

## **LINCOLNSHIRE COUNTY COUNCIL'S RESPONSE TO CONSULTATION ON THE FOLLOWING DEVELOPMENT PROPOSAL**

**District: West Lindsey District Council**

**Application number: 145688**

**Application Type: Reserved Matters**

**Proposal: Application for approval of reserved matters to erect 49no. dwellings considering appearance, landscaping, layout and scale, following outline planning permission 136577 granted 30 October 2019**

**Location: Land to the west of Horsley Road, Gainsborough, DN21 2TD**

**Response Date: 23 February 2023**

This report includes the Substantive response of the Local Highway and Lead Local Flood Authority to a planning consultation received under the Development Management Order and includes details of any planning conditions or informatives that should be attached in the event that permission is granted and any obligations to be secured by way of a S106 agreement.

### **General Information and Advice**

#### **Outline applications and contributions**

The anticipated number and type of dwellings and/or the floor space may be set by the developer at the time of application which is used to assess necessary mitigation. If not stated in the application, a policy compliant mix will be used. The number and type of dwellings used when assessing S106 planning obligations is set out on the first page of this response.

In the case of outline applications, once the unit mix/floor space is confirmed by reserved matters approval/discharge of condition a matrix (if appropriate) will be applied to establish any increase in contributions payable. A further increase in contributions may result if there is a reserved matters approval changing the unit mix/floor space.

Please note that although the Definitive Map and Statement proves the existence of any recorded rights of way, there may be further or higher rights that are not shown on this document that the County Council is not currently aware of. This would be especially relevant where the public has had informal access to the site or where there are references to routes across this in maps or other historic documents. As the County Council has

received no application to recognise further rights of way affecting the site, no more informed guidance can be offered at this stage.

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## **Highway and Lead Local Flood Authority Report**

**Substantive Response provided in accordance with article 22(5) of The Town and Country Planning (Development Management Procedure) (England) Order 2015:**

**Recommendation:**

### **No Objections**

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.

**Comments:**

This is a reserved matters application to consider appearance, landscaping, layout and scale. Access has been considered on a previous application.

### **Introduction/Site Location**

The site is located in a residential area and it's not considered that the increase in traffic movements would be detrimental to highway safety.

There is no precise definition of "severe" with regards to NPPF Paragraph 109, which advises that "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe." Planning Inspector's decisions regarding severity are specific to the locations of each proposal, but have common considerations:

- The highway network is over-capacity, usually for period extending beyond the peak hours
- The level of provision of alternative transport modes
- Whether the level of queuing on the network causes safety issues

In view of these criteria, the Highways and Lead Local Flood Authority does not consider that this proposal would result in a severe impact with regard to NPPF.

## **Site Layout**

The site layout provides sufficient parking facilities and turning within the extents of the site so that parked vehicles will not create safety concerns

## **Flood Risk and Drainage**

As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to Drainage on all Major Applications. This application provides a satisfactory drainage strategy which is in accordance with LLFA requirements. Therefore the Lead Local Flood Authority does not consider that this proposal would increase flood risk in the immediate vicinity of the site.

## **Informatives**

### **Highway Informative 02**

In accordance with Section 59 of the Highways Act 1980, please be considerate of causing damage to the existing highway during construction and implement mitigation measures as necessary. Should extraordinary expenses be incurred by the Highway Authority in maintaining the highway by reason of damage caused by construction traffic, the Highway Authority may seek to recover these expenses from the developer.

### **Highway Informative 03**

The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. Any traffic management required to undertake works within the highway will be subject to agreement. The access must be constructed in accordance with a current specification issued by the Highway Authority. Any requirement to relocate existing apparatus, underground services, or street furniture because of the installation of an access will be the responsibility, and cost, of the applicant and must be agreed prior to a vehicle access application. The application form, costs and guidance documentation can be found on our website, accessible via the following link:

<https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb>.

### **Highway Informative 05**

All roads within the development hereby permitted must be constructed to an acceptable engineering standard. Those roads that are to be put forward for adoption as public highways must be constructed in accordance with the Lincolnshire County Council Development Road Specification that is current at the time of construction and the developer will be required to enter into a legal agreement with the Highway Authority under Section 38 of the Highways Act 1980. Those roads that are not to be voluntarily put forward for adoption as public highways, may be subject to action by the Highway Authority under Section 219 (the Advance Payments code) of the Highways Act 1980. For guidance, please refer to <https://www.lincolnshire.gov.uk>

## **Highway Informative 08**

Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections, Section 50 licences and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works. For further guidance please visit our website via the following link: Traffic Management - <https://www.lincolnshire.gov.uk/traffic-management>

**Officer's Name: Laura Rowett**

**Officer's Title: Senior Development Management Officer**

**Date: 23 February 2023**

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**From:** Property Strategy  
**Sent:** 26 October 2022 10:08  
**To:** HighwaysSUDsSupport  
**Subject:** RE: OBSERVATIONS ON CONSULTATION REQUEST

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**Categories:**

Many thanks for the below consultation. As a reserved matters application, all education mitigation should have been resolved at the outline stage; consequently, LCC has no comments in relation to education.

Sam Barlow  
Strategic Development Officer  
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[Chat with me on Teams!](#)

Website: [www.lincolnshire.gov.uk](http://www.lincolnshire.gov.uk)



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**From:** HighwaysSUDsSupport <HighwaysSUDsSupport@lincolnshire.gov.uk>  
**Sent:** 25 October 2022 09:52  
**To:** LNplanning@environment-agency.gov.uk; PHLocalityteam <PHLocalityteam@lincolnshire.gov.uk>; Property Strategy <Property\_Strategy@lincolnshire.gov.uk>  
**Subject:** OBSERVATIONS ON CONSULTATION REQUEST

Dear Sir/Madam

**REFERENCE: 145688**

**DEVELOPMENT: APPLICATION FOR APPROVAL OF RESERVED MATTERS TO ERECT 49NO. DWELLINGS  
CONSIDERING APPEARANCE, LANDSCAPING, LAYOUT AND SCALE, FOLLOWING OUTLINE PLANNING  
PERMISSION 136577 GRANTED 30 OCTOBER 2019  
LOCATION: LAND TO THE WEST OF HORSLEY ROAD, GAINSBOROUGH, DN21 2TD  
GRID REF: 480760 391383**

The County Council has received the above application for consultation.

The application can be viewed using the following link <https://planning.west-lindsey.gov.uk/planning/details.asp?id=145688&nb=1#content> and your comments are requested to be returned to [HighwaysSUDsSupport@lincolnshire.gov.uk](mailto:HighwaysSUDsSupport@lincolnshire.gov.uk)

It would be appreciated if your observations are returned within 14 days of the date of this email. If your observations are not received within the specified time then it will be assumed that you have no comments to make on this application.

Should you require an extension to the period of consultation for any reason, or wish to discuss any matter direct with the lead officer, please email [HighwaysSUDsSupport@lincolnshire.gov.uk](mailto:HighwaysSUDsSupport@lincolnshire.gov.uk).

Yours faithfully

**Highways SuDS Support**

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