

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

District: East Lindsey District Council

Application number: N/092/02375/23

Application Type: Outline

Proposal: Outline erection of up to 50no. dwellings and associated infrastructure (with means of access, landscaping and layout to be considered).

Location: Land south of Chestnut Drive, Louth

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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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.

Comments:

This proposal seeks to erect a further 50 dwellings off Chestnut Drive, Louth. Vehicular access will be served from Acorn Avenue, which is part of the live development site off the existing Chestnut Drive estate. As Tennyson Fields and Acorn Avenue are not yet public highway (they are subject to Section 38 Agreement), the applicant will be required to make arrangements with that developer directly to gain access to this site whilst the streets remain under their private responsibility.

The entrance to the site is provided by an existing connection on Acorn Avenue. A ditch exists along this southern boundary of the site, which has been culverted at the point of the proposed new road. This culvert was not part of the Section 38 Agreement for the live development site, and will need including in the Section 38 for this proposal.

A pedestrian connection is proposed to Park Row. There are no opportunities for pedestrian connections to Abbey Park or Eastfield Rise.

The site benefits from good pedestrian infrastructure to various community services and facilities within easy walking distance, such as schools, shops, places of worship, the GP surgery and leisure and recreational facilities. The area is also served by the Louth Nipper providing regular services to the town centre.

St Bernards School on Wood Lane does not have a formal footway and students, parents/guardians, staff and visitors are required to walk in the road. We request that the applicant provide a 2m footway on Wood Lane between St Bernards Avenue and the school entrance to provide safe and sustainable access to the school for residents of the site.

A Transport Statement was submitted to support this application. It demonstrates that there is significant capacity on the highway network surrounding the site to accommodate the anticipated movements from this development at peak times for future year traffic forecasts. The applicant has recommended that they adopt the Travel Plan measures imposed on the wider development site, which we encourage and support.

On-site surface water drainage will be provided by roadside swales and an attenuation basin. The basin will discharge to a riparian watercourse at the north-western corner of the site, which runs alongside Eastfield Rise to discharge to an Anglian Water surface water sewer in Eastfield Road. The discharge rate will be restricted to 7.56l/s, which is lesser than the greenfield run-off rate for the site (8.69l/s). Anglian Water have agreed the discharge rate to their sewer in principle. The ditches around the site perimeter will be subject to a maintenance schedule. As the roadside swales will be under drained, trees cannot be planted within them to avoid root ingress to the pipes.

Site layout comments

- Grass service margins are required for shared surfaces, such as between plots 3 and 12.
- Shared surfaces must be block paved, not asphalt.
- Any requirement for knee rail fencing around the attenuation basin should be designed out.
- Footways are not required around turning heads.
- We would like to note concerns with the layout of the on-plot car parking arrangements, namely the tandem spaces. In accordance with LCC guidance on car parking, we only consider tandem car parking spaces to count as one car parking space. We advise that on-plot car parking spaces be delivered side-by-side rather than in tandem.

Comments from the Executive Councillor: Highways and Transport

The member would like to note concerns with the layout of the on-plot car parking arrangements, namely the tandem spaces. In accordance with LCC guidance on car parking, LCC only consider tandem car parking spaces to count as one car parking space. LCC advise that on-plot car parking spaces be delivered side-by-side rather than in tandem.

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; 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.

Highway Condition 21

No part of the development hereby permitted shall be occupied before the works to improve the public highway (by means of providing a 2m footway on Wood Lane between St Bernards Avenue and the eastern school entrance) 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 Condition 27

The permitted development shall not be occupied until those parts of the approved Travel Plan that are identified therein as being capable of implementation before occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented for as long as any part of the development is occupied.

Reason: In order that the permitted development conforms to the requirements of the National Planning Policy Framework, by ensuring that access to the site is sustainable and that there is a reduced dependency on the private car for journeys to and from the development.

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 7.56 litres per second;
- 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 dwelling/ 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 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.

Highway Informative 05

All roads within the development hereby permitted must be constructed to an acceptable engineering standard. Those roads that are to be put forward for adoption as public highways

must be constructed in accordance with the Lincolnshire County Council Development Road Specification that is current at the time of construction and the developer will be required to enter into a legal agreement with the Highway Authority under Section 38 of the Highways Act 1980. Those roads that are not to be voluntarily put forward for adoption as public highways, may be subject to action by the Highway Authority under Section 219 (the Advance Payments code) of the Highways Act 1980. For guidance, please refer to <https://www.lincolnshire.gov.uk>

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

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>

Officer's Name: Becky Phillips-Melhuish

Officer's Title: Growth Manager (Planning Advice)

Date: 14 February 2024



Lincolnshire
FIRE & RESCUE

Fire and Police Headquarters
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My Ref: JF
Your Ref: N/092/02375/23

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

For the attention of Miss L. Stuart

Sent by email to HighwaysSUDsSupport@lincolnshire.gov.uk

13 December 2023

Dear Madam

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING CONSULTATION: OUTLINE ERECTION OF UP TO 50NO. DWELLINGS AND ASSOCIATED INFRASTRUCTURE (WITH MEANS OF ACCESS, LANDSCAPING AND LAYOUT TO BE CONSIDERED)

LOCATION: LAND SOUTH OF CHESTNUT DRIVE, LOUTH

I refer to the outline planning application reference N/092/02375/23. The Fire Authority would make no objection to the application provided that the following items were included within the development:

- I. 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.**
- II. 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/shared access roads in order to achieve the above item.**
- III. Lincolnshire Fire and Rescue recommends that fire hydrants be installed within this development at the developer's expense. However, it is not possible, at this time, to determine the number of fire hydrants required for fire-fighting purposes. The**

requirement will be determined at the water planning stage when site plans have been submitted by the water companies.

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

Yours faithfully

Joshua Frost
Fire Safety Inspector
Email: fire.safety@lincolnshire.gov.uk
Tel : 01522 553868

CC: LFR Water Officer