

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

District: Boston Borough Council

Application number: B/23/0239

Application Type: Full - Major

Proposal: Change of use from agricultural land to gypsy and traveller site (14 pitches) and associated works (re-submission of application B/22/0260)

Location: Land South of Marsh Road, Kirton

Response Date: 29 August 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

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 objection:

The Application Site is located considerably beyond the settlement boundary of Kirton and the site would not therefore be suitable for a conventional market residential development.

However, the proposed use would be for the benefit of a very specific user group, individuals of which, have presumably identified that, despite its remoteness, this site would suit their own particular needs, circumstances and lifestyle.

It is acknowledged that the highway network in the vicinity of the Application Site comprises of generally single-track minor roads. That network does however manage to serve numerous residential properties and some fairly significant agricultural concerns, without any apparent impact upon highway safety. The records of collisions involving personal injury, maintained by The Lincolnshire Road Safety Partnership show only a very small number of incidents within the whole of the minor road network between the A16 and the edge of The Wash. It is inferred from this that drivers using these roads are doing so in accordance with the prevailing conditions and circumstances and are accordingly not in conflict with others who are using those same roads.

The proposed use would involve the movement of usually the larger type of mobile caravans into and out of the site. However, those movements would not be expected to be occurring daily, weekly or possibly even monthly, but rather, in accordance with the seasonal demands of the lifestyle of the intended users. Given their use by some fairly substantial agricultural vehicles, the roads of the local highway network would be expected to be suitable to accommodate such occasional use.

The Application Site is adjacent to a 'hump' in Marsh Road, where it passes over the old sea bank. However, the proposed site access is sufficiently far away from this 'hump' for it to have no bearing upon the safe use of the proposed access or the use of Marsh Road by the public. The proposed access has sufficient visibility in both directions for safe egress out of the proposed development.

Therefore, in view of the above and 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 use of this land as a 14 pitch gipsy and travellers' site would not be expected to have an unacceptable impact upon highway safety and so does not wish to object to this planning application.

Officer's Name: Jon Sharpe

Officer's Title: Principal Development Management Officer

Date: 29 August 2023