

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

District: East Lindsey District Council

Application number: S/086/01669/23

Application Type: Full - Major Planning Application

Proposal: Planning permission - Erection of 2 units for commercial, storage or trade counter uses (Class E(g) (ii) (research & development) and (iii) (Light Industrial), Class B2 (General Industrial) and Class B8 (Storage & Distribution) and a unit for use as a builders' merchant (Sui Generis (storage, distribution, trade counter, offices, tool hire and ancillary retail) of The Town and Country Planning (Use Classes) Order 1987 as amended with associated external storage, erection of fencing 2.4 metres in height, provision of parking and construction of a vehicular access

Location: Land adjacent and opposite White House Farm, Boston Road, Horncastle

Response Date: 13 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 subject to the following conditions and S106 contribution

- Widening of the existing footway
- Suitable Construction Management Plan
- S106 contribution of £2,500 for processing the TRO for extending the speed limit.

Comments:

The proposal is for the erection of commercial units, to the South of Horncastle. 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 with the widening of the existing footway, 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.

Highway Safety and Capacity

Vehicle access to the site will be via a new priority controlled junction which has suitable visibility in both directions. Suitable parking for cycles and vehicles has been provided inline with the Transport Statement agreed at pre application, the applicant has demonstrated the ability for delivery vehicles to turn within the sites. Pedestrian access will be via an existing footway, however, this footway is not to our current standards and to support this application we would require this footway to be upgraded to 1.8m, this will allow the safe passage of pedestrians to and from the site.

Flood Risk and Drainage

As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to Drainage on all Major Applications. This application proposed to use storage and infiltration as the primary method of surface water management for the site. Therefore the Lead Local Flood Authority does not consider that this proposal would increase flood risk in the immediate vicinity of the site.

Section 106 Contribution

The proposal falls outside of the current town limits and outside of the 40mph speed limit, the provision of commercial units in this location will effectively extend the extent of the

town. Therefore, a Section 106 contribution of £2,500 is requested to cover the Highway Authority's cost of processing the Traffic Regulation Order to extend the speed limit.

Planning Conditions:

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

Highway Condition 20

The development hereby permitted shall not be occupied before footway between the development and Boston Road Service Station is widened to 1.8m, to allow access to the site for users of all abilities and allow two people to pass on the footway safely, has been provided in accordance with details that shall first have been submitted to, and approved in writing by, the Local Planning Authority. The works shall also include appropriate arrangements for the management of surface water run-off from the highway.

Reason: To ensure the provision of safe and adequate pedestrian access to the permitted development, without increasing flood risk to the highway and adjacent land and property.

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 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 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 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: Joseph Walden

Officer's Title: Senior Development Management Officer

Date: 13 November 2023