

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

District: East Lindsey District Council

Application number: N/100/00827/23

Application Type: Full - Major

Proposal: Planning Permission - Change of use of existing fish farm and paddock to holiday let accommodation including the erection of 9no. holiday cabins, provision of parking and erection of a new access road

Location: Cawthorpe Springs Trout Farm, Wood Lane, Legbourne, LN11 8LU

Response Date: 27 July 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: Approve with conditions

This proposal is for the change of use of existing fish farm and paddock to holiday let accommodation including the erection of 9no. holiday cabins, provision of parking and erection of a new access road. It is proposed that the existing vehicle access to the site from Wood Lane will continue to be used to access the development, however the access is only suitable for the existing use and will need to be to a highway standard specification for the new use. The existing access provides visibility splays greater than 2.4m x 43m which are suitable to ensure drivers have sufficient visibility of approaching traffic and pedestrians to judge if it safe to complete the manoeuvre.

The site is to be served off Wood Lane which is a rural track road and a Public Right of Way only wide enough for vehicles to travel in single file along the carriageway which is shared with pedestrians. The route is used by both vehicles and pedestrians to existing residential dwellings to the West and a parking area for the nature reserve known as Legbourne Wood to the East, including the existing premises of the fish farm.

The proposed development site provides parking provision of one space per cabin and three spaces for staff including turning facility within the site to allow vehicles to enter and leave in a forward gear. Lincolnshire County Council does not have adopted parking standards and considers each application on its own merits and although potentially, there may be more demand of spaces, however there is sufficient space within the site to accommodate this provision. Therefore, it will be for the Local Planning Authority to consider the parking proposals inline with their adopted parking standards in the local plan.

The applicant has submitted a Transport Statement to support their application, which demonstrates that the site could be associated with an estimation of around 22 two-way movements on a weekday and some 21 two-way movements on a weekend. This equates to an estimated 21.7 two-way vehicle movements per day averaged across the week. It is accepted that there may be some additional trips carried out by guests throughout their stay, however, it is anticipated that these could be carried out on an infrequent basis and outside of the typical peak hours on the local highway network. Additionally, to assist in managing and regulating the vehicular demands associated with the proposed site operation, the applicant has committed to ensuring a system is in place alongside the booking of accommodation that seeks to stagger the arrival and departure times of guests. In addition as part of the booking in process, the applicant will promote the accessibility of the development by sustainable transport (active and public transport). During their stay guest will be encouraged to walk and cycle, use local taxi services and use the Call connect bus service should they need to access facilities not available in Legbourne Village.

A review of the accident data was undertaken to assess the historic road safety performance of the local highway network for the last five years and there were four personal injury collisions (PICs) recorded on the highway within Legbourne Village, however, there were no recorded collisions on either Wood Lane or Mill Lane and there does not appear to be any other factors (clusters or patterns of similar causation) which would indicate an existing road safety issue that the proposal may

exacerbate.

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. However, that said, the increase of vehicular trip generation for the proposed use, would cause over-run damage to the carriageway edge and rutting of the highway verges as the carriageway is unable to accommodate the passage of two-way vehicular movements. Therefore, to support this application, mitigation will be required on the carriageway of Wood Lane with a scheme of highway improvement works in the form of two passing places, which are to be agreed with the Highway Authority, in the interests of highway safety for all users.

As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response regarding 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. A Flood Risk Assessment has been carried out by Roy Lobley Consulting. The FRA concludes that the proposed development is not at significant flood risk, and will not increase flood risk to others, subject to the recommended flood PLANNING, DESIGN & ACCESS STATEMENT – Holiday Cabins, Wood Lane, Legbourne – Kelly & MacPherson Architects 24 mitigation strategies being implemented. The identified risks and mitigation measures are setting floor levels for the cabins at a minimum of 18.00 AOD. The rainwater from the roof covering of the Clamping Pods will discharge to ground as naturally occurs and any excess water will flow into the existing ponds and watercourse.

CCountryside Comments

While this development does not obstruct Legbourne Public Footpath 186, the development shall significantly affect the use and enjoyment of this Public Footpath and the very quiet road (Wood Lane) that are used daily by many residents in the area for exercise, recreation and dog walking. The number of extra vehicle movements along Wood Lane and the access being taken along Public Footpath 186 will spoil what for many is a quiet and undisturbed walk as those entering/exiting this site with vehicles shall interrupt this.

I would suggest that the blind access onto Wood lane near the ford from Mill Lane onto Wood lane is a significant risk to walkers and horse riders if more vehicles are to be using this means of access. I wish to object to this proposal for the above reasons affecting the Public Footpath. The development may be able to work if access to it was on a differing route that didn't use Wood Lane and the Public Footpath.

Planning Conditions:

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

Highway Condition 21

No part of the development hereby permitted shall be occupied before the works to improve the public highway by means of two passing places on Wood Lane 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 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

Informative's:

Highway Informative 03

The permitted development requires the formation of a new/amended vehicular access. 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's website, accessible via the following link:
<https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb>.

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>

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.

Officer's Name: Dean Whitehead

Officer's Title: Senior Development Management Officer

Date: 8th September 2023

Chief Fire Officer: Mark Baxter

My Ref: 10008526077/SC
Your Ref: N/100/00827/23

Lincolnshire Fire and Rescue
Skegness Fire Station
Churchill Avenue
Skegness
Lincolnshire
PE25 2RN

Highways SuDS Support
Lincolnshire County Council
County Offices,
Newland,
Lincoln
LN1 1YL

19 May 2023

Dear Sir

**TOWN AND COUNTRY PLANNING ACT 1990
PLANNING CONSULTATION**

I refer to the planning application reference **N/100/00827/23**. The Fire Authority have no objection to the application provided the following items were included within the development.

1. Access to buildings for fire appliances and fire fighters must meet with the requirements specified in Building Regulations 2010 Part B5. These requirements may be satisfied with other equivalent standards relating to access for fire-fighting, in which case those standards should be quoted in correspondence.
2. Lincolnshire Fire and Rescue also requires a minimum carrying capacity for hard standing for pumping appliances of 18 tonnes, not 12.5 tonnes as detailed in the Building Regulations 2010 part B5. This weight limit would also apply to any private roads in order to achieve the above item.

Should you wish to discuss this matter, please do not hesitate to contact me on the telephone number below.

Yours faithfully

Sarah Cocker
Fire Safety Inspector
Lincolnshire Fire and Rescue
Telephone: 01754 898980
Email: fire.safety@lincoln.fire-uk.org



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