

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

District: South Holland District Council

Application number: H06-1137-23

Application Type: Full-Major

Proposal: Change of use from agricultural land to dog exercise paddock, altered vehicular access, parking and stationing of a field shelter

Location: Land off Topsgate, Gedney, Spalding, Lincolnshire, PE12 0BU

Response Date: 9 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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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 land to a dog exercise paddock, altered vehicular access, parking and stationing of a field shelter. The site is located off Topsgate, Gedney which is a 60mph road at the site access.

Existing Conditions

The access exists but is informal. Visibility has been demonstrated satisfactorily. The road is wide enough for two cars to pass and widens slightly on the bend where the access is located.

Highway safety

There are no recorded personal injury accidents in the vicinity of the site. Topsgate provides good forward visibility when approaching the site. There are no footways that connect to the site and the distance would be too far to request that one is constructed from this proposal. Topsgate is popular with dog walkers currently and there is parking provision on site to drive there.

Highway capacity

The level of vehicle movements generated by the proposal is very low, with one or two vehicles accessing the facility each hour, assuming full use throughout the stated hours of operation. The existing volume of traffic on Topsgate is low, being typical of a rural road. 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 site layout is acceptable and general of such uses. The parking area is adequate and provides space to allow vehicles to turn on site so they can enter and leave in a forward gear.

Flood Risk and Drainage

This is an open field and the proposal will not change that so drainage will be natural drainage into the ground. The parking area will be of permeable hardcore.

Off-Site Improvements

Other than the upgrade of the access there are no off site improvements required

Planning Conditions:

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

Highway Condition 13

Before the access is brought into use all obstructions exceeding 0.6 metres high shall be cleared from the land within the visibility splays illustrated on drawing number 1600-1_PL_SP01 Rev A dated 25/01/2024 and thereafter, the visibility splays shall be kept free of obstructions exceeding 0.6 metres in height.

Reason: So that drivers intending entering the highway at the access may have sufficient visibility of approaching traffic to judge if it is safe to complete the manoeuvre.

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>.

Officer's Name: Samantha Legg

Officer's Title: Principal Development Management Officer

Date: 9 February 2024