

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

District: Boston Borough Council

Application number: B/23/0153

Application Type:

Proposal: Change of use from haulage and storage depot to housing development of 24 no. residential dwellings, estate roads and services

Location: G H Kimes Haulage Depot, Main Road, Wrangle, Boston, PE22 9AW

Response Date: 16 June 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.

Application number: B/23/0153

Application Type: Full

Location: G H Kimes Haulage Depot, Main Road, Wrangle, Boston, PE22 9AW

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 objection subject to compliance with the Conditions and Informatives below:

The principle of redeveloping this Haulage Depot for housing has been established by a previous grant of Consent. The position and form of the vehicle access is dictated by the situation of the land and its singular frontage onto the A52 Main Road. The highway verge at this location is sufficiently wide to afford drivers entering the public highway enough visibility of traffic approaching from either direction to be able to judge if it is safe to complete this manoeuvre. The proposed site layout includes reducing the overall size of the vehicular access and changing it from its existing wide concrete apron to a conventional bituminous surface estate road with radius kerbs on either side. In reducing in the size of the existing access, sufficient space has been created for the inclusion of a dwelling that would face out onto the A52 Main Road - although the vehicle access to this dwelling is to be from the proposed estate road. The existing neighbouring property, 1 Ypres Cottage, has a vehicular access onto the existing concrete access apron area of the Haulage Yard. The lawful status of this arrangement is not known but the provision of the frontage plot, as shown, would preclude vehicular access to 1 Ypres Cottage and it may therefore be necessary for an alternative access to be created for this property, directly onto the A52 Main Road. This would not be unacceptable to the highway authority, subject to suitable design and construction, but the property is outside of the red outline of the Application Site and so consideration would have to be given to exactly how this alternative vehicular access might be delivered through any Consent that might be granted for this Application. The form of the site layout follows that of the previous Consent, with dwellings being placed around a roughly circular turning area, that has an Island at its centre. This arrangement, although requiring more of the plan area of the site than a conventional turning head, would allow vehicles to turn around within the proposed development so that they would be able to leave and enter the A52 in a forward gear. It is strongly recommended that the central, grassed area should incorporate swales, to capture, condition and convey surface water run off from this part of the estate road, rather than the road being drained by conventional road gullies. The use of un-bound gravel for the front garden areas/parking areas of the dwellings is not advisable. Whilst the gravel can make a useful contribution to the sustainability of the surface water drainage system, the likelihood is that the unbound stones will be tracked out onto the estate road, where they would be both a hazard and unsightly. The existence of the haulage yard's access and large concrete apron will greatly assist the physical construction of the proposed dwellings but given the site's proximity to the busy A52, it is requested that as a Condition of any Consent that may be granted for this Application, a Construction Management Plan and Method Statement is submitted, which will describe exactly how

these works will be undertaken without harming the safety or the free passage of the public. Also requested is the provision of dropped kerbs and tactile paving on either side of the junction of Tooley Lane with the A52 where there is presently no such provision. The existing Haulage Yard is almost entirely impervious and therefore its replacement with housing, with its attendant gardens, would have the potential to significantly reduce the volume and the rate of surface water run-off from the land. It is noted that the Internal Drainage Board has endorsed the proposed surface water drainage strategy of utilising the haulage yard's existing outfall points.

Planning Conditions:

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 and the means to manage the drainage of the site 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;
- wheel washing facilities;
- strategy stating how surface water run off on and from the development will be managed during construction and protection measures for any sustainable drainage features. This should include drawing(s) showing how the drainage systems (temporary or permanent) connect to an outfall (temporary or permanent) during construction.

Reason: In the interests of the safety and free passage of those using the adjacent public highway and to ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the permitted development during construction.

Highway Condition 29

The permitted development shall be undertaken in accordance with an Estate Road Phasing and Completion Plan, which shall first be approved in writing by the Local Planning Authority. The Plan shall set out how the construction of the development will be phased and standards to which the estate roads on each phase will be completed during the construction period of the development.

Reason: To ensure that a safe and suitable standard of vehicular and pedestrian access is provided for residents throughout the construction period of the development.

Highway Condition 33

The permitted development shall be undertaken in accordance with a surface water drainage scheme which shall first have been approved in writing by the Local Planning Authority.

The scheme shall:

- be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development;
- provide flood exceedance routing for storm event greater than 1 in 100 year;
- provide details of how run-off will be safely conveyed and attenuated during storms up to and including the 1 in 100 year critical storm event, with an allowance for climate change, from all hard surfaced areas within the development into the existing local drainage infrastructure and watercourse system without exceeding the run-off rate for the undeveloped site;
- provide attenuation details and discharge rates which shall be restricted to that which is agreed with the surface water receiving body;
- provide details of the timetable for and any phasing of implementation for the drainage scheme; and
- provide details of how the scheme shall be maintained and managed over the lifetime of the development, including any arrangements for adoption by any public body or Statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime.

No dwelling shall be occupied until the approved scheme has been completed or provided on the site in accordance with the approved phasing. The approved scheme shall be retained and maintained in full, in accordance with the approved details.

Reason: To ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, or upstream of, the permitted development.

Highway Condition 21

No part of the development hereby permitted shall be occupied before the works to improve the public highway by means of the provision of pedestrian access dropped kerbs and tactile paving on either side of the Tooley Lane junction with the A52 have been certified complete by the Local Planning Authority.

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

Informatives

Highway Informative 03

The permitted development may require the formation of a new vehicular access for 1 Ypres Cottage. 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 the highway authority 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>

Officer's Name: Jon Sharpe

Officer's Title: Principal Development Management Officer

Date: 16 June 2023

Boston Borough Council
 Development Control
 Planning Department

Corporate Property Team
 Lincolnshire County Council
 County Offices
 Newland
 Lincoln LN1 1YL

Email: Property_Strategy@Lincolnshire.gov.uk

My Ref: S106/BBC/B/23/0153/2023
 15 May 2023

Dear Sir/Madam

**Development – CHANGE OF USE FROM HAULAGE AND STORAGE DEPOT TO HOUSING DEVELOPMENT OF 24 NO. RESIDENTIAL DWELLINGS, ESTATE ROADS AND SERVICES
 Application Number – B/23/0153**

Thank you for your notification of 11 May 2023, concerning the proposed development at the above site. I have now had the opportunity to consider the impact on the local schools reasonably accessible from the development. Please see below overview in relation to the impact, and details for primary, secondary and sixth-form that follow.

Overview

Please see below table in relation to the number of places required and available in local schools from/for the proposed development:

Type	Children produced by scheme	Sufficient places available 2025/26 (Y/N/Partial)	Places to be mitigated	Contribution sought
Primary	3	Y	0	£ 0
Secondary	3	N	3	£ 76,509
Sixth-form	0	N/A	N/A	£ 0
			Total	£ 76,509

Please note, where an application is outline a formulaic approach will be taken in a section 106 agreement, this may result in a higher contribution if a high proportion of large houses are built. This would be finalised at the reserved matters stage. All section 106 agreements should include indexation using the Tender Price Index of the Royal Institute of Chartered Surveyors Building Cost Information Services (RICS BCIS TPI).

The above contributions would be spent on the following:

Type	Amount	Scheme
Primary	£0	
Secondary	£76,509	Education provision in the Boston Secondary planning area
Sixth-form	£0	

Following the removal of Regulation 123 from the Community Infrastructure Levy Regulations on 01 September 2019, requests can be made toward more than one scheme to provide the ability to extend the most appropriate school to mitigate the impacts of development at the time those impacts are felt.

Detail

The below table indicates the number of pupils generated by the proposed development. This is on the basis of research by Lincolnshire Research Observatory utilised to calculate Pupil Production Ratio (PPR) multiplied by the number of homes proposed.

House Type (if known)	No of Properties	PPR Primary	Primary Pupils	PPR Secondary	Secondary Pupils	PPR Sixth Form	Sixth Form Pupils
2 Bedroom	12	0.09	1.08	0.09	1.08	0.018	0.216
3 Bedroom	10	0.17	1.7	0.17	1.7	0.034	0.34
4+ Bedroom	2	0.33	0.66	0.27	0.54	0.054	0.108
Total (rounded down)	24	-	3	-	3	-	0

Capacity is assessed using the County Council's projected capacity levels at 2025/26, this is the point when it is reasonable to presume that the development would be complete or well on the way.

Type	Local School/School Planning Area	Pupils generated	Sufficient places available 2025/26 (Y/N/Partial)	Places to be mitigated
Primary	Old Leake Primary Planning area	3	Y	0
Secondary	Boston Secondary Planning area	3	N	3
Sixth-form	Boston Secondary Planning area	0	N/A	N/A

As the development would result in a direct impact on local schools, a contribution is therefore requested to mitigate the impact of the development at local level.

This is a recognisable and legitimate means of addressing an impact on infrastructure, accords with the NPPF (2019) and fully complies with CIL regulations; we feel it is necessary, directly related, and fairly and reasonably related in scale and kind to the development proposed in this application.

The level of contribution sought in this case is in line with the below table.

Type	Places to be mitigated	Contribution per place*	Sub-total	Local multiplier**	Lincolnshire contribution per place	Total contribution requested
Secondary extension	3	£25,003	£75,009	2.00	£25,503	£76,509
Total	-	-	£75,009	-		£76,509

*current cost multiplier per pupil place based on National Cost Survey

** to reflect Lincolnshire's average build cost compared to national average

We would suggest the s.106 monies are paid at the halfway point in the development to allow timely investment by the County Council whilst not adversely affecting the developer's viability.

Please note the County Council retains the statutory duty to ensure sufficiency of school places and this includes capital funding provision of sufficient places at maintained schools, academies and free schools. We would invest the funding at the most appropriate local school(s) regardless of their status, but ensure the s.106 funding is used only to add capacity as this is the only purpose for which it is requested.

I look forward to hearing from you, thank you for your notification of the application and thank Boston Borough Council for your continued cooperation and support.

Yours sincerely

Sam Barlow
Strategic Development Officer
Corporate Property Service

(By e-mail)