

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

District: Boston Borough Council

Application number: B/23/0300

Application Type: Full-Major

Proposal: Proposed development of a photovoltaic solar array, grid connection, access improvements and ancillary development

Location: Land South of Little Hale Drove, Vicarage Drove, Bicker Fen, Boston, PE20 3BF

Response Date: 18 June 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.

Introduction/Site Location

The Proposed development is a photovoltaic solar array, grid connection, access improvements and ancillary development. The relatively compact Solar Farm, at Little Hale Fen will feed into the large National Grid sub-station at Bicker Fen into which nearby Wind Turbines, the Tritton Knoll offshore wind farm, the Viking Link and several other consented and prospective solar farms are connected/to be connected. This application is for the installation of the electrical connection between the farm and the sub-station under the Public Highways of Little Hale Drove (North Kesteven), Bicker Drove and Vicarage Drove (Boston Borough).

Existing Conditions

The roads are not in a good condition, some in-situ recycling works have recently taken place along here so Lincolnshire County Council are reluctant to allow those parts to be dug up. It has been confirmed that the location of the cable run will be in the grass verges which are wide.

Highway safety

There are no recorded personal injury accidents in the vicinity of the site.

Highway capacity

Construction traffic will be minimal, envisage 2 teams in 2 sections over an achievable timescale of 8 weeks. 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.

Site Layout

The construction route will be via the haul road – Tritton Knoll. Trenches will be no more than 900mm and they intend to lay the cables within the verges as they are wide enough to accommodate. Service information shows no conflicts within the public highway. A Construction Management Plan will be required at detailed design stage. The applicant will have to enter into a Section 50 License with Lincolnshire County Council to install apparatus within the public highway. The main site will be constructed first then the laying the cables in tandem. A Section 59 inspection will be required prior to commencement and upon completion of the works to inspect the condition of the public highway (to include the structure Ash Holt Bridge 23/09/20 Where Vicarage Drove meets Bicker Drove). This will be done with a representative from Lincolnshire County Council and the Applicant/Cosultant. The works shall be carried out in accordance with Technical Note Version 2 dated 20/02/2024. The cable run will pass under Bicker Public Footpath 1, if this is to be done via directional drilling then that will be acceptable, any disturbance to the surface of the public footpath then works and mitigation must be agreed in advance with the Highway Authority, Lincolnshire County Council Public Rights of Way Section.

Flood Risk and Drainage

Flood risk and drainage are not affected by this proposal.

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 co-ordination with other consented planning approvals for B/21/0443 and B/22/0356 in respect of any damage caused to the highway and how this is rectified/monitored.
- 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.

Condition – Prior to the commencement of any part of the development hereby permitted, the condition of the parts of the public highway affected by the proposal (namely Vicarage Drove, Bicker Drove and Ash Holt Bridge 23/09/20) shall be recorded by written notes, still and moving photographic images during an inspection that shall be undertaken by the Applicant's representatives in the company of an officer of the Local Highway Authority. Those public roads/structures shall be maintained, at the cost of the Applicants, in a safe and suitable condition throughout construction of the permitted development and shall be reinstated to no less than the standard of their pre-commencement condition following completion of the construction.

Reason – In the interests of safety and convenience to other road users and in accordance with Section 59 of the Highways Act 1980.

Informatives

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: Samantha Legg

Officer's Title: Principal Development Management Officer

Date: 18 June 2024