

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

District: North Kesteven District Council

Application number: 23/0619/FUL

Application Type: Full-Major

Proposal: Proposed change of use from agricultural to mixed use (including Equine Use, Agricultural Use, Amenity Use, Educational Use, Class E (a) (Display or retail sale of goods), Class E(b) (Sale of food and drink for consumption on the premises), Class F1 (a) (provision of learning) and Class F2 (c) (provide areas for outdoor recreation))

Location: Land at Ruskington Fen, Ruskington, Lincolnshire, NG34 9TG

Response Date: 14 February 2024

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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Location: Land at Ruskington Fen, Ruskington, Lincolnshire, NG34 9TG

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

Introduction/Site Location

The proposal is for the change of use from agricultural to mixed use (including Equine Use, Agricultural Use, Amenity Use, Educational Use, Class E (a) (Display or retail sale of goods), Class E(b) (Sale of food and drink for consumption on the premises), Class F1 (a) (provision of learning) and Class F2 (c) (provide areas for outdoor recreation)). The site is off Fen Road, Ruskington which is a rural road on the outskirts of the Village which serves other Agricultural businesses and residential properties.

Existing Conditions

Fen Road is wide enough for two vehicles to safely pass one another and the condition of the carriageway is good. No footpaths serve the site and visitors to the site will be wholly reliant upon the car.

Highway safety

There are two reported Personal Injury Accidents in the vicinity of the site site but these are single vehicle accidents and not related to the site. The applicant will regularly maintain the roadside hedges in order to achieve maximum visibility at the existing access.

Highway capacity

There is no precise definition of "severe" with regards to NPPF Paragraph 115, 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.

Site Layout

The proposed access and parking arrangement plan - CDD/23/257/07 dated 23/05/2023 is acceptable for the proposed use. The access will be widened and upgraded in accordance with this drawing and to Lincolnshire County Council specification.

Flood Risk and Drainage

Surface water flooding occurs occasionally (three times in the last 10-year period) and it is therefore important that the design and layout of the farm's structures takes into consideration the movement of surface water during a flooding incident. The majority of surface water flooding occurs along the roadside edge of the site. The floor level of any structures, such as the static caravans and toilets, which are located along the edge closest to the road in areas prone to flooding should therefore be raised above the level of the medium surface water flood risk level of 150 mm. Septic tanks located beneath the static caravans and public toilet must be positioned at a level which is high enough to prevent the ingress of flood water. The site is bordered on three sides by open water drainage ditches which contain water only during prolonged periods of heavy rainfall. It is vital that these open water drains are kept clear of vegetation and well maintained to facilitate the rapid removal of surface water during heavy rainfall. Pipes which run underneath the entrances should be kept clear of obstructions. The proposals for surface water management are to replace pipes which run beneath the two entrances to allow larger capacity flows. Unfortunately, the main pipe which copes with the flow of two converging drains lies beneath the entrance road of a neighbouring landowner and cannot be replaced. Two small ponds have recently been dug in areas prone to flooding and wetland vegetation will be planted around these. The development intends to use further sustainable drainage systems such as ponds, planting willow trees, maintaining grass swales and installing soakaways. These sustainable drainage systems offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, and improving water quality and amenity. The drainage proposal is acceptable in principle but further detail is required.

The developers will closely monitor the weather and be prepared for surface water flooding after periods of prolonged and/or heavy rainfall. A subscription to the Environment Agency flood warning service currently provides sufficient time to prepare for the flood hazard. Surface water flooding at this site generally only occurs at the same time as the Beck in Ruskington, which is closely monitored by the warning service. A Site Flood Plan will be developed for the community farm to help managers predict where the worst flooding is likely so that these areas can be closed to the animals and public in good time before flooding occurs. Construction and placement of any structures will take into consideration the surface water hazard.

Planning Conditions:

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

Highway Condition 33

The permitted development shall be undertaken in accordance with a surface water drainage scheme which shall first have been approved in writing by the Local Planning Authority.

The scheme shall:

- be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development;
- provide flood exceedance routing for storm event greater than 1 in 100 year;
- provide details of how run-off will be safely conveyed and attenuated during storms up to and including the 1 in 100 year critical storm event, with an allowance for climate change, from all hard surfaced areas within the development into the existing local drainage infrastructure and watercourse system without exceeding the run-off rate for the undeveloped site;
- provide attenuation details and discharge rates which shall be restricted to Greenfield run off rate;
- provide details of the timetable for and any phasing of implementation for the drainage scheme; and
- provide details of how the scheme shall be maintained and managed over the lifetime of the development, including any arrangements for adoption by any public body or Statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime.

No part of the development shall be occupied until the approved scheme has been completed or provided on the site in accordance with the approved phasing. The approved scheme shall be retained and maintained in full, in accordance with the approved details.

Reason: To ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, or upstream of, the permitted development.

Informatives

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>.

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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: Samantha Legg

Officer's Title: Principal Development Management Officer

Date: 14 February 2024