

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

District: South Kesteven District Council

Application number: S23/1360

Application Type: Full-major

Proposal: Change the use of an agricultural field to an off-leash dog walking and training field and creation of a car parking area for 3 cars and the erection of a 1.8m tall galvanized stock wire and post fence around the edge of the field

Location: Field to North of Southfield Nurseries, Bourne Road, Morton

Response Date: 31 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:

Approve with conditions

Introduction/Site Location

The proposal is for the change of use of an agricultural field to an off-leash dog walking and training field and creation of a car parking area for 3 cars and the erection of a 1.8m tall galvanized stock wire and post fence around the edge of the field. The site is located off the A15 - a busy, free flowing road.

Existing Conditions

The site access exists on a stretch of the A15 where the speed limit is 60mph - visibility has been demonstrated satisfactorily. There is a footpath on the other side of the road and there are street lights in the vicinity.

Highway safety

There are no recorded Personal Injury accidents in the immediate vicinity of the site.

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 site access is to be widened to 4.5m to accommodate the safe passage of two cars and it will be upgraded to Lincolnshire County Council Specification. The gate will be set back 8m

away from the carriageway edge and so vehicles will not overhang the highway. Adequate parking provision has been demonstrated for the proposal. There will be a 10 minute break between each booking allowing time for clients to leave before the next booking arrives. The number of dogs on site at anyone time will not exceed 8 in total.

Flood Risk and Drainage

There is Surface water flood risk present, the proposal will not provide any additional hardstanding.

Surface water will drain via the permeable ground as existing. Due to the minor nature of the development proposal, there is no capacity to include SuDS measures. As such, the proposed development will not increase the risk of flooding elsewhere from surface water sources.

Conditions

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 MSP1745/001A dated 24/01/2024 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: 31 January 2024