

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

District: East Lindsey District Council

Application number: N/105/01181/23

Application Type: Hybrid - major

Proposal: Hybrid application for the outline erection of 2no. warehouse/industrial buildings and full planning permission for the erection of a retail food store and retail warehouse unit, drive-thru restaurant, commercial units, warehouse and industrial development with associated infrastructure, access and servicing, car parking and landscaping.

Location: Land at Northfields, Grimsby Road, Louth

Response Date: 21 May 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: Approve with comments

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.

Recommendation for No objection subject to:

The following recommended conditions laid out below.

- **Planning Conditions** as detailed below.

Comments:

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.

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 has provided details to support a site specific sustainable drainage system with a controlled rate of surface water run-off. Therefore the Lead Local Flood Authority does not consider that this proposal would increase flood risk in the immediate vicinity of the site.

Introduction/Site Location

Hybrid application for the outline erection of 2no. warehouse/industrial buildings and full planning permission for the erection of a retail food store and retail warehouse unit, drive-thru

restaurant, commercial units, warehouse and industrial development with associated infrastructure, access and servicing, car parking and landscaping.

Existing Conditions

Greenfield site.

Highway safety

Mitigated with highway network improvements and speed limit reduction.

Highway capacity

Acceptable impact as outlined in the submitted Transport Assessment.

Travel Plan

Subject to condition.

Site Layout

Acceptable, site access carriageway and footways will require constructing to an acceptable specification suitable for adoption, subject to agreement with the landowner and Lincolnshire County Council.

Flood Risk and Drainage

Limited discharged rate in agreement with the Local Internal Drainage Board and on site drainage infrastructure with attenuation mitigates any potential issues regarding surface water flooding. Site is currently showing as not being at risk.

Off-Site Improvements

Laid out in recommended planning conditions below.

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 identified on drawing number 4742/006 F dated 11/10/2022 or as specified before the works to improve the public highway by means of a Shared footway/cycleway extension, Northfields roundabout widening and road markings, pedestrian crossing points with tactile paving and Public Right of Way access to the development site from Fanthorpe Lane) 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 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 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 27

The permitted development shall not be occupied until an approved Travel Plan has been identified and capable of implementation before occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented for as long as any part of the development is occupied.

Reason: In order that the permitted development conforms to the requirements of the National Planning Policy Framework, by ensuring that access to the site is sustainable and that there is a reduced dependency on the private car for journeys to and from the development.

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.

Highway Condition 33

The permitted development shall be undertaken in accordance with a surface water drainage scheme which shall first have been approved in writing by the Local Planning Authority.

The scheme shall:

- be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development;
- provide flood exceedance routing for storm event greater than 1 in 100 year;
- provide details of how run-off will be safely conveyed and attenuated during storms up to and including the 1 in 100 year critical storm event, with an allowance for climate change, from all hard surfaced areas within the development into the existing local drainage infrastructure and watercourse system without exceeding the run-off rate for the undeveloped site;
- provide attenuation details and discharge rates which shall be restricted to 5.0 litres per second;
- provide details of the timetable for and any phasing of implementation for the drainage scheme; and
- provide details of how the scheme shall be maintained and managed over the lifetime of the development, including any arrangements for adoption by any public body or Statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime.

No dwelling/ no part of the development shall be occupied until the approved scheme has been completed or provided on the site in accordance with the approved phasing. The approved scheme shall be retained and maintained in full, in accordance with the approved details.

Reason: To ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, or upstream of, the permitted development.

Informatives

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>

Highway Informative 09

The existing ground level of the site must not be raised above the ground level of any surrounding land without further consultation with the Lead Local Flood Authority and Local Planning Authority, to consider suitable mitigation measures to ensure that surface water flood risk is not created or increased to land adjacent to the permitted development.

Note to Officer

Please secure a S106 sum of:

- £2500 for the processing of the alteration to the traffic regulation order and relocation of the existing speed limit terminal signs along Noth Holme Road.
- £145000 for the provision of a second Bus to provide a shuttle service to this development.

The applicant is required to consult with Lincolnshire County Council Transportation with regards the provision of the bus service from the Town Centre of Louth to the development site.

Officer's Name: Dean Whitehead

Officer's Title: Senior Development Management Officer

Date: 21 May 2024

Chief Fire Officer: Mark Baxter

My Ref: SC
Your Ref: N/105/01181/23Highways SuDS Support
Lincolnshire County Council
County Offices
Newland
Lincoln
LN1 1YLLincolnshire Fire and Rescue
Skegness Fire Station
Churchill Avenue
Skegness
Lincolnshire
PE25 2RN

17 July 2023

Dear Sir / Madam

**TOWN AND COUNTRY PLANNING ACT 1990
PLANNING CONSULTATION - HYBRID APPLICATION FOR THE OUTLINE
ERECTION OF 2NO. WAREHOUSE/INDUSTRIAL BUILDINGS AND FULL
PLANNING PERMISSION FOR THE ERECTION OF A RETAIL FOOD STORE
AND RETAIL WAREHOUSE UNIT, DRIVE-THRU RESTAURANT, COMMERCIAL
UNITS, WAREHOUSE AND INDUSTRIAL DEVELOPMENT WITH ASSOCIATED
INFRASTRUCTURE, ACCESS AND SERVICING, CAR PARKING AND
LANDSCAPING.**

I refer to the planning application reference **N/105/01181/23**. The Fire Authority have no objection to the application provided the following items were included within the development.

1. Access to buildings for fire appliances and fire fighters must meet with the requirements specified in Building Regulations 2010 Part B5. These requirements may be satisfied with other equivalent standards relating to access for fire-fighting, in which case those standards should be quoted in correspondence.
2. Lincolnshire Fire and Rescue also requires a minimum carrying capacity for hard standing for pumping appliances of 18 tonnes, not 12.5 tonnes as detailed in the Building Regulations 2010 part B5. This weight limit would also apply to any private roads in order to achieve the above item.
3. Lincolnshire Fire and Rescue recommends that fire hydrants be installed within this development at the developer's expense. However, it is not possible, at this time, to determine the number of fire hydrants required for fire-fighting purposes. The requirement will be determined at the water planning stage when site plans have been submitted by the water companies.

***MAKING OUR COMMUNITIES SAFER, HEALTHIER AND MORE RESILIENT******WWW.LINCOLNSHIRE.GOV.UK/LFR***

Should you wish to discuss this matter, please do not hesitate to contact me on the telephone number below.

Yours faithfully

Sarah Cocker
Fire Safety Inspector
Lincolnshire Fire and Rescue

Telephone: 01754 898980
Email: fire.safety@lincoln.fire-uk.org