

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

District: Boston Borough Council

Application number: B/23/0344

Application Type: Full - Major

Proposal: Extension to existing garden outlet including, restaurant, education, facility and car parking

Location: Bell Brothers Nurseries Lowfields Road, Benington, Boston, PE22 0EE

Response Date: 15 November 2023

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

This application is for the extension to existing garden outlet including, restaurant, education, facility and car parking that will utilise the existing accesses from Lowfields Road. Adequate provision for car parking and turning space can be provided within the limits of the site to enable vehicles to enter and leave in a forward gear and sufficient visibility is available to allow drivers intending entering the highway to judge if it is safe to complete the manoeuvre.

That said, the existing vehicle accesses are not appropriate for their use, as they are just an unbound gravel material and therefore it will need to be made up to the County Councils specification within the extent of the public highway appropriate for it's proposed business use.

The National Planning Policy Framework (NPPF) is clear in its advice, that developments should be resisted or refused only where the residual cumulative transportation impacts are severe, or that the development would have an unacceptable safety impact. This is clearly not the case from this application, as the the overall impact of vehicle trips created by the development on the highway network will be negligible and therefore it is considered that the proposed development would not have a severe residual cumulative impact on highway safety or capacity issues in accordance with the NPPF.

The proposals are served by Lowfields Road which has existing problems with regards to the condition of the road. Whilst we appreciate the concerns, it is difficult to resolve the existing issues in relation to this planning application, since it is not the role of development to address existing problems .The traffic impact of the development is that additional vehicles movements on average are likely to be limited and it is unlikely that all visitors will arrive and depart at the same time. This level of traffic does not require improvements to the highway which meet the CIL tests (NPPF Paragraph 56) of being necessary, fair and reasonable and directly related.

In view of there being no accident records within the last 5 years along Lowfields Road or within the vicinity of the sites access, the Highway Authority are unable to reduce the current speed limit.

Surface water from the proposed development will be captured within the site by means of rainwater storage units and subsequently be utilised for the growing of produce, which is an acceptable means of surface water disposal without causing risk to the proposed development site, existing building or surrounding land.

No Objections

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.

Informatives

Highway Informative 03

The permitted development requires the formation of a new/amended vehicular accesses. 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 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>

No Objections

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.

Officer's Name: Dean Whitehead

Officer's Title: Senior Development Management Officer

Date: 15 November 2023

Chief Fire Officer: Mark Baxter

My Ref: 10008187963/JF
Your Ref: B/23/0344

Head of Planning
Lincolnshire County Council
County Offices
Newland
Lincoln
LN1 1YL

Lincolnshire Fire and Rescue
Headquarters,
Community Fire Protection –
Business Support,
Deepdale Lane
Nettleham
Lincoln
LN2 2LT

For the attention of Ian Carrington

Sent by email to HighwaysSUDsSupport@lincolnshire.gov.uk

10 October 2023

Dear Sir

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING CONSULTATION: EXTENSION TO EXISTING GARDEN OUTLET INCLUDING, RESTAURANT, EDUCATION, FACILITY AND CAR PARKING

LOCATION: BELL BROTHERS NURSERIES LOWFIELDS ROAD, BENINGTON, BOSTON, PE22 0EE

I refer to the planning application reference B/23/0344. The Fire Authority would make no objection to the application provided that the following items were included within the development:

B5 ACCESS FOR THE FIRE SERVICE

Suitable and sufficient access for fire appliances and fire fighters should be provided, the criteria of which is specified within Building Regulations 2010 Part B5. Access roads should therefore have:

- **Minimum carrying capacity of 18 tonnes (Lincolnshire Fire and Rescue requires this minimum carrying capacity for hard standing for pumping appliances, not 12.5 tonnes as detailed in the Building Regulations 2010 part B5).**
- **Minimum 3.7m width between kerbs**
- **Minimum width of gateways 3.1m**
- **Minimum height access of 3.225m**
- **A turning circle, hammerhead or other turning point in a dead end access route that is more than 20m long.**

These requirements may be satisfied with other equivalent standards relating to access for firefighting, in which case those standards should be quoted in correspondence.



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B5 ADEQUACY OF WATER SUPPLY

Lincolnshire Fire and Rescue requires the installation of one fire hydrant conforming to BS750-2012 within 90m of the premises entrance in respect of this planning application to be provided at the developer's expense. Fire hydrant acceptance testing will be carried out by a Hydrant Inspector on completion and a standard hydrant marker "H" plate will be fitted nearby. Following adoption the Fire Service will be responsible for the ongoing maintenance and repairs for the lifetime of the fire hydrant.

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

Yours faithfully

Joshua Frost
Fire Safety Inspector
Lincolnshire Fire & Rescue
Lincolnshire County Council
Email: fire.safety@lincolnshire.gov.uk
Tel : 01522 553868