

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

**District:** Lincoln City Council

**Application number:** 2022/0785/RM

**Application Type:** Reserved Matters

**Proposal:** Submission of reserved matters including environment impact assessment application required by outlined permission 2021/0479/CXN. The reserved matters are defined by condition no. 2 of 2021/0479/CXN which states: 02) The development to which this permission relates shall not be commenced until details of the following (hereinafter referred to as the "reserved matters") have been submitted to and approved by the Local Planning Authority. (a) The layout of the Building(s) (b) The scale of the building(s), including the height, massing and internal planning. (c) The external appearance of the building(s), to include details of all external materials to be used, their colours and textures. (d) Means of access to, and service roads for the development, including road widths, radii and sight lines, space for the loading, unloading and manoeuvring and turning of service vehicles and their parking; space for car parking and manoeuvring. (e) A scheme of landscaping for those parts of the site not covered by buildings to include surface treatments, walls, fences, or other means of enclosure, including materials, indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development

**Location:** Land at Wolsey Way, Lincoln, Lincolnshire

**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 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:**

#### **Site Location**

This is an application for the erection of 14 bungalows on the land adjacent to Wolsey Way, Lincoln.

We have been engaged in Outline application discussions and have provided our principle support of the proposals.

#### **Existing Conditions**

The site currently exists as a public open space, where it is used as a cut-through for pedestrians from Wolsey Way to the link footway. This connection is maintained in the site layout.

There is sparse on-street parking along Wolsey Way near the site, with the majority of dwellings having sufficient private parking to accommodate resident vehicles.

The condition of the surrounding Highway is satisfactory, with the inclusion of chicanes to reduce speeding.

There is a history of surface water flooding at the access to the site, plus the turning heads of Westholm Close and Hurstwood Close.

#### **Highway Safety**

The visibility for safe egress from the site has been improved by requesting the removal of the chicane to the west of Wolsey Way; north of the proposed access.

Accident data suggests that incidents occur predominantly at the accesses to Wolsey Way, at Nettleham Road and Bunkers Hill; this new access would not have an impact on the current safety of Wolsey Way users.

The site provides access for all highway users. The removal of the chicane has been raised as a matter of concern. This was assessed at Outline and it was determined safe to do so, with no need for replacement elsewhere. The formation of the new access will represent traffic control.

Whilst local residents have referred to recent accidents and "near misses", there has been no recorded Personal Injury Accidents (PIA) in the vicinity of this junction in the last 5 years. The Highways and Lead Local Flood Authority do not consider that this proposal would result in an unacceptable impact on highway safety.

### **Highway Capacity**

There is a sufficient level of provision of alternative transport modes, with a regular bus service in walking distance and use of an internal link footway that provides more direct routes to shopping areas, schools, and public open spaces.

Sufficient car parking has been provided off the Highway, with the inclusion of cycle storage also.

There is no precise definition of "severe" with regards to NPPF Paragraph 111, 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.

### **Flood Risk and Drainage**

The nearest watercourses are unnamed and are located approximately 1 km east of the site and 1 km north-east of the site. There are no main rivers within the local vicinity of the site., therefore fluvial flood risk is negligible. There is no evidence of groundwater flooding at this location.

The site has a very low risk of surface water flooding, with a less than a 1 in 1,000 annual exceedance probability of flooding. The drainage proposals include attenuation and source control before outfalling into an existing Anglian Water sewer. The drainage strategy has been approved under, and includes a 40% climate change allowance.

Anglian Water have agreed a 5 l/s outfall, and a S106 agreement will be required.

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. The Lead Local Flood Authority does not consider that this proposal would increase flood risk in the immediate vicinity of the site.

As Highways and Lead Local Flood Authority It is our role in the planning process to ensure that any proposed development does not adversely impact on the current network, should the drainage proposals result in not making worse the current situation, it would not be possible to recommend refusal or raise an objection. Whilst we appreciate the concerns, it is difficult to resolve the existing issues raised by local residents, in relation to this planning application since it is not the role of development to address existing problems.

### **Site Layout**

The site benefits from sustainable links in the form of a regular bus service along Wolsey Way, plus a connection to a link footway that runs from Nettleham Road to Bunkers Hill.

The access provision is safe for vehicle users, pedestrians, and cyclist alike.

Landscaping includes wildflower and tree planting, and with the inclusion of swales, shows considered blue and green infrastructure.

The layout allows for refuse vehicles to turn within the site, which should be free of vehicles as the private parking is sufficient. Moreover, cycle storage has been provided.

The site will be subject to an Advanced Payment Code notice.

### **Environmental Impact**

Although wild grasses will be removed from site, the planting of trees and wildflower ensure that green space is retained.

A Construction Management Plan and SuDS Method Statement will be required.

### **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 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 the Highway Authority's website via the following link: Traffic Management - <https://www.lincolnshire.gov.uk/traffic-management>

**Officer's Name: Justine Robson**

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

**Date: 29 August 2023**