

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

**District: East Lindsey District Council**

**Application number: N/105/01409/23**

**Application Type: Full - Major**

**Proposal: Planning Permission - Demolition of existing foodstore and redevelopment of site to provide larger, new replacement foodstore with associated accesses, parking and servicing arrangements**

**Location: Morrisons Supermarket, 156-158 Eastgate, Louth LN11 9AB**

**Response Date: 22 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 demolition of the existing foodstore (N/105/01410/23) and redevelopment of the site to provide larger, new replacement foodstore with associated accesses, parking and servicing arrangements. The site comprises of the Morrisons store and car park, leasehold car park, former bus depot, 160 Eastgate, the former garage and brownfield land.

The site is bounded to the north by Eastgate and the residential properties alongside. To the east by the residences on Priory Road. To the south is Monks Dyke Road on which are located a small number of residences and Kingdom Hall of Jehovah's Witnesses, with Louth Academy Upper Campus across the road. The western boundary is defined by Albion Place, and the gardens of Windsor, Betts and Church Cottage Mews.

### **Existing Conditions**

The site is currently accessed from Monks Dyke Road with a pedestrian access from Eastgate. Immediately fronting the store on East gate is a three-arm mini roundabout providing access through Eastgate and Ramsgate. The car park is to the rear from Monks Dyke Road. Monks Dyke Road is a single carriageway road which lies on an east to west alignment. Monks Dyke Road is subject to a 30mph speed limit and is street lit. In the vicinity of Orme Lane, Monks Dyke Road has a carriageway width of some 6.0 metres and is bordered by footways to the north and south.

### **Highway safety**

There are no recorded personal injury accidents in the immediate vicinity on Eastgate and Monks Dyke Road.

### **Highway capacity**

The junction capacity assessments have shown that those junctions experiencing an increase of over 30 two-way vehicle trips are predicted to operate within the 0.85 RFC threshold and will therefore operate within capacity.

Other junctions on the network will experience a net benefit to their operation as a result of

the proposals and the additional junction. It can therefore be concluded that, based on Paragraph 115 of the NPPF, the impact of the traffic generated by the proposed development on the local highway network is not significant or 'severe'

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.

### **Travel Plan**

The Travel Plan is acceptable and sufficient - cycle parking is proposed on site.

### **Site Layout**

It is a replacement store with an increase of 1170sq.m. There will be an increase in parking spaces from 183 spaces to 195 spaces which is acceptable in accordance with Lincolnshire County Council Design Approach Guidance. Detailed are a mix of accessible, parent & child, click & collect and Electric charging spaces. Cycle stands will be provided adjacent to the storefront.

Removing the store allows for a reconfigured car park, improving connectivity to the store entrance from the car park. The car park is sufficient to support a store this size, with dedicated disabled spaces, and parent with child provision in close proximity to the store entrance. The click and collect bays are relocated closer to the store to better provide customers with a choice on how they wish to shop.

Pedestrian connectivity is important, with the existing route from Monks Dyke Road adjacent to Kingdom Hall tying directly into the store apron, with pedestrian routes created through the park where the constraints have allowed. Pedestrian permeability will remain unchanged along the established routes of Priory Road and Church Street, where pavements provide a protected route. We suggested a pedestrian route along the desire line where pedestrians are currently traversing the verge into the site from Monks Dyke Road but the applicant was reluctant to provide this due to the sloping ground at this location and the proximity to the pedestrian connection provided adjacent to Kingdom Hall. The proposed boundary treatment here should be revised to a height not to allow pedestrians to climb over the treatment and continue as they currently are. This becomes a maintenance issue otherwise and could lead to injuries.

## **Flood Risk and Drainage**

The Environment Agency's Flood Risk Map for Planning indicates that the site is in Flood Zone 1 – Low Risk of Flooding and should not experience river or sea flooding during events up to the 0.1% AEP (1 in 1000yr). The site is considered to be at LOW risk of fluvial flooding. Subject to suitable levels and drainage design, the site is considered to be at LOW risk of pluvial and sewer flooding.

The Long Term Flood Risk Map indicates surface water flooding affecting Church Street and Eastgate with some minor pluvial flooding occurring to a low lying area at the rear of the existing store and parts of Orme Lane. Due to the site's elevated position, the flood risk from surface water (pluvial) flooding is considered Low.

The proposed new store will be located to the centre and south of the site where levels are significantly higher. The proposed finished floor level will be 25.0m AOD, elevated well above Eastgate. Site levels will continue to generally fall to the north although the site will be reprofiled and plateaus formed for the new store and service yard. The low lying void formed by demolition of the existing store will be infilled and continuously graded to provide access to the new store at the higher level. External levels around the building will be carefully designed to allow any exceedance or emergency flows to safely flow around the building. Rainwater harvesting is proposed, along with permeable asphalt or block paving provided to the flatter parking bays close to the store entrance, multiple permeable pavements are proposed at slightly differing finished levels and will require flow restriction. The low level section of access road will discharge to a bioretention rain garden. The majority of the service yard and plant will discharge to filter drains. The drainage is acceptable in principle subject to a more detailed design and drawing.

## **Off-Site Improvements**

The existing three-arm mini roundabout on Eastgate will be altered to a four-arm mini-roundabout, in order to provide the principal vehicular access into the proposed new foodstore. It will create a more visually pleasing street scene set back with landscaping. The works will include improvements to the pedestrian crossing on Ramsgate and refreshing of the lining on Eastgate complete with a revised street lighting design to relocate some street lights. There will be a requirement to alter the Traffic Regulation Order on Monks Dyke Road - to facilitate the proposed new vehicular access - for which there will be a financial contribution of £1,800 to the highway authority, to cover processing costs. This would be delivered by a Section 106 Agreement.

A series of Tactile Crossing points are required along the route to the supermarket as the proposal will increase footfall to the store. The tactile crossing points to be installed are at Orme Lane jct, Priory Road jct, Trinity Lane jct, Almond Crescent jct.

## **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;

- \* details of how the existing store will continue to operate safely whilst demolition and construction works are ongoing.
- 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.

## Highway Condition 21

No part of the development hereby permitted shall be occupied (apart from those works identified on drawing number 18/419/TR/004 Rev C) before the works to improve the public highway (by means of roundabout works to provide a 4th arm into the site, pedestrian crossing improvements at Ramsgate, white lining works and revised street lighting) 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

No part of the development hereby permitted and prior to commencing the Section 278 works, consultation with Lincolnshire County Council, Street Lighting is required regarding the relocation of the existing streetlight and to review the lighting within the area. The street lighting design should be submitted to the Planning Authority for approval.

Reason: To ensure the provision of safe and adequate means of lighting in the vicinity of the Section 278 works.

#### Highway Condition 21

No part of the development hereby permitted shall be occupied before the works to improve the public highway (by means of a series of Tactile Crossing points have been installed at Orme Lane, Priory Road, Trinity Lane and Almond Crescent) 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 34

No part of the development hereby permitted shall be occupied (apart from those works identified on drawing number 18/419/TR/004 Rev C) before the applicant has commenced proceedings with the Highway Authority to progress public consultation for a Traffic Regulation Order to facilitate the proposed new vehicular access/4th arm of the roundabout, which has 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 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 Brownfield 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 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.

Highway condition

A revised boundary treatment is required for Monks Dyke Road and shall be submitted to the Local Planning Authority for approval.

Reason: to ensure pedestrian access into the site is from the official access points proposed on Monks Dyke Road.

## **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 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](http://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>

## Highway Informative 09

The existing ground level of the site must not be raised above the ground level of any surrounding land without further consultation with the Lead Local Flood Authority and Local Planning Authority, to consider suitable mitigation measures to ensure that surface water flood risk is not created or increased to land adjacent to the permitted development.

### Note to Planner

We wish to request that the applicant enters into a S106 Agreement to secure the funding of £1,800 for Lincolnshire County Council to undertake a Traffic Regulation Order to facilitate the proposed new vehicular access/4th arm of the roundabout on Eastgate, Louth.

**Officer's Name: Samantha Legg**  
**Officer's Title: Principal Development Management Officer**  
**Date: 22 February 2024**