

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

District: Lincoln City Council

Application number: 2023/0736/RM

Application Type: Reserved Matters

Proposal: Submission of reserved matters including layout, scale, appearance, access and landscaping for the erection of 52no. dwellings as required by hybrid (outline) planning permission 2019/0294/RG3

Location: Phase 1A (parcels A1 And A1a), Western Growth Corridor, Skellingthorpe Road, Lincoln, Lincolnshire

Response Date: 10 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.

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.

Comments:

Introduction/Site Location

This Reserved Matters proposal is for the erection of 52no. dwellings as required by hybrid (outline) planning permission 2019/0294/RG3.

The site is located on land north-east of Skellingthorpe Road, opposite the junction with Birchwood Avenue and accessed from the spine road currently being constructed.

Sustainable links in the area include bus routes from Skellingthorpe and Birchwood to the city centre via Hartsholme and Boultham. There is a shared footway / cycleway link along Skellingthorpe Road to the Tritton Road segregated cycleway and footway that allows travel to the retail parks and city centre. Local primary and secondary schools are within walking and cycling distance, as is the neighbourhood shopping areas and medical practices.

The location of this site will allow highway users to make sustainable travel the modal choice when accessing local amenities.

The junction improvement works at Birchwood Avenue / Skellingthorpe Road will also increase safe access and egress from the site for all highway users.

The existing public right of way (PROW) along the Boultham Catchwater Drain will be maintained during the works, with diversions in place. The PROW has been approved to be diverted and an informal route is provided linking those users of Pig Lane to the PROW. Improvements to the PROW are being discussed separate to this application.

The location represents the first phases of a larger masterplan. The wider plan falls within several flood zones. This application lies within Flood Zone 1.

The Construction Environmental Management Plan details working hours to avoid noise disruption in the evenings and weekends where possible. Dust suppression kits are in use to reduce dust in the surrounding area, and wheel cleaning will take place.

Current construction access is via Pigs Lane, and as required by Planning condition No 27, Pig Lane should remain accessible at all times of day to those that have a legal right.

A number of trees have been removed, but there has been as many as possible retained on site; new trees are being planted along the spine road and green areas have been provided in the residential parcels in this application.

Highway safety

There is safe access for all highway users; Pedestrians and cyclists are afforded permeability across both parcels via link footways, offering more direct routes to Skellingthorpe Road. This will be continued as further phases come forward and allow for sustainable travel to Tritton Road.

From the spine road that is under construction, vehicle access to the residential parcels will be slowed down through the use of pedestrian and cyclist priority at road accesses, narrower side roads, and block-paved materials use that is an effective traffic calming strategy.

There have been five recorded accidents from 2018 to 2022 at the junction of Birchwood Avenue / Skellingthorpe Road. These were classed as "slight". With the introduction of the Birchwood Avenue / Skellingthorpe Road junction improvements, visibility and safety will be improved. This is a signalised junction with pedestrian refuge islands at each road.

There could be impacts on resident's amenity, noise, and 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.

Highway capacity

This proposal is for the erection of 52no. dwellings as required by hybrid (outline) planning permission 2019/0294/RG3. Highway capacity has always been a concern for Lincolnshire County Council as Highway Authority however we continue to offer our commitment to work with all parties to seek appropriate mitigation in order to be able to support these development proposals.

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.

Junction improvements are taking place on the adjoining highway network; although queuing will take place this will not cause safety issues.

The rear parking courts ensures that there is limited on-road parking. In order that the permitted development conforms to the requirements of the National Planning Policy Framework, there is an offer of access to the site that is sustainable which will reduce dependency on the private car for journeys to and from the development.

The level of provision for alternative transport modes includes cycling infrastructure; both existing in the form of shared footways/cycleways along Skellingthorpe Road and Birchwood Avenue, and newly constructed footways and cycleways along the spine road – which will continue to be constructed through the duration of the corridor's buildout.

Moreover, it is a short distance to access the current bus service provision allowing access to the city centre, retail parks including a local supermarket, the village of Skellingthorpe, and the neighbourhood amenities within Birchwood.

Lincolnshire County Council does not have adopted parking standards and considers each application on its own merits. It is not considered that this proposal would result in an unacceptable impact on highway safety.

Site Layout

Consideration has been given to the layout of these parcels as the Skellingthorpe Road gateway to Western Growth Corridor. Rear parking courts ensure parking will remain away from the spine road allowing for an uncluttered view at housing frontages. Each residential property will have access to a dedicated electric vehicle charging point adjacent to/within their allocated parking area.

Of the dwellings fronting Grosvenor Avenue, two have rear parking provision and the third has a private driveway. There is on-road parking space but the requirement for this has been reduced due to the provision in place.

The use of swales and filter drains introduces blue/green infrastructure that ties-in well with the proposed landscaping; softening up the rear parking courts and providing green areas for the local community to enjoy.

There is adequate refuse storage, with collection taking place along the side-street; again allowing for an uncluttered view along housing frontages.

There is an abundance of parking provision. However, with cycle storage and infrastructure in place, plus regular bus services, and a number of footway connections, residents can easily make sustainable travel options their primary mode of travel.

The LLHFA would expect to see the new side roads and service margins proposed for adoption to be Highways maintainable.

Flood Risk and Drainage

This phase falls within flood zone 1 which has a low probability of flooding from rivers and the sea. There is also a low risk of flooding from surface water and reservoirs and the CEMP shows detailed mitigation during construction.

The proposed drainage strategy includes sewers for both foul and surface water, intended for adoption by Anglian Water through a Section 104 agreement. Some private drainage elements will be implemented within the curtilage of properties or in management company areas. The development

flows have been incorporated into the infrastructure work for the spine road, with outfalls to existing sewers, attenuation features, and connection drains provided for the parcels' benefit.

A swale network is proposed to accommodate rainfall events with a return period of up to and including 1 in 30 years. In more extreme events, such as those with a return period of up to 1 in 100 years, accounting for climate change, surface water will be retained within the site's green open spaces, ensuring it does not impact existing or proposed dwellings or adjacent land.

The attenuation pond(s) will outfall into the catchwater drain, with a flow control mechanism to meet the existing rate. The implementation of cellular storage and oversized pipes further enhances the drainage strategy's effectiveness.

Planning Conditions:

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

Highway Condition 26

Before any dwelling is occupied, all of that part of the estate road and associated footways that forms the junction with the main road and which will be constructed within the limits of the existing highway, shall be laid out and constructed to finished surface levels in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority.

Reason: In the interests of safety, to avoid the creation of pedestrian trip hazards within the public highway from surfacing materials, manholes and gullies that may otherwise remain for an extended period at dissimilar, interim construction levels.

Highway Condition 29

The permitted development shall be undertaken in accordance with an Estate Road Phasing and Completion Plan, which shall first be approved in writing by the Local Planning Authority. The Plan shall set out how the construction of the development will be phased and standards to which the estate roads on each phase will be completed during the construction period of the development.

Reason: To ensure that a safe and suitable standard of vehicular and pedestrian access is provided for residents throughout the construction period of the 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 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: Justine Robson

Officer's Title:

Date: 10 January 2024