

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

**District: South Kesteven District Council**

**Application number: S23/1177**

**Application Type: Full**

**Proposal: Construction of a retail foodstore ALDI, car parking, access, landscaping and associated engineering works**

**Location: Land north of West Road, Bourne , Lincolnshire, PE10 9PS**

**Response Date: 24 April 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.

**Comments:**

*The Application Site is rectangular, extends to 1.2 ha or thereabouts, and is located to the northern side of West Road in Bourne. The site currently comprises part of a wider agricultural field and is grazed grassland. The southern and western boundaries of the site are defined by hedgerow and trees, as is part of the eastern boundary. There is currently no vehicular access into the site.*

*The application proposes the construction of an ALDI Foodstore with a new access road off the roundabout junction to the south.*

*The Proposed Site Layout Plan shows the foodstore positioned in the north-western part of the Site so that it is set back from the highway, and in the part of the site where it will be screened in views from the west by the adjoining tree belt and hedgerow that run along the line of the restricted byway.*

*Access is proposed via a new access road which will run in a north-south alignment along the eastern side of the site. The access road will form a fifth arm to the A151 West Road / B1193 West Road / Welland Drive / A151 Raymond Mays Way four-arm priority controlled roundabout. The access into the foodstore car park would be via a single all-movement access junction set some distance away from the roundabout to ensure that there will be no backing onto the junction.*

*Pedestrian and cycle access will be provided via two access points; one along the southern boundary off West Road, and the second along the eastern boundary off the new access road. These access points will connect to the existing and/or proposed pedestrian footpaths providing level access from West Road to the store entrance.*

*Public transport access is also available via bus stops located approximately 300m to the east of the site on either side of West Road. The stops are accessible via the existing pedestrian infrastructure and they are served by an hourly bus route between Bourne and Peterborough.*

*Within the development, parking provision is proposed within the limits of the site, including, car parking, accessible parking, parent and child parking, EV charging points and the provision*

*for cycle parking. The proposed parking arrangements are in line with Lincolnshire County Council guidance.*

### **Highway safety/Highway capacity**

The planning application is supported by a Transport Assessment and Travel Plan which considers the impact of the proposed development on the highway network and to improve accessibility and safety for all modes of travel, particularly for alternatives to car. The detailed information concludes that no significant impact will occur on the existing local highway network.

The development generated traffic, trip distribution and the junctions modelled for the existing situation have been used to analyse the future year scenarios of '2028 Base' (incorporating expected growth from 2023) and '2028 Base + development.' The analysis shows that in the 2028 Base + Development scenario, all junctions will continue to operate within their theoretical capacity with either no or low queuing. The addition of the traffic generated by the development is, therefore, predicted to have only a negligible impact on the operation of all of the assessed junctions. As such, the proposed development will not result in anything approaching "severe" cumulative impacts at local junctions ("severe" being the term used in the NPPF to describe impacts that may prompt the refusal of planning permission) so that the proposals are acceptable in relation to traffic impact.

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.

### **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. The Lead Local Flood Authority does not consider that this proposal would increase flood risk in the immediate vicinity of the site.

### **Off-Site Improvements**

In line with the NPPF, safe and suitable access is to be provided for all. The proposal will generate increased pedestrian movements to the site and currently there is no provision for a safe and direct route from the Elsea Park Development. The Applicants are now proposing to address this issue by providing a footway from Welland Drive, with a pedestrian island at the junction. These details are indicatively shown on drawing number AMA/40046/D/100 dated

04/12/2023. These proposals will be subject to a S278 Agreement with Lincolnshire County Council.

**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;

- 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 indicatively identified on drawing number AMA/40046/D/100 or as specified) before the works to improve the public highway (by means of a new footway and pedestrian island) 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 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 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 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 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>

**Officer's Name: Sarah Heslam**

**Officer's Title: Principal Development Management Officer**

**Date: 24 April 2024**