

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

**District: South Holland District Council**

**Application number: H16-0521-23**

**Application Type: Outline - Major**

**Proposal: Erection of buildings to comprise up to 70,000 square metres (Gross Internal Area) of Class B8 (storage or distribution) floorspace to include ancillary Class E(g) (office) floorspace and provision of associated infrastructure including utilising existing vehicular access from B1173. Outline with means of access to be considered**

**Location: Land north of B1173 Barrier Bank and west of A16 Spalding (Lincs Gateway)**

**Response Date: 22 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 principle of an Employment Use of the Application Site land has been established by the relatively recent grant of Full Consent, under reference H16-0918-21, for four office buildings and 24 small industrial units. Both proposals utilise the same point of access onto the B1173 Cowbit Road, which is a Ghost Island Right-turn Lane junction that was constructed some years ago under a Section 278 Agreement with the highway authority. This junction has therefore been constructed to the appropriate Design Manual for Roads and Bridges standards and is considered to be suitable to provide safe access and egress for the use being proposed in this Application. The appropriate junction visibility is available for drivers emerging from the proposed development and in-bound, right-turning vehicles are able to wait safely in the central right-turn lane for any on-coming vehicles to pass without impeding the passage of following vehicles. The eventual occupiers of the two proposed commercial units will enjoy very good connectivity with the principal national highways network via the adjacent A16/A1175 roundabout. The Application Site is Allocated in the South-east Lincolnshire Local Plan for Employment Use. The site's internal roads are not being proposed to be put forward for adoption by the highway authority as public highways. The proposed development is accessible on foot but this does involve the use of the footway running along the east side of the B1173 Cowbit Road, where, being on an historic, man-made embankment, there has been a degree of subsidence that caused the footway to be closed for several months. Some emergency repairs have been undertaken by the highway authority and this footway has now been re-opened. It is however acknowledged that some more extensive repair work will be required as a long-term solution for this pedestrian route and the details submitted in support of this Application do include a tacit undertaking for the Applicants to assist the highway authority by possibly making a contribution towards the cost of the long term solution. However, no firm commitment has currently been made to programme this work as an active highway improvement scheme and therefore a Planning Condition or a Section 106 Agreement requirement to provide funding on the back of this Planning Application may fail to fully meet the requirements for Planning Obligations set-out within the National Planning Policy Framework document. The highway authority would however welcome any such contribution should a commitment be made to take this forward as an active scheme. For the benefit of your Planning Committee Members, a very rough estimate of the cost of undertaking the long-term solution is of the order of £500,000. The inclusion of comments within the consultation responses to this Planning Application, regarding the speed of traffic along the section of Cowbit Road between the end of the town's existing 30 mph limit (just south of the Little London Bridge) and the A16, has been noted. It is considered likely that this part of the highway network could meet the qualifying criteria set-out in the Authority's Speed Limit Policy for a lower speed limit (although it has to be said, unlikely to**

be as low as 30mph). To this end, it is requested that in the event that Consent is to be granted for this Application, the Applicants be required to enter into a Section 106 Agreement to cover the highway authority's legal and administrative costs in investigating and progressing a Traffic Regulation Order (TRO) for a reduced speed limit on this part of the network. The cost would be £4,500.

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 subject to the completion of the Section 106 Agreement for the speed limit TRO process, 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 and therefore does not wish to object to this planning application.

**Officer's Name: Jon Sharpe**

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

**Date: 22 August 2023**