

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

**District: Boston Borough Council**

**Application number: B/23/0043**

**Application Type: Full**

**Proposal: Proposed redevelopment, refurbishment and two-storey extension to leisure centre including demolition of training pool changing block, creation of energy centre, new access from Manor Gardens and creation of community garden and public plaza with associated parking and landscaping**

**Location: Geoff Moulder Leisure Centre, Rowley Road, Boston, PE21 6JE**

**Response Date: 18 April 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: Approve with conditions**

### **Comments**

#### **Overview**

This is an application to redevelop the Leisure Centre and provide an improved public realm. This application forms part of the wider proposals for the College and Leisure Centre complex under the Towns Deal scheme. We have been engaged in pre-application discussions over the course of the past year and have provided our in principle support of the proposals.

#### **Existing Conditions**

The Leisure Centre is served via Rowley Road. To the eastern side of the site frontage, there is a 35m length of segregated cycle route and a shared cyclist and pedestrian route, which connect to the footbridge across Maud Foster Drain. There are good pedestrian, cycle and public transport links to the site.

Waiting restrictions are present along Rowley Road and Manor Gardens.

The streets surrounding the site are subject to 30mph speed limit, and Rowley Road further benefits from traffic calming measures.

#### **Highway safety**

The applicant's Transport Statement assessed the recorded Personal Injury Accidents in the vicinity of the site. There is no pattern to these PIAs which demonstrates a highway safety concern. The proposals are not anticipated to have a detrimental impact on highway safety.

#### **Highway capacity**

As a result of the proposals, it is expected that there will be an additional 39 vehicles on the highway network in the afternoon peak time of 17:00 - 18:00.

There is no precise definition of "severe" with regards to NPPF Paragraph 109, which advise 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 car park will be increased to provide 196 car parking spaces, and 40 cycle parking spaces will be provided. Servicing and delivery vehicles can be accommodated within the site and refuse collection will take place within the site curtilage. Adequate space is available within the car park for taxi and car drop-offs and waiting.

The proposals will see improvements to the public realm between the College and the Leisure Centre, through the creation of a pedestrianised 'plaza'. This will connect to the existing footways on Rowley Road via uncontrolled tactile crossings, and will continue to provide a public link for pedestrians and cyclists to the Maud Foster Drain bridge.

The extent of the public highway will remain as existing, through the plaza. The proposals will require the relocation of existing street furniture on Rowley Road, amendments to the Traffic Regulation Order/s, and changes to the existing hard landscaping materials, lighting and surface water drainage within the public highway. The details of these changes will be agreed and secured through a Section 278 Agreement (Highways Act 1980) with the Highway Authority post-planning permission.

Where trees and soft landscaping are to be situated within the public highway, but maintained by the applicant as part of the whole site maintenance regime, they will be subject to a license under the Highways Act 1980.

### **Flood Risk and Drainage**

The proposals seek to introduce an improved surface water drainage strategy from the existing situation, through the inclusion of permeable paving, rain gardens and underground storage tanks. Surface water will be attenuated within the site for a 1:100 year event with 40% uplift to accommodate climate change, to discharge at a restricted rate. The site will be split into three sub-catchments, 2 of which will discharge into the Maud Foster Drain and 1 of which will drain as existing into the mains sewer on Rowley Road.

### **Planning Conditions:**

In the event that permission is to be given, the following planning conditions should be attached:

#### Highway Condition 00

The development hereby permitted shall be undertaken in accordance with a Construction Management Plan and Method Statement that shall first be approved in writing by the Local Planning Authority. The Plan and Statement shall indicate measures to mitigate the adverse impacts of vehicle activity during the construction stage of the permitted development. It shall include;

- the phasing of the development to include access construction;
- the on-site parking of all vehicles of site operatives and visitors;
- the on-site loading and unloading of all plant and materials;
- the on-site storage of all plant and materials used in constructing the development; and
- wheel washing facilities.

Reason: In the interests of the safety and free passage of those using the adjacent public highway.

#### Highway Condition 21

No part of the development hereby permitted shall be occupied before the works to improve the public highway (by means of public realm improvements to Rowley Road) have been certified complete by the Local Planning Authority.

Reason: To ensure the provision of safe and adequate means of access to the permitted development.

#### Highway Condition 27

The permitted development shall not be occupied until those parts of the approved Travel Plan that are identified therein as being capable of implementation before occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented for as long as any part of the development is occupied.

Reason: In order that the permitted development conforms to the requirements of the National Planning Policy Framework, by ensuring that access to the site is sustainable and that there is a reduced dependency on the private car for journeys to and from the development.

### **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 07

The highway improvement works referred to in the above condition are required to be carried out by means of a legal agreement between the landowner and the County Council, as the Local Highway Authority.

For further guidance please visit our website;

[www.lincolnshire.gov.uk/highways-planning/works-existing-highway](http://www.lincolnshire.gov.uk/highways-planning/works-existing-highway)

#### 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: Becky Phillips-Melhuish**

**Officer's Title: Growth Manager (Planning Advice)**

**Date: 18 April 2023**