

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

**District: South Kesteven District Council**

**Application number: S23/2032**

**Application Type: Reserved Matters**

**Proposal: Reserved matters for layout, scale, appearance and landscaping (71 dwellings)**

**Location: Land east of Folkingham Road, Morton, PE10 0NR**

**Response Date: 1 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:**

**No objection subject to:**

- **Planning Conditions** as detailed below.

**Comments:**

*The principle of development was established at outline stage. This application is for Reserved Matters relating to layout, scale, appearance and landscaping.*

*The site is allocated for residential development within the adopted South Kesteven Local Plan.*

*The site extends to approximately 5ha and comprises agricultural land. It is located to the east of Folkingham Road, the A15, and to the north of the village of Morton, South Kesteven.*

*To the west of the site is a narrow strip of allotments, beyond which is the A15, which intersects the village and provides vehicular links to the larger settlement of Bourne to the south. The site is bound to the south by existing residential development which comprises the more historic part of the village along High Street which is in large part located within the conservation area. To the north and east of the site is open countryside.*

*The site is currently accessed via a Public Right of Way that runs in off High Street which further links to a network of footpaths beyond.*

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

The submitted Transport Statement concludes that there would be no significant or severe impacts on highways as a result of the development. The Report goes on to note that the site is accessible by sustainable transport modes, with a number of local facilities being accessible by foot, bus or cycle.

### **Site Layout**

Adequate parking spaces are proposed within the limits of the site. However, we would like to note concerns with the layout of the on-plot car parking arrangements, namely the tandem spaces. In accordance with LCC guidance on car parking, we only consider tandem car parking spaces to count as one car parking space. We advise that on-plot car parking spaces be delivered side-by-side rather than in tandem.

The scheme has been amended at different stages to accommodate adoptable edge lanes, therefore achieving permeability through the site.

As a result of the proposed development, Public Footpath 41 will require resurfacing, a scheme for which should be submitted to LCC for approval. It is also agreed that the applicant will replace the stile at the junction with the A15. The Local Planning Authority will need to consider the outstanding issue regarding the cycle route/footway, which is to be formed onto the High Street.

Vehicular access, to serve the development, will only be from the A15, which also includes construction traffic. No vehicular access is permitted from the High Street.

### **Flood Risk and Drainage**

It is acknowledged that the site is located within Flood Zone 1, which represents the lowest risk of flooding. The submitted Flood Risk Assessment concludes that the site is suitable for residential development without compromising the risk of flooding and this is considered acceptable by the Lead Local Flood Authority.

### **Off-Site Improvements**

As per the outline consent, a pedestrian crossing point is to be delivered at the High Street and a contribution towards bus services.

### **Planning Conditions:**

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

#### 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.

### 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 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 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.

### Highway Condition 21

No part of the development hereby permitted shall be occupied before the works to improve the public highway (by means of the installation of tactile paving to the pedestrian crossing point on High Sreet, at the junction with Folkingham Road) 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](http://www.lincolnshire.gov.uk/highways-planning/works-existing-highway)

## **Informatives**

### 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 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 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.

## S106 Contributions

A contribution of £30,000 (£10,000 per annum), is requested towards extended bus services for route 101. This will provide an opportunity for a longer term service and encourage the use of sustainable transport.

**Officer's Name: Sarah Heslam**

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

**Date: 1 May 2024**