

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

District: Lincolnshire County Council

Application number: PL/0070/23

Application Type: Full

Proposal: To extract sand and gravel with restoration to agriculture and nature conservation, import and processing of inert restoration materials, export of recycled aggregate, the creation of new public footpaths, the erection of associated plant and infrastructure and a new/altered access from the A15

Location: Thetford House Farm, Baston

Response Date: 15 January 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:

The application site for a proposed sand and gravel extraction, is part of Thetford House Farm, which is located to the north of the village of Baston, and east of the A15. The site is approximately 5km south of Bourne, and 5km north of Market Deeping.

The application seeks to extract in the region of 2.4 million tonnes of sand and gravel, over a period of 8-10 years. It would be extracted at a rate of 250,000 – 300,000 tonnes per annum (tpa). The site would be progressively restored to a mixture of agriculture and nature conservation, which would require the importation of approximately 400,000m³ of inert restoration materials. Access to the site would be via a new or enlarged access onto the A15, to the west of the site.

The site is proposed to be worked in six phases, starting with Phase 1 at the south-west corner of the extraction area and then moving in a clockwise direction. Part of Phase 1 would then comprise the silt and freshwater lagoons during the remainder of the extraction period. Soils would be stripped prior to extraction of each phase and used to form bunds around the edges of the site.

The internal access road would lead west from the plant site to the new proposed access on the A15. There is currently no access to the A15 in this location, however planning permission has been granted for an access here and by the time Cemex start working it is likely to already be in situ, and require enlarging to Cemex's requirements rather than construction from scratch.

It is proposed that drivers are subject to a routing agreement (which can be secured by S106 agreement) which would prevent them travelling through Baston village along Main Street (except in the case of very local deliveries required within the village where it is unavoidable). As such, they would leave the site by travelling north or south along the A15 to reach their destinations.

The proposed access has been designed to Highways England CD 123 standards for a 60mph road and incorporates a ghost island, splitter island and right turn lane that can accommodate a queue of 9 passenger car units. In line with DMRB guidance, visibility splays of at least 215m

can be achieved in either direction along the A15 from the proposed site access. The vehicle tracking drawings provided also confirm that the proposed access layout can safely accommodate the movements of a maximum legal length 16.5m long articulated HGV. A road safety audit has been conducted, which demonstrates suitability.

There are no public footpaths within the site. However, the Applicant will construct additional, designated public rights of way at the start of the development during the site set-up phase, along the eastern boundary of the site, and in the north-west corner, connecting the existing PROW network to the south of the site with Macmillan Way. These will be designated as public footpaths and maintained by the Applicant during construction.

Highway safety/Highway capacity

The planning application is supported by a Transport Assessment which considers the impact of the proposed development on the highway network and demonstrates that the proposed site access junction and the additional movements on the A15 can be adequately accommodated and that no significant impact will occur on the existing local highway network.

The anticipated HGV movements, associated with the development, are 16 per hour and this change in flows can be considered within the daily variations.

The quarry HGVs will travel either north or south along the A15 depending on where each load of material is required. However, based on existing data from West Deeping quarry, it is expected that a small majority of HGVs will travel south toward Market Deeping to join the A1175 or continue south towards Peterborough. Quarry vehicles will be instructed not to use smaller local roads unless these are required for a local delivery, and this can be secured via a S106 agreement. It is expected that infill HGV arrivals and departures will be equally split travelling north and south along the A15

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.

The proposal will generate 16 HGVs per hour passing through the A15. In highways terms, this volume of traffic can be accommodated at the junctions within capacity and will not result in an unacceptable impact on highway safety. There could be impacts on residents' amenity, noise, air pollution. These environmental impacts are for the Local Planning Authority to consider and not within the remit of the Highways and Lead Local Flood Authority.

Paragraph 57 of NPPF requires that any planning obligations meet ALL the following tests:

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

The proposal that the development should provide further mitigation does not meet all of the above tests and therefore cannot be required as a planning obligation.

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;
- 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.

Highway Condition 21

No part of the development hereby permitted shall be occupied (before the works to improve the public highway (by means of an improved access, ghost island, splitter island and right turn lane along with associated works) 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 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 phasing of the development to include access construction;
- 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 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 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: Sarah Heslam

Officer's Title: Principal Development Management Officer

Date: 15 January 2024