their previous objection to the development.

- (l) Network Rail – no objection to the development but has made a number of comments on the considerations and issues that would need to be taken into account to ensure that the development does not impact upon the safety, operational needs or integrity of railway infrastructure. Network Rail advise that formal discussions and agreements would need to be made between the County Council and Network Rail before works could commence on site and these formal agreements would cover a range of issues and considerations which are not necessarily matters that are relevant or appropriate to be secured by the planning process (e.g. safe use of equipment and plant in the vicinity of railway infrastructure). However, matters such as boundary fencing and barriers and details of landscaping and lighting proposals should be subject of planning conditions should permission be granted.

- (m) Ministry of Defence (MOD) – initially raised concerns that the proposed surface water attenuation lagoons ponds associated with the LEB could attract birds which pose a strike hazard for aircraft associated with RAF Waddington. In order to prevent this risk, the MOD originally requested that the attenuation ponds be designed to have a water retention time of less than 24 hours.

In response to the MOD's comments the applicant confirmed that the attenuation ponds are designed to empty in 72 hours or less in exceptional circumstances such as heavy duration storms. The outflow/discharge rates from these ponds would be restricted to rates that are acceptable to both the Internal Drainage Boards and Environment Agency so as not to adversely impact upon existing watercourse flows or result in flooding elsewhere. Therefore it is not possible to drain the ponds within 24 hours as recommended by the MOD, however, in order to deter the use of these ponds by birds they would be planted with vegetation such as reeds which would restrict access in and out of the water.

The MOD has confirmed that subject to these ponds being designed as indicated above they have no objections to the development from a safeguarding perspective.

- (n) Sustrans (comments summarised) – object to the development principally on the grounds that the current design and crossing facilities for non-motorised users are considered to be inadequate. A summary of the main issues/comments received are as follows:

- the proposed informal crossing points at roundabouts (e.g. drop kerbs and markings) are not safe and suitable for a fast dual carriageway. Toucan and light controlled crossings should be provided at the roundabout junctions as per the original bypass scheme permitted in 2005;
- bridges and underpasses are acceptable alternative forms of crossing facilities but need to be designed so as to avoid sharp radii and steep gradients so as to encourage their safe use. Concerns that the proposed arrangements and design of facilities such as the underpass/subway at Lincoln Road (B1188) and the link bridge to the Sustrans route would create unnecessary hazards to users due to poor visibility and sharp right-angled turns;
- a planning condition should be imposed which would limit the hours affecting the temporary closure of the Sustrans route during construction works to night times only. This would ensure that this route remains available for use by cyclists as it is an important safe transport corridor into the city and no safe alternative route could be provided.

- (o) Railway Paths Ltd - supports the objections made by Sustrans with regard the safety of pedestrians and cyclists.

(p) Mid Lincs Local Countryside Access Forum – object to the development principally on the grounds that the current design and crossing facilities for non-motorised users are considered to be inadequate. The proposed crossing points are stated as being unsafe for users and light controlled junctions should be implemented instead. Without these the road would act as a barrier for non-motorised users. In addition to the above, the following more general comments have been made:

- adequate provision should be made to accommodate horse riders and crossing points should be suitable for equestrian use;
- where there are changes in height, the approach slopes should be gradual rather than using zigzag or circuitous approaches (e.g. approaches to bridges or underpasses);
- the bypass would impact upon existing public footpaths and radically change the recreational value of these by introducing high noise levels and restricting attractive views of the area through the presence of large earth embankments;
- crossing provisions and links should be provided to take into account future developments proposed on land surrounding the LEB route.

(q) Witham First and Third Internal Drainage Boards (IDBs) - have advised that their main areas of interest in the scheme are: (i) the attenuation of surface water run-off from impermeable areas; and, (ii) possible impacts of the proposed structures upon the Boards working practices and access to services under their control.

In terms of attenuation, the IDBs have commented that the proposed drainage scheme is satisfactory and that it is understood that the exact specification and a maintenance agreement for these would be produced at a detailed design stage. In terms of access, full details of the structures (e.g. bridges, underpasses, bridge wing walls, etc) have yet to be produced and therefore the IDBs would request that they be consulted on these before they are finally approved. It is your Officer's view that the above matters could be adequately addressed by the imposition of planning conditions which would require details of the proposed surface water drainage scheme and structures (e.g. bridges, underpasses, etc) to be submitted for the written approval of the County Planning Authority prior to any works taking place.

(r) Lincolnshire County Council Highways (Development Control) - has stated that as the application has been approved by the Head of Technical Services and has been through the relevant design/audit processes, the Divisional Highways Office wishes to make no observations on this major County Council scheme.

(s) Lincolnshire County Council Historic Environment Team - has confirmed that the Environmental Statement (ES) includes an acceptable mitigation strategy for the archaeological remains that have

been identified along the proposed route of the bypass. During consultations undertaken on the application, however, a new archaeological site has been identified by the local interest group Society for Lincolnshire History and Archaeology (see their comments below for further details). The mitigation strategy contained in the ES predates the discovery of this site and therefore this site will need to be evaluated and appropriate mitigation measures agreed. Therefore it is recommended that the archaeological works be secured by a Scheme of Works planning condition. This scheme would include a detailed specification based upon the approved mitigation strategy (as included in the ES) and which would also detail the evaluation and mitigation measures to be adopted for the newly discovered site. Such a condition would ensure that satisfactory arrangements are made for the investigation, retrieval and recording of all archaeological remains on the site.

- (t) Lincolnshire County Council Public Rights of Way – has considered the impacts of the development on existing public rights of way and has confirmed that the proposed diversions and closures would need to be formalised through legal orders. Clarification was also sought regarding the proposed closure of a footpath (ref: PF535/58/2) which connects Greetwell Road to the east of Allenby Industrial Estate. This footpath does not appear to be affected by the LEB development and therefore its closure was not considered necessary. The applicant has since confirmed that this footpath would not be affected and therefore would not be required to be closed as part of this development.

21. The following bodies/groups were consulted on the proposals in February 2010 and again in July 2010 following the submission of additional information but no comments had been received at the time of writing this report.

Canwick Parish Council  
Branston & Mere Parish Council  
South Lincs and Rutland Local Access Forum  
Anglian Water Ltd  
Ramblers Association  
Lincolnshire Fieldpaths Association  
Vehicle Operator & Services Agency (VOSA)  
Lincolnshire County Council Arboriculture Officer  
Commission for Architecture & the Built Environment (CABE)

Local County Council Members, Councillors N I Jackson (Lincoln Park), S P Cliff (Lincoln East), P A Mathers (Lincoln Glebe), M J Overton (Branston and Navenby), R Sellars (Nettleham and Saxilby), C Oxby (Heighington and Washingborough), C A Talbot (Bracebridge Heath and Waddington) – have been consulted/notified of the application but no comments have been received.



22. The application has been publicised by site and press notices and has been advertised as a departure from the development plan as the proposed route of the bypass south of Washingborough Road differs from that which is identified and safeguarded in the North Kesteven Local Plan 2007. In addition to these notices, local residents living close to the proposed bypass route have been individually notified by letter and all landowners and agricultural tenants with land affected by the bypass route have been notified of the application.
23. A number of representations have been received in response to these notifications and a summary of the comments/representations received are set out below. For ease of reference, these comments have been subdivided into the following groups: Members of the public (inc. local residents); landowners and agricultural tenants, and; local amenity groups or other organisations.

#### Members of the Public (inc local residents)

Six representations have been received which raise concerns and objections to the development. The comments/issues raised in these representations are set out below (summarised):

- the proposed bypass is too close to residential properties situated within the new housing development to the north-east of Lincoln and there are concerns regarding increased traffic noise and pollution from vehicles using the bypass;
- the alignment of the bypass south of the A15 Wragby Road roundabout should be positioned more centrally so as to provide a greater buffer between the bypass and residential properties. This would give more landscaping opportunities and more sound and pollution protection to the properties close by;
- concerns regarding the proposed lighting to be used along the carriageway and potential impacts of light pollution;
- the footpath running alongside the bypass should be fenced in order to restrict access to properties which are near to the bypass thus improving neighbourhood safety and reducing the opportunities for crime (e.g. burglars using the footpath as an easy access/escape route);
- the existing landscaping bund which runs alongside to the eastern boundary of the housing development is small and sparsely planted and would not provide an effective sound or visual barrier. The bund should therefore be improved and additional planting carried out;
- concerns regarding the safety and security of residential properties close to the bypass in the event of a major road traffic accident on the proposed bypass;
- concerns regarding increased noise and disruption and air pollution during the construction period;
- alternatives to the construction of the bypass should be investigated such as more investment in public transport. Public transport schemes are more effective per pound (£) than road building

schemes and recent research and analysis of new bypasses has shown that they are largely ineffective. If the bypass does go ahead then commitments should be made to reduce traffic in the city centre by other means such as the pedestrianising of streets, reducing city centre parking (e.g. providing Park and Ride facilities), and providing more bus lanes;

- concerns that the bypass would result in more edge-of-town business parks and other such commercial developments which would damage the city centre and discriminate against those without access to private transport;
- the design of the roundabouts needs to be improved as they would obstruct traffic flow rather than help maintain it;
- inadequate crossing facilities have been proposed at a number of junctions between the LEB and existing roads for non-motorised users. The proposed arrangements mean that in some cases significant detours would be required for users to cross certain junctions (e.g. at the proposed Wragby Road roundabout). Toucan crossings, subways or bridges should therefore be provided to encourage non-motorised users (NMU's) and create a safe means of passage and crossing. Lessons need to be learned from the Lincoln Western Bypass where none of the junctions are considered safe for NMU's.

Three representations have been received in support of the development citing the benefits the bypass would have on reducing congestion in the city centre and helping to reduce journey times and therefore eagerly await its implementation.

#### Landowners and Agricultural Tenants

Jesus College Oxford - is the majority landowner within the area around the South East Quadrant over which part of the proposed bypass would extend. The College recognise that the LEB is a strategic highway scheme which is a key element of the Lincoln Transport Strategy and accept that land for the route of the LEB needs to be made available if the strategic highway scheme is to be delivered. The College have previously held discussions with the Highways Authority in respect of the route options for the LEB and have commented on the siting of the selected route prior to the submission of the planning application. In conclusion, the College wish to express their support for the LEB application.

Church Commissioners for England - are the owners of land within the area around the North East Quadrant which supports a number of farms (6 in total) which would be affected by the proposed bypass. The Church Commissioners have made two detailed submissions/representations which make comments in respect of estate management and agricultural issues and more technical aspects of the application and supporting documents. A summary of the key comments/issues/objections received are set out below and for ease of reference these have been sub-divided into their relevant topic areas:

## Estate Management and Agricultural Issues

- i) Land drainage severance - the integrity of all existing land drainage pipes and schemes should be left intact and not jeopardised by the bypass;
- ii) Temporary land areas - land has been identified within the application boundary for the storage of topsoil's and proposed site compound areas. It is considered that these should be matters for negotiation rather than forming part of the planning application;
- iii) Amenity impacts on properties - concerns regarding increased noise, dust and smells during the construction works and from the LEB's operation in particular on Stoneleigh and Stone Cottages, Sheepwash Grange and Westfield Farm and Manor House (Grade 2 Listed Buildings);
- iv) Farm Accesses - proposed access tracks to provide access to surrounding fields need to be of an appropriate width and height to enable them to be used by farm machinery (e.g. under the Lincoln to Market Rasen Railway);
- v) Severance of farm holdings - the bypass would sever an existing internal private access road which links two farms and no provision (e.g. bridges or underpasses) has been made to enable tenants to cross the bypass. Instead farmers would be forced to take alternative routes and significant diversions which would severely affect the profitability of the business.

## Technical Issues/Comments on the Application Documentation

- i) Traffic Modelling - the application is not supported by a Transport Assessment or refers to any traffic modelling to predict traffic movements with or without the LEB and therefore providing evidence to support the suggested benefits of the LEB;
- ii) Other Road Improvements - the application does not include improvements to the Greetwell Road/Allenby Road/Outer Circle Road junction which would be necessary as a result of increased traffic travelling along this route to and from the LEB;
- iii) Greetwell Quarry SSSI - concerns regarding the extent of land needed to accommodate the proposed embankment which would support the LEB carriageway across Greetwell Quarry SSSI and details sought regarding the proposed treatment of the embankment (e.g. planting detail);
- iv) Noise Issues - details sought on the proposed noise attenuation measures to be implemented along the LEB boundary both north and south of Hawthorn Road and north of Greetwell Road. Concerns regarding potential noise impacts on properties in these areas;
- v) Implications on future development - no provision is made to provide access to the proposed NEQ development from Greetwell Road. As a minimum ducts for traffic signal equipment and lighting should be provided to reduce the need for improvement works in the future;
- vi) Drainage Issues - concerns regarding the proposed realignment of Greetwell Fields Drain and provision of surface water attenuation

- lagoons which could impact upon potential future developable land to the west of the LEB;
- vii) Greetwell Fields Access - concerns that the retained western portion of the Greetwell Fields track (which would be severed by the bypass) would become a fly-tipping area and therefore will need to be monitored regularly;
  - viii) Footpaths and Cycleways – further details sought on the proposed bridge crossings for pedestrians, cyclists and equestrians across the LEB to ensure that the land required to accommodate the embankments necessary to support these can be provided within the application boundary;
  - ix) Temporary Road Closures – the timing of any road closures necessary to enable the construction of the LEB must be managed so that roads are not closed concurrently. It is understood that details of these would be set out in subsequent documents (e.g. Construction Environmental Management Plan and Traffic Management Plan) and the Commissioners request that they be involved in the approval of these documents;
  - x) Miscellaneous – a number of comments have been made with regard the accuracy of the planning applications supporting plans and documents and questions over the extent of the red line boundary, serving of notices on landowners, etc.

Due to the detailed and specific nature of the Church Commissioners comments, the applicant provided a written response to these issues which has been forwarded to the Church Commissioners for their information. No further comments have been received from the Church Commissioners following the issue of this response.

Two representations have been received from/on behalf of tenant farmers whose land would be affected by the proposed bypass. A summary of the main comments/issues made are as follows:

- the bypass would result in the severance and permanent loss of large areas of workable land which would increase operational costs for farmers at a time when they are being encouraged to produce food so as to reduce reliance on the imports of foods;
- temporary land proposed to be used during the construction of the bypass could take decades to return to full production following its restoration/reinstatement. This is because despite assurances that soils would be carefully stripped, handled and stored, experience has shown that often soil structures are damaged and therefore it can take decades for restored areas to reach full production;
- the presence of a major bypass across livestock grazing areas may have serious implications for insurance premiums and although livestock fencing is proposed to be erected alongside the route, this would only place a further maintenance burden on tenant farmers;
- the magnitude and significance of the impacts of the bypass have been underplayed in the Environment Statement and it is argued that the significance of these is much higher;

- low lying land to the north of the River Witham and North Delph has been reverted back to pasture as part of a Countryside Stewardship Scheme and this has helped to create significant wildlife habitats in the area. These would be destroyed during the construction works associated with the bypass in this area;
- the bypass would sever existing internal private access roads which link two farms and no provision (e.g. bridges or underpasses) have been made to enable tenants to cross the bypass. Instead farmers would be forced to take alternative routes and significant diversions and this would not only have impacts in terms of costs, time and mileage travelled but also force large slow moving farm traffic onto busy roads. This poses a safety risk not only to the farmers but also other road users;

#### Other Local Amenity Groups and Other Organisations

Society for Lincolnshire History and Archaeology – have advised that there is a former ironstone mine entrance within the proposed area of works around Greetwell Hollow. There are few physical reminders of the underground mining industry in Lincolnshire and this entrance is one of the best preserved and most accessible. For this reason it is requested that the value of this historical site be recognised and, where possible, retained as part of the landscaping works including the possible provision of a public information/interpretation board on the adjacent public right of way.

Lincoln Wheelers Cycle Club (comments summarised) – are supportive of the provision of a cycleway along the whole length of the bypass but raise concerns regarding the proposed crossing points between the LEB and the existing radial routes/roads running to the east of Lincoln. Suitable crossing points should be provided over or under the bypass at the intersections in order to provide continuity and a safe means of passage to cyclists approaching Lincoln from the eastern villages. If these are not incorporated as part of the development then these problems could discourage individuals from using the route and such facilities would be expensive and problematic to install later. Good links should also be provided to the Sustrans cycleway that runs along the River Witham which is a valuable asset because it provides a traffic free route to the centre of Lincoln.

In conclusion, the Lincoln Wheelers Cycling Club request that the consultation comments and advice from key bodies such as Sustrans and the Cyclist Touring Club be taken into account in order to ensure that the cycle facilities associated with the LEB are a success.

Cyclist Touring Club (Lincolnshire) – object to the development on the following grounds (summarised):

- the bypass will cut off Lincoln City from its sub-urban villages and the open countryside beyond except for those who use motor vehicles;
- the proposed means of crossing the new bypass and the radial roads serving it are inconvenient and inadequate. The informal crossings at roundabouts (e.g. drop kerbs and markings) are not safe and suitable for

a fast dual carriageway – Toucan crossings are the only safe convenient option and should be provided;

- the Sustrans route along the River Witham is the only safe cycle route into Lincoln City and its closure during the proposed construction works would put walkers and cyclists in danger unless a safe temporary route is provided;
- the cycleway/footpath proposed alongside the route of the bypass is welcomed but the environmental and health benefits for users are overplayed as users would be subject to noise and fumes from traffic;
- the bypass does not represent a sustainable solution to Lincoln’s congestion/pollution problems;
- suggested future housing and other developments along the route would only add to Lincoln’s problems and negate any benefit to motorists that may arise from the bypass.

Transition Lincolnshire - has made comments in respect of non-motorised users (e.g. cyclists/pedestrians). The group comment that they are disappointed at the dearth of cycle-friendly crossings along the route of the LEB especially as amendments were made to the previous bypass scheme in 2005 in order to address similar concerns that had been raised by other interest groups (e.g. the former CycleLincs group). Cyclists would have to dismount to cross the LEB at the roundabout junctions and this is a manoeuvre that is only suitable for fit and athletic cyclists. The bypass will therefore be a barrier to pedestrians and cyclists and people are more likely to take to their cars than to walk or cycle.

#### District Council’s Observations

24. City of Lincoln Council - state that the scheme is of strategic importance to the continued economic success of the City, County and East Midlands region as a whole. The LEB is seen as a key transport investment to enable the development of transport infrastructure and services needed to support Lincoln’s role as one of the regions Principal Urban Areas. However, the project is also a major opportunity to conserve and develop the green infrastructure network and should be progressed with the aim of contributing to the regional and sub-regional objectives for biodiversity, accessibility (pedestrian and cycleways), leisure provision and landscape quality. Therefore, in expressing its support for the development the City Council recommend that the opportunities to enhance green infrastructure, biodiversity and accessibility both locally and regionally are explored.

North Kesteven District Council - has no objection to the development subject to the implementation of all mitigation works identified in the Environmental Statement.

West Lindsey District Council - has no observations to make on the application.

The Central Lincolnshire Joint Planning Committee (CLJPC) (comments summarised) – express their support for the development. In expressing

their support the CLJPC recognise that the scheme provides a strategic piece of infrastructure that supports housing and economic growth, as well as forming part of the Lincoln Transport Strategy. The bypass would also not only have the benefit of removing through traffic from the City but would also open up areas of development that are being considered as part of the development of the Central Lincolnshire Core Strategy, in addition to providing improved access to employment areas in the east of Lincoln.

### Conclusions

25. This is a major proposal for the construction of a 7.85km long dual carriageway bypass linking the existing northern relief road at the junction of the A15 and A158 (Wragby Road) to the A15 (Sleaford Road) south of Bracebridge Heath. The planning application raises important policy and environmental issues which are considered below.
26. The proposal is subject to Environmental Impact Assessment pursuant the Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 1999 and an Environmental Statement has been submitted which assesses the potential impacts of the development together with the mitigation measures proposed to avoid, reduce and if possible remedy an significant adverse impacts. It is considered that the Environmental Statement submitted meets the requirements of the Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 1999.

### Heritage Assets (inc. Archaeology, Listed and Historic Buildings, etc)

27. PPS5 and NKLP Policies HE1, HE2 and H3 seeks to ensure that the impacts of development proposals on heritage assets are assessed and appropriate mitigation measures put forward. The revised route of the bypass has been designed so as to directly avoid impacting upon any significant sites of interest (e.g. Scheduled Ancient Monuments). The ES contains a detailed evaluation and assessment of the potential impacts of the development and whilst there would be some damage to archaeological deposits/sites within the development footprint, mitigation measures have been proposed which seek to address and minimise these impacts.
28. Following consultation on the application no objections have been received from English Heritage, the relevant District Council's or the County Council's Historic Environment Team. The proposed mitigation measures put forward in the ES are considered appropriate and could be secured through the imposition of suitable planning conditions on any permission granted. Such a condition could include the need for the applicant to submit a detailed Written Scheme of Investigation for the approval of the County Council's Historic Environment Team (in consultation with English Heritage) prior to any works taking place on site. This scheme would ensure that the necessary excavation works and recording of features encountered during the works (including the former ironstone mine entrance at Greetwell Hollow which was identified by the Society for Lincolnshire History and

Archaeology) are carried out in an acceptable manner and would satisfactorily address the impacts of the development on heritage assets therefore meeting the requirements of PPS5 and NKLP Policies HE1, HE2 and HE3.

### Water Environment & Flood Risk

29. PPS25, CLLP Policy 46B, WLLP Policies NBE14 and NBE15 and NKLP Policies C10 and C14 all seek to ensure development does not impede the risk or flow of flood water or increase the risk of flooding elsewhere and that development proposals include measures to safely manage surface water run-off derived from them. In addition WLLP Policy NBE16 seeks to restrict the culverting of existing watercourses unless it is necessary to provide access across the watercourse.
30. The ES contains a detailed assessment of the potential impacts of the development on the water environment including surface waters, groundwater and flood risk. The assessment includes a Flood Risk Assessment which has been carried out in accordance with the guidance contained in PPS25 and which assesses the potential risks of flooding to and from the development and identifies the measures to be taken to mitigate and manage any risks arising from the development. The application also identifies the measures to be adopted to manage surface waters derived from the bypass and to protect groundwaters during both the construction and operational phases. Such measures include the provision of compensatory flood storage areas, construction of a dedicated drainage system to manage surface waters derived from the bypass, carrying out of all construction works in accordance with best practice standards and culverting of watercourses which currently cross the proposed alignment of the bypass (see the section 'Environmental Statement - Chapter 11: Road Drainage & Water Environment' for full details of the mitigation measures).
31. The Internal Drainage Boards and Environment Agency have confirmed that they have no objections to the development. Appropriate planning conditions could be imposed to ensure that the mitigation measures that have been identified are secured and implemented as part of the development and it is considered that these would satisfactorily address the potential impacts of the development on the water environment and meet the requirements of the above policies.

### Safety

32. A number of groups who represent the interests of cyclist and non-motorised users (NMUs) have made representations on the application. Whilst many of these representations welcome and support the provision of NMU facilities along the route of the LEB, a number of concerns have been raised regarding the specific nature of the proposed NMU facilities, in particular the crossing facilities proposed at certain positions along the route. A common concern and issue that has been raised by all of these groups is that the crossing points proposed along the route should be revised to include



toucan light controlled crossings which are stated as being safer and more convenient to NMUs. The various interest groups note that such facilities were to be provided as part of the LEB scheme that was permitted in 2005 and therefore argue that these should continue to be included as part of this revised scheme. In respect of the proposed bridges and underpass it is stated that such facilities should be designed so that they are suitable for use by all NMUs (e.g. pedestrians, cyclists and equestrians) and should have approaches which do not involve sharp radii or right angled turns so as to encourage their use and ensure good visibility and safety of users. A number of concerns have also been raised regarding the potential impacts of the development on existing pedestrian/cycle routes within the area and in particular the Sustrans route which runs along the River Witham.

33. Whilst the concerns and amendments proposed by the various NMU groups are noted, it is considered that, on balance, the proposed NMU facilities and crossing points proposed along the route of the LEB are appropriate. The safe crossing of NMUs across the revised LEB scheme has been carefully considered and, where possible, comments received during the pre-application consultation and design stages (including those from NMU interest groups and other key stakeholders and interested parties) taken into account in finalising the design of the scheme. Whilst it is noted that the previous LEB scheme permitted in 2005 did include proposals to provide toucan crossing facilities at certain junction along the then proposed route (where possible), given the anticipated high traffic flows and speed of vehicles that would be using the LEB such crossing facilities are not stated as being suitable or safe for this type of development. Consequently, rather than provide toucan or similar light controlled facilities at road intersections/junctions, this scheme proposes a combination of different crossing facilities including grade separated facilities (e.g. bridges) at Bloxholm Lane and Greetwell Road along with a dedicated underpass across the bypass at Lincoln Road. Heighington Road and Hawthorn Road would be carried over the bypass with verge side NMU provisions. No grade separated facilities are proposed at Wragby and Washingborough Road due to the anticipated low level usage of these routes, however, alternative crossing routes have been identified via the Hawthorn overbridge and the Sustrans route which would be linked by a proposed new bridge over the South Delph watercourse.
34. In response to the comments regarding the proposed approaches to these grade separated facilities, it is noted that the provision of gradual slopes to such facilities is not always possible due to the difference in levels that needs to be achieved and as larger areas of land would need to be taken in order accommodate such gradual approaches. However, where sharp radii and right-angled approaches are required these would be designed taking into account the need to maintain good visibility for all users. Detailed information regarding the design of the proposed bridges and structures could be secured by way of planning conditions attached on any permission granted and such details could include the proposed approaches to these facilities. Such a condition would enable a full consideration and assessment of the suitability of such approaches to be given and ensure

that the proposed NMU facilities proposed as part of this development are suitable to enable their use by all NMUs.

35. In respect of concerns over the potential impacts on the Sustrans route (and other existing public footpaths), it is accepted that there would be a need to temporarily close some of these routes during the construction works. The impacts, timings and length of any closures would be minimised as far as reasonably possible taking into account the construction methods, nature of the works proposed and the need to maintain public safety. Furthermore, where feasible, alternative routes would be provided for the duration of any closures in order to minimise any adverse impacts on the amenity of users of these routes.
36. In conclusion, whilst the concerns of the various NMU groups are therefore noted, it is considered that, on balance, the development makes suitable provision both in terms of providing new opportunities and facilities for NMUs as well as providing links to existing facilities and therefore is in general accordance with the principles of CLLP Policy 5, WLLP Policies CRT9, SUS1 and SUS4 and NKLP Policies T4, RST2 and RST4.

### Nature Conservation

37. In respect of the development's impact on nature conservation issues, a number of Local Plan policies are relevant. CCLP Policies 44A and 44C, WLLP Policies NBE11, NBE12 and NBE13 and NKLP LW4, LW6, LW7 and LW8 all seek to protect sites of nature conservation interest (including SSSI's and locally designated sites) and local wildlife and protected species from inappropriate development. The LEB would result in the inevitable loss and severance of a number of different habitats which support a range of flora and fauna. The proposed alignment of the LEB would also have impacts upon nationally and locally designated sites of nature conservation importance, the most significant of which being the Greetwell Quarry SSSI.
38. The ES contains a detailed assessment of the potential impacts of the development on the above features and identifies the mitigation measures that would be incorporated as part of the development to minimise, off-set and compensate for them (see the section 'Environmental Statement - Chapter 10: Ecology & Nature Conservation' for details). The ES concludes that following the implementation of the proposed mitigation measures, the significance of the pre-mitigation adverse impacts would be reduced. However, due to the nature of the development it is accepted that some minor adverse impacts would remain even with the proposed mitigation measures in place (e.g. impact on the flightlines of barn owls and bats, loss and reduction of foraging habitat, etc).
39. English Nature (EN) initially objected to the application due to the impacts of the development on Greetwell Quarry SSSI, inadequate information on protected species within the ES, and concerns over the lack of sufficient information to identify the mitigation and compensation measures that would be implemented in order to minimise the adverse impacts. Lincolnshire

Wildlife Trust (LWT) also initially objected to the development on similar grounds to EN and requested further information be submitted in support of the application. Following discussions with EN and LWT, and the receipt of additional information to address the concerns raised, EN has removed their objection subject to the imposition of appropriate conditions. LWT has also considered the additional information submitted and whilst they disagree with some of the conclusions and interpretations regarding the significance of the impacts on certain designated sites, they have stated that if permission is to be granted for the bypass then a range of mitigation measures should be secured/implemented to compensate for these impacts and habitats lost. Such measures and recommendations could be secured as part of the package of mitigation measures to be implemented and can be addressed by the imposition of appropriate planning conditions including those recommended by English Nature in their consultation response.

40. In light of the above, and subject to the imposition of conditions and implementation of the mitigation measures as proposed within the ES, it is considered that appropriate provision has been made to minimise, mitigate and compensate for the impacts arising from the LEB and these would help to reduce the significance of the impacts of the development to an acceptable level and therefore would not be contrary to the general principles of the development plan policies identified above.

#### Landscape and Visual Impact

41. The Development Plan contains a number of policies that seek to protect the open countryside, landscape character and visual amenity of the local landscape from inappropriate forms of development (e.g. WLLP Policies STRAT1, STRAT3, NBE10 and NKLP Policies C2, LW1, LW2 and LW3). In addition, CLLP Policy 55 seeks to restrict development which would obstruct views of the historic hilltop city and/or Lincoln Edge and Witham Gap and specific reference is made to the line of the eastern bypass where it crosses the floor of the Witham Gap.
42. A detailed consideration of the impacts of the LEB on the landscape and visual amenity of the area has been given in the ES. Due to the nature of the development it is accepted that the bypass would give rise to inevitable visual impacts on the local landscape and the most adverse of these would be on long distant views in and out of Lincoln. In order to minimise the significance and magnitude of these impacts a range of mitigation measures have been incorporated in finalising the design, layout and alignment of the bypass as well as measures such as landscaping and planting proposals which (once mature) would help to integrate the development into the local landscape. Street lighting along the route of the LEB would also be restricted to only those areas where it is considered necessary for highway safety reasons (e.g. at all junctions and along one section of the route). This is considered to be a reasonable balance between the need to maintain highway safety whilst protecting the visual amenity of the area from excessive night-time light pollution. Planning conditions could be imposed on any permission granted which would require further details of the

proposed lighting and landscaping proposals to be submitted for the approval of the County Planning Authority. Such conditions would enable further assessment of these schemes to be given and would ensure that all lighting is restricted to only that which is necessary for purpose and therefore minimise the impacts of glare and light spillage on the local landscape and amenity of local residents (in accordance with WLLP Policies NBE17 and NBE18 and NKLP Policy C22) and that the proposed landscaping proposals are appropriate in terms of character of the area and would, in time, help to integrate the development into the landscape (in accordance with the principles of CLLP Policy 46A, WLLP Policy CORE10 and NKLP Policy C19).

43. Finally, in order to minimise the impact of the development on the historic city of Lincoln the proposed bridges to be erected along the route of the LEB, in particular the bridge over the River Witham, are of a subtle design so as not to detract or impact upon the dominance of Lincoln Cathedral in the skyline. A planning condition could be imposed on any permission granted to ensure that further information and details concerning the design of the bridges and their finishes is submitted for the approval of the County Planning Authority. Such a condition would ensure that the design, scale and appearance of the proposed structures are appropriate and would not adversely detract or impact upon the historic city of Lincoln (in accordance with the principles of CLLP Policies 34 and 55 and WLLP Policy STRAT1) and also ensure the concerns raised by British Waterways are capable of being addressed.
44. Overall, whilst the LEB would have an inevitable adverse impact on the visual appearance of the existing landscape it is considered that appropriate measures have been proposed which could be secured as part of the development which would, in time, help to minimise and off-set the significance of these impacts. Furthermore, due to the strategic importance of the LEB it is considered that, on balance, any adverse impacts on the local landscape are outweighed by the benefits the LEB would have in terms of contributing towards the continued and future economic success, growth of Lincoln and reduction in congestion in the heart of the historic core of Lincoln. Consequently the development is considered to broadly not conflict with the relevant planning policies identified above.

#### Community and Residential Amenity

45. CLLP Policy 34, WLLP Policy STRAT1 and NKLP Policy C5 all seek to ensure that development proposals take into account the character, appearance and amenities of neighbouring land and do not adversely affect the amenities of residents. WLLP Policy NBE17 reflect these general amenity protection policies and states that development proposals should not adversely affect or give rise to pollution by virtue of factors such as noise, dust, vibration, etc.
46. A number of objections have been received, principally from local residents living close to the proposed LEB route, regarding the potential impacts of the

development on their amenity. The main focus of most of these concerns is on the potential impacts resulting from increased traffic noise, reduction in air quality and visual impacts from the development and street lighting. The ES contains detailed assessments of the potential impacts of the LEB on all of the factors identified including noise and vibration, air quality, landscape and visual impact, etc. In all cases the ES identifies the magnitude of these impacts and, where appropriate, identifies the mitigation measures to be adopted to minimise and off-set these.

47. In respect of noise and vibration, potential impacts identified include those associated with both the construction phases of the scheme and from traffic using the LEB once it has been completed. Noise impacts associated with the construction of the bypass are largely associated with the movement of plant and machinery and general construction activities (e.g. excavation, drilling, engine noise, etc). The ES concludes that the impacts associated with these activities could be satisfactorily addressed through the adoption of good site management practices including regular maintenance of plant and machinery, programming of works so as to limit working to normal hours of working, etc. Furthermore, whilst the proposed construction period for the LEB would be around 36 months any impacts would in effect be temporary in nature. Notwithstanding this it is recommended that such mitigation measures be incorporated as part of a detailed 'Construction Environmental Management Plan' which could be secured by way of a planning condition.
48. In terms of the impacts associated with traffic noise, a number of measures have been incorporated into the design of the scheme to reduce noise levels including the use of low noise surfacing and construction of noise embankments along route. Due to the alignment of the bypass some sections of the route would also be situated in cuttings and therefore the associated embankments would help to provide noise screening along these sections. Whilst it is accepted that there would be an increase in existing noise levels for some residents due to the introduction of traffic and given the existing low background levels which currently exist in some areas, the predicted noise levels are considered to be acceptable and are below the qualifying levels defined by the Noise Insulation Regulations 1975.
49. In respect of concerns on the visual impacts of the development (including from street lighting) the measures proposed to mitigate and minimise these have already been discussed (see 'Landscape and Visual Impacts' section above) and would be addressed through the carrying of out landscape planting, construction of screen embankments restricting street lighting to only those areas where it is necessary and use of directional lighting. Conditions have been recommended to secure the specific details of these matters and would be appropriate to satisfactorily address these concerns.
50. Finally, in respect of the potential impacts on air quality the ES has identified the potential risks and impacts associated with the LEB and again measures have been proposed to address these. In terms of dust, again good site management practices would be adopted to minimise the incidence and impacts of dust and could form part of the wider 'Construction Environmental

Management Plan'. In terms of air quality, the predicted increases in pollutants arising from traffic on certain properties is assessed as being within acceptable levels and would not exceed the air quality objectives for the area. These impacts are therefore not considered significant and no specific mitigation measures are considered necessary.

51. In conclusion, whilst the concerns and objections of local residents are noted it is considered that appropriate mitigation measures (where feasible) can be adopted which would help to minimise the adverse impacts of the development to within acceptable standards and levels. Therefore, on balance, the development is considered not to be contrary to CLLP Policy 34, WLLP Policies STRAT1, NBE17 and NKLP Policy C5.

#### Impacts on Agriculture and other Land-uses

52. PPS7 and NKLP Policy C3 seek to protect agricultural land and will not permit development of the 'best and most versatile' land unless there is no other suitable land available. The ES contains an agricultural impact assessment which confirms that the majority of the route is over land which falls within the 'best and most versatile' classification (e.g. Grade 2 - very good agricultural quality land). Whilst it is accepted that the scheme would result in the permanent loss of this quality agricultural land, the actual area lost only represents a relatively small proportion of that which is in agricultural use across the County as a whole. Therefore whilst the loss of this land is unfortunate, given the general location of the proposed LEB (e.g. along the eastern fringe of Lincoln) there is no alternative to the use of 'best and most versatile land'. Furthermore it is considered that the wider benefits of the LEB scheme justify the loss of this land and whilst being contrary to the objectives of PPS7 and NKLP Policy C3, in this case this loss considered justified and acceptable.
53. In respect of agricultural businesses, representations and objections have been received from a landowner and agricultural tenants affected by the development. Nine farm businesses would be affected by the development and the main concerns and issues raised relate to the severance and loss of farmland and the impacts of the LEB on the farming operations and activities. The ES has identified the impacts of the LEB on these holdings and, where possible, proposed mitigation measures which would aim to minimise and off-set any impacts. Whilst it is accepted that the LEB would undoubtedly result in impacts upon existing farming practices, it is considered that the ES satisfactorily addresses the impacts on affected agricultural holdings and makes suitable provision to maintain access to severed land during both the construction and operational phases. Such measures would ensure that farming activity can continue and although this may result in some extended journeys between blocks of land this could be addressed in any compensation agreed with the landowners/tenants should the LEB scheme be implemented (e.g. the compensation provisions are matters which would be secured under the Highways Act 1980 and the Land Compensation Act 1973).

54. In respect of future and existing development, the revised LEB route would not impact upon land lying to the east of Lincoln which could be developed in the future as an urban extension to the city which was supported by the former East Midlands Regional Plan. The East Midlands Regional Plan was revoked in July 2010, however, the expansion of Lincoln is to continue to be promoted and identified through the Central Lincolnshire Core Strategy. The Core Strategy will set out the future planning policy strategy for the central Lincoln area and is being developed as a partnership between the County, City of Lincoln, North Kesteven and West Lindsey District Councils. Furthermore, the proposed route would also not adversely affect the existing and allocated sites for future development within Greetwell Quarry and land lying to the north of the quarry as identified in the adopted Local Plans (e.g. CLLP Policies 38E and 70 and WLLLP Policy STRAT10).

### Need and Alternatives to the LEB

55. A number of objections have been received which state that alternatives to the bypass should be pursued which would help to reduce reliance on private car travel and deliver more sustainable transport options. Examples include investment and improvements in public transport, improving cycle and pedestrian routes, provision of park and ride facilities, etc
56. The LEB is identified as a key component of delivering the Lincoln Transport Strategy (LTS). The LTS is a multi modal transport strategy aimed at delivering a set of prioritised improvements in transport infrastructure up to and beyond 2026. The 2<sup>nd</sup> Local Transport Plan (LTP) sets out the schemes/proposals that are to be delivered to meet these objectives and the LEB is identified as being the county's priority major scheme for improving the overall movement of vehicular trips on the highway network.
57. The LTS objectives were developed and endorsed by the LTS study partners in 2004 following a review of the pertinent land-use and transportation policy documents. The public were also consulted in the preparation and development of the LTS and were asked as part of this exercise to identify their 5 key transport priorities for the Lincoln area. Feedback received during this exercise showed evidence of support for improvements to be made in all areas of transport provision, however, of these the proposed LEB received the most public support (61%) followed by walking and cycling improvements (46%) and improvements to parking in the city centre (42%).
58. In August 2007, a further review was undertaken of the pertinent policy documents updated or adopted since the original review and this concluded that each of the LTS objectives remained valid. The County Council and its partners still believe that the LEB is fundamental to achieving the objectives of the LTS and to the continued and future success of Lincoln. This is reflected in the fact the LEB scheme will continue to form part of the Local Transport Plan 3 which will set out the projects to be delivered during the period 2011-2016. Given the above, it is considered that sufficient transportation assessments and work has been carried out to support the

need for the LEB and therefore the need for this project is still considered justified.

59. Notwithstanding the above, it is noted that the LEB is only one element/project of the wider LTS and its construction would not prevent or negate the commitments that have been made to securing and delivering the other elements of the LTS. In fact whilst key benefits of the LEB would be to deliver improvements in road infrastructure and help to relieve congestion within the city, it would also improve the pedestrian and cycle network through the provision of a new dedicated cycleway/footpath along its entire length and provide links to existing facilities in the area. Therefore, despite the comments and objections received, the LEB would not adversely affect or jeopardise the delivery of improvements for other non-motorised modes of transport as promoted by the LTS and which are set out in the LTP.

### Final Conclusions

60. The LEB is a major highway scheme which is considered to be of strategic importance and would improve the effectiveness of the transport network in and around Lincoln. The LEB would not only improve accessibility and transport links within the City but also for longer distance movements across the County and therefore help to reduce congestion leading to improvements in journey times. The removal of heavy traffic from the city would reduce impacts on the city's heritage and historic core and would also have wider environmental and social benefits such as improving air quality in the city, reducing social exclusion by providing better links between communities, providing new and extended cycle and pedestrian facilities, as well as creating a more attractive living and working environment within the city. All of these would assist in creating improved investment conditions within the City resulting in future development and regeneration opportunities which would attract activities and people back into the urban area. The LEB is therefore not only an important infrastructure project but would also have wider economic, environmental and social benefits which would help to support the future economic success and growth of Lincoln.
61. The application has been assessed against adopted local development policies contained within the City of Lincoln Local Plan, West Lindsey Local Plan and North Kesteven Local Plan and it is considered that the proposals, subject to mitigation measures identified through the formal Environment Impact Assessment procedures (secured by conditions) can be undertaken in a manner where the level of impact would be acceptable. However, it is accepted that the route of the bypass proposed as part of this application does not conform to that which has been specifically identified and protected within the North Kesteven Local Plan. Consequently, whilst it is concluded that this alternative route is acceptable in land use planning and environmental terms and would not significantly conflict with the wider objectives or development control policies contained within the Development Plan, the development still represents a departure from the Development Plan. The Town and County Planning (Consultation)(England) Direction



2009 removes the previous requirement that County Council schemes that constituted a departure must be referred to the Local Government Office. Therefore the application can be determined by the Committee today.

62. The applicant has requested a permission for 15 years rather than the standard 3 years. Planning law allows for a longer period to be granted. The longer period is requested in view of the need to provide long term certainty with respect to the land use planning of Lincoln and the surrounding area.

## **RECOMMENDATIONS**

This report forms part of the Council's Statement pursuant to Regulation 21 of the Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 1999 – which requires the Council to make available for public inspection at the District Council's offices specified information regarding the decision. Pursuant to Regulation 21(1) (c) the Council must make available for public inspection a statement which contains:

- the content of the decision and any conditions attached to it;
- the main reasons and consideration on which the decision is based, including, if relevant, information about the participation of the public;
- a description, when necessary, of the main measures to avoid, reduce and if possible offset the major adverse effects of the development;
- information recording the right to challenge the validity of the decision and the procedures for doing so.

It is recommended that planning permission be granted subject to the following conditions:

1. The development hereby permitted shall be commenced within 15 years of the date of this permission. Written notification of the date of commencement of development shall be sent to the County Planning Authority (CPA) within seven days of commencement.
2. The development hereby permitted shall be undertaken strictly in accordance with the details contained in the application and in full compliance with the mitigation measures identified and set out in the supporting Environmental Statement, unless otherwise agreed in writing with the CPA, or where modified by the conditions attached to this planning permission or by details subsequently approved pursuant to those conditions.
3. No development shall take place until a detailed landscaping scheme, including any proposed fencing, has been submitted to and approved in writing by the CPA. The landscaping scheme shall include information on the species, numbers, spacing and positions of all grasses, trees, shrubs, hedgerows and bushes to be planted as part of the development and include details of the long term maintenance and aftercare proposals to

ensure their success for a period of 10 years commencing from the date of completion of the development. Any plants which at any time during the development and/or 10 year aftercare period die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing with the CPA. In respect of fencing, details shall include the type, height, treatment/colour and position of any fencing to be erected as part of the development. The approved scheme shall thereafter be carried out and maintained in accordance with the approved details.

4. No development shall take place until details of the bunds for noise mitigation and landscaping to be constructed along the boundaries of the development have been submitted to and approved in writing by the CPA. Such details shall include appropriate cross sections of the bunds and include details of the location, size and height of the bund as well as details of the proposed materials and method of construction. Following the construction of the bunds they shall be grass seeded, landscaped and maintained in accordance with the details approved pursuant to Condition 3. Thereafter the bunds shall be constructed and all works implemented and carried out in full accordance with the approved details and thereafter whilst ever the development subsists.
5. Unless minor variations are otherwise agreed in writing by the CPA, construction works which are audible at the site boundary shall only take place between 07.00 – 19.00 Monday to Friday, and 09.00 – 13.00 on Saturdays, and not at any time on Sundays, Public or Bank Holidays. Construction activities which are assessed as being inaudible at the site boundary (such as electrical work) may be undertaken outside of these times.
6. All vehicles, plant and machinery shall be maintained in accordance with the manufacturer's specification at all times, and shall be fitted with and use effective silencers. Any breakdown or malfunction of silencing equipment or screening shall be treated as an emergency and should be dealt with immediately. Where a repair cannot be undertaken within a reasonable period, the equipment affected should be taken out of service.
7. 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 CPA. The scheme shall reflect the practices and mitigation measures to reduce or avoid impacts on archaeological deposits as set out in Section 8.5 of the Environmental Statement and shall be extended to include the former ironstone mine entrance which has been identified within the Greetwell Hollow. The works shall be carried out in full accordance with the approved details prior to the road being brought into use.
8. No development shall take place until details of a scheme of historic building recording relating to the Railway Underbridge (Site 770) as referred to in Paragraph 8.9.1 of the Environmental Statement has been submitted to and

approved in writing by the CPA. The scheme shall provide a written, drawn and photographic record of the structure (as appropriate) and provide a permanent record of the structure in its current condition. The historic building recording works shall thereafter be implemented and carried out prior to the structures demolition, in full accordance with the approved scheme.

9. No development shall take place until details of the historic landscape survey referred to in Paragraph 8.13.7 of the Environmental Statement have been submitted to and approved in writing by the CPA. The submitted scheme shall provide for the recording of the identified Historic Landscape Types 1, 2, 3 and 11 (as identified on Figure 8.3 of the Environmental Statement) and should include measured survey of any field boundaries to be removed as well as photographic survey of the wider area and long views to and from the Historic Landscape Types. The historic landscape survey shall be carried out prior to any construction works taking place within the identified Historic Landscape Type areas, in full accordance with the approved scheme.
10. No development shall take place until full details of all bridges, structures, underpasses, bridge wing walls, abutments and crossings (including temporary bridges across the River Witham during construction works) have been submitted to and approved in writing by the CPA. Such details shall include information on the colours and treatment of all surfaces, finishes and textures associated with these elements (e.g. railings, wing walls, side walls of underpass) as well as exact clearance heights. The bridges, structures, underpasses, bridge wing walls, abutments and crossings shall thereafter be constructed in accordance with the approved details.
11. All floodlighting and external site lighting associated with the construction of the development hereby permitted shall be positioned and operated to minimise the potential nuisance of light spillage from the site.
12. Before the bypass hereby approved is brought into use details of all proposed lighting to be implemented as part of the development (including street lighting and that associated with the bridges, underpasses and other circulation areas, etc) shall be submitted for the approval of the CPA. Thereafter the lighting shall be implemented and carried out in full accordance with the approved details.
13. Should, during construction works, contamination not previously identified be found within the site then no further development (unless otherwise agreed in writing with the CPA) shall be carried out until the developer has submitted to and obtained written approval from the CPA for a remediation strategy detailing how the unsuspected contamination shall be dealt with.
14. No development shall take place until a method statement, detailed plan and timetable of works to mitigate the impacts of the development on the Greetwell Quarry SSSI have been submitted to and approved in writing by the CPA.

15. No development shall take place until details of the facilities to be constructed to provide public/pedestrian access to the retained exposures of the Greetwell Quarry SSSI have been submitted to and approved in writing by the CPA. All works shall thereafter be carried out in full accordance with the approved details.
16. No development shall take place until a method statement, detailed plan and timetable of works to mitigate the impacts to bats, water voles and grass snakes have been submitted to and approved in writing by the CPA. All works shall thereafter be carried out in full accordance with the approved details.
17. No earthworks, site clearance or ground disturbance works shall take place between March and September, inclusive unless otherwise agreed in writing with the CPA. If these works cannot be undertaken outside this time, they should be evaluated and checked for breeding birds by an appropriately qualified ecologist and if appropriate, an exclusion zone set up. No work shall be undertaken within the exclusion zone until birds and any dependent young have vacated the area.
18. No development shall take place until a scheme for the provision of surface water drainage, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the CPA, in consultation with surface drainage authorities, including the Internal Drainage Boards and the Environment Agency. The scheme shall reflect the principles, mitigation measures and specification requirements as set out in Paragraph 11.8 of the Environmental Statement including the provision of level for level floodplain compensatory storage as indicated in the applications Flood Risk Assessment. The approved scheme shall be implemented and carried out before the development is completed and shall thereafter be maintained for the duration that the development hereby permitted subsists.
19. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, or the capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and site glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund.
20. No development shall take place until a Construction Environmental Management Plan (as referred to in Paragraph 16.6 of the Environmental Statement) has been submitted to and approved in writing by the CPA. The

Plan shall include details of the development which shall include but not necessarily be limited to the following:

- a) identify the locations of the contractor's temporary site storage areas/compounds including details of the number, size (including height) and location of contractors' temporary buildings;
- b) the means of moving, storing and stacking all materials, plant and equipment around the site;
- c) the measures to be adopted during all works to ensure that dust emissions are minimised (reflecting those practices and mitigation measures set out in Sections 6.6 and 16.6 of the Environmental Statement);
- d) the measures to be adopted during all works to minimise the incidence and impacts of noise and vibration arising from the development (reflecting the practices and mitigation measures set out in Sections 7.6 and 16.6 of the Environmental Statement);
- e) the measures to avoid the pollution and discharge of any substances, including surface water run-off, into controlled water during the construction and operation phases of the development (reflecting the practices and measures set out in Section 11.8 of the Environmental Statement);
- f) details of any wheel wash facility, use of water bowsers and any other measures necessary to ensure that vehicles do not leave the site in a condition whereby mud, clay or other deleterious materials are carried onto the public highway.

The approved plan shall thereafter be implemented and carried out in full accordance with the approved details.

- 21. No development shall take place until a detailed strategy and method statement for minimising the amount of construction waste resulting from the construction of the development shall be submitted to and approved in writing by the CPA. The statement shall include details of the extent to which waste materials arising from construction activities will be reused on site and demonstrating that as far as reasonably practicable, maximum use is being made of these materials. If such reuse on site is not practicable, then details shall be given of the extent to which the waste material will be removed from the site for reuse, recycling, composting or disposal. All waste materials shall thereafter be reused, recycled or dealt with in strict accordance with the approved strategy and method statement.
- 22. No development shall take place until a Soil Management Plan as referred to in Paragraph 13.4.33 of the Environmental Statement has been submitted to and approved in writing by the County Planning Authority. The approved

scheme shall thereafter be implemented and carried out in full accordance with the approved details.

The reasons for the conditions are:-

1. Due to the size, scale and complexity of the development an extended period of time to implement the planning permission is considered acceptable.
2. To ensure that the development is carried out in accordance with the details as contained in the application and the principles of the mitigation set out in the Environmental Statement in order to minimise the environmental effects of the development.
- 3 & 4 To minimise the impact of the development on the local landscape in the interests of visual amenity.
- 5 & 6 To minimise the impacts of noise arising from the development, in the interests of amenity.
- 7 to 9 To ensure that satisfactory arrangements are made for the investigation, retrieval and recording of archaeological deposits within the site and to secure appropriate schemes for recording of the historic railway underbridge and historic landscape features as identified and proposed within the Environmental Statement.
10. To ensure that the final design, scale and appearance of the proposed structures are appropriate and would not adversely detract or impact upon the visual amenity of the area and views to and from the historic city centre. Such details would also ensure that adequate clearance is provided to allow safe and unrestricted access by users of the River Witham and to protect the bridge from defacement/vandalism as per the recommendations of British Waterways.
- 11 & 12  
In the interests of visual amenity and to minimise the impacts of light pollution on the local landscape and adjoining land uses (e.g. railway infrastructure).
13. In accordance with the recommendations and advice of the Environment Agency and to ensure that appropriate remediation measures can be secured to protect controlled waters for any contaminated land which may be present within the site.
- 14 & 15  
In accordance with the recommendations of Natural England and to minimise the impacts of the development on the SSSI and to mitigate for the loss of the SSSI by ensuring suitable access to the retained exposures of the SSSI is secured in the interest of nature conservation.

16. In accordance with the recommendations of Natural England so as to protect bats, water voles and grass snakes that have been identified as being affected by the development and to secure the mitigation measures for these species as set out in Section 10.7 of the Environmental Statement.

17. In the interests of safeguarding nesting birds that are protected by law.

18 & 19

To reflect the recommendations and conditions proposed by Environment Agency so as to prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity and ensure future maintenance of the surface water drainage system.

20. To ensure that the development does not give rise to adverse impacts by virtue of noise, dust and to protect water resources from pollution in the interests of the amenity of the area.

21. To minimise the amount of construction waste to be removed from site for final disposal.

22. To prevent loss or damage of soil, or mixing of topsoil with subsoil, or mixing of dissimilar soil types so as to ensure that the areas to be restored/ reinstated back to agricultural use can do so effectively.

#### Reasons for Granting Planning 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 providing a strengthened regional role for Lincoln. Therefore the bypass is not only an important infrastructure project but would also have wider economic, environmental and social benefits which would help to support the future economic success and growth of Lincoln and whilst the route of the bypass does not conform to that which has been identified and protected within the Development Plan, on balance, this alternative route is considered to be acceptable in land use planning and environmental terms and would not significantly conflict with the wider objectives or development control policies contained within the Development Plan.

## Policies Referred To

### National Guidance

- Planning Policy Statement 1- Delivering Sustainable Development
- Planning Policy Statement 5 - Planning for the Historic Environment
- Planning Policy Statement 9 - Biodiversity & Geological Conservation
- Planning Policy Guidance 13 - Transport
- Planning Policy Statement 23 - Planning & Pollution Control
- Planning Policy Guidance 24 - Planning & Noise
- Planning Policy Statement 25 - Development & Flood Risk

### City of Lincoln Local Plan 1998 (Saved Policies)

- Policy 5 - Strategic Network of Cycleways, Footpaths and Bridleways
- Policy 14 - Strategic & Major Road Proposals
- Policy 15B - Greetwell Hollow Road Improvement
- Policy 38 - Design & Amenity Standards
- Policy 38E - Development adjacent to Greetwell Quarry
- Policy 44A - Sites of Special Scientific Interest or other Critical Natural Assets
- Policy 44C - Protected Species
- Policy 45A - Trees & Other Ecological & Landscape Features
- Policy 46A - Woodland & Other Major Planting Initiatives
- Policy 46B - Protecting the Water Environment
- Policy 55 - Long Views Into and Out of the City
- Policy 70 - Greetwell Quarry

### West Lindsey Local Plan 2006 (Saved Policies)

- Policy STRAT1 - Development Requiring Planning Permission
- Policy STRAT3 - Development in the Countryside
- Policy STRAT10 - Longer Term Development Options – Lincoln and Bardney
- Policy SUS1 - Development Proposals & Transport Choice
- Policy SUS4 - Cycle & Pedestrian Routes in Development Proposals
- Policy ECON13 - Lincoln Eastern Bypass
- Policy CORE10 - Open Space & Landscaping Proposals
- Policy CRT9 - Public Rights of Way affected by Development
- Policy NBE10 - Protection of Landscape Character
- Policy NBE11 - Sites of Special Scientific Interest & National Nature Reserves
- Policy NBE12 - Nature Conservation in Wildlife Corridors
- Policy NBE14 - Waste Water Disposal
- Policy NBE15 - Water Quality & Supply
- Policy NBE16 - Culverting Watercourses
- Policy NBE17 - Potentially Polluting Uses
- Policy NBE18 - Light Pollution

### North Kesteven Local Plan 2007 (Saved Policies)

- Policy C2 - Development in the Countryside
- Policy C3 - Agricultural Land Quality
- Policy C5 - Effects on Amenities



Policy C7 - Comprehensive Development  
Policy C10 - Flood Risk  
Policy C11 - Pollution  
Policy C14 - Surface Water Disposal  
Policy C19 - Landscaping  
Policy C22 - External Lighting Schemes  
Policy T4 - Safety  
Policy T7 - Lincoln Eastern Bypass  
Policy RST2 - Public Rights of Way  
Policy RST4 - Public Access to the Countryside  
Policy LW1 - Landscape Conservation  
Policy LW2 - Green Wedges  
Policy LW3 - Visual Amenity Areas  
Policy LW4 - Sites of Special Scientific Interest  
Policy LW6 - County Wildlife Sites & Local Nature Reserves  
Policy LW7 - Features of Importance for Wildlife  
Policy LW8 - Protected Species  
Policies HE1 to HE3 - Protection of Features of Archaeological Interest

#### Informatives

1. The applicant's attention is also drawn to the comments/advice contained in the following correspondence/letters:

Environment Agency's letter dated 12 March 2010;  
Network Rail email dated 8 March 2010;  
Natural England letter dated 44 May 2010  
Railway Paths letter dated 31 August 2010 - regarding the need to complete a Deed of Easement to cover the crossing of the former rail formation.

2. The validity of the grant of planning permission may be challenged by judicial review proceedings in the Administrative Court of the High Court. Such proceedings will be concerned with the legality of the decision rather than its merits. Proceedings may only be brought by a person with sufficient interest in the subject matter.

Any proceedings should be brought promptly and within three months from the date of the planning permission. What is prompt will depend on all the circumstances of the particular case but promptness may require proceedings to be brought at some time before three months have expired. Whilst the time limit may be extended if there is good reason to do so, such extensions of time are exceptional. Any person considering bringing proceedings should therefore seek legal advice as soon as possible. The detailed procedural requirements are set out in the Civil Procedure Rules Part 54 of the Practice Directives for these rules.

## Appendices

These are listed below and attached at the back of the report

Appendix A	Committee Plan
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## Background Papers

The following background papers as defined in the Local Government Act 1972 were relied upon in the writing of this report.

Document title	Where the document can be viewed
Planning Application File L/0170/10	Lincolnshire County Council, Spatial Planning, Witham Park House, Waterside South, Lincoln
National Guidance Planning Policy Statement 1: Delivering Sustainable Development Planning Policy Statement 5: Planning for the Historic Environment Planning Policy Statement 9: Biodiversity & Geological Conservation Planning Policy Guidance 13: Transport Planning Policy Statement 23: Planning & Pollution Control Planning Policy Guidance 24: Planning & Noise Planning Policy Statement 25: Development & Flood Risk	Communities and Local Government Website <a href="http://www.communities.gov.uk">www.communities.gov.uk</a>
Local Plan City of Lincoln Local Plan 1998 (Saved Policies) West Lindsey Local Plan 2006 (Saved Policies) North Kesteven Local Plan 2007 (Saved Policies)	Relevant Council's websites <a href="http://www.lincoln.gov.uk">www.lincoln.gov.uk</a> <a href="http://www.west-lindsey.gov.uk">www.west-lindsey.gov.uk</a> <a href="http://www.n-kesteven.gov.uk">www.n-kesteven.gov.uk</a>

2 <sup>nd</sup> Lincolnshire Transport Local Plan (2006-2011)	Lincolnshire County Council website <a href="http://www.lincolnshire.gov.uk">www.lincolnshire.gov.uk</a>
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