

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

**District: West Lindsey District Council**

**Application number: 146729**

**Application Type: Full**

**Proposal: Planning application to reinstate ground back to original levels and change of use of land to residential curtilage**

**Location: 33 West Bank, Saxilby, Lincoln, LN1 2LU**

**Response Date: 10 November 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 subject to Planning Conditions** as detailed below.

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:**

The proposed development is situated off an unclassified road, West Bank. This road runs north of Foss Bank and serves a number of residents, as well as sewage works and a camp site.

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 no recorded collisions on West Bank, and given that vehicle parking and turning will take place onsite, highway safety will not be exasperated by the development. The visibility at the access complies with Manual for Streets (MfS). West Bank is an unclassified road, but due to factors including the frequency of junctions, alignment of the road and driver behaviour; visibility in accordance with MfS is deemed appropriate.

The applicant's correspondence indicates an increase of 10 - 15 lorries per day, with 2 at peak times, during the extent of the works only. 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.

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. This application is located in Flood Zone 2, with potential risk of fluvial flooding from Fosdyke Canal. Surface water runoff will be managed by a land drainage system which will direct

surface water to the existing watercourse. The importing of clean inert material will still allow for direct infiltration on the land. The Environment Agency have reviewed the plans and are satisfied that the raising of ground levels, as proposed, will not have an adverse effect on the flood risk and therefore, have no objections to the planning application.. Therefore the Lead Local Flood Authority does not consider that this proposal would increase flood risk in the immediate vicinity of the site.

To mitigate noise and air pollution a Construction Management Plan will be conditioned. This will also ensure surface water runoff is managed during the works.

### **Planning Conditions:**

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

#### **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 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;
- the routes of construction traffic to and from the site including any off-site routes for the disposal of excavated material and;
- 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.

### **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.

**Officer's Name: Justine Robson**

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

**Date: 6 November 2023**