

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

District: East Lindsey District Council

Application number: N/036/00565/24

Application Type: Full

Proposal: Planning Permission - Installation of ground mounted solar park with associated works, siting of storage containers, transformers and the erection of perimeter fencing and CCTV cameras with the construction of vehicular access

Location: Land south of Fen Farm, Fen Lane, Conisholme

Response Date: 9 July 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 Objections

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.

Comments:

The proposal is for the Installation of ground mounted solar park with associated works, siting of storage containers, transformers and the erection of perimeter fencing and CCTV cameras with the construction of vehicular access.

The Design and Access Statement specifies that construction is expected to take place over approximately six to nine months, with vehicles being routed via the A157 – B1200 – A1031 onto Fen Farm Lane. The existing access lane to the solar and wind parks will provide both construction and operational access to the Site. The access will need to be upgraded to industrial specification to accommodate HGVs turning in and out and the Section 184 informative below provides details of the process to obtain LCC approval for this.

There will be limited vehicle traffic associated with the propose solar park post-construction. 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.

There will be increased vehicle movements during construction, and as such a Construction Management Plan will be required prior to the construction commencement. Fen Lane is not wide enough for two-way vehicle movements, however it is unlikely that opposing vehicles will meet, and there are existing passing places and farm accesses that can be used to wait.

This proposal does not directly affect any Public Rights of Way however, a Definitive Map Modification Order Application has been submitted to add Fen Lane to the Definitive Map and Statement as a Public Bridleway. This section of Fen Lane is currently an unsurfaced unclassified county road that gives access to Conisholme Public Bridleway 60. There would be merit in the development improving the surface of the unclassified county road through import of suitable material and levelling out of the surface so access through to the bridleway is improved that would benefit users and the local community. Access to the Public Bridleway should remain unobstructed throughout construction. Should any works be undertaken which affect the Public Bridleway there must be prior discussion with Lincolnshire County Council Countryside section.

Flood Risk and Drainage

Solar farms minimally impact surface water flood risk because rainwater runs off the panels and onto the ground, similar to current conditions. A slight increase in impermeable area is due to additional hardware.

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 includes a plan within its FRA to manage surface water runoff by directing a series of perforated pipes into an attenuation basin for storage before discharging into the LMDB Watercourse. Therefore, the Lead Local Flood Authority does not consider that this proposal would increase flood risk in the immediate vicinity of the site.

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 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 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;

Reason: In the interests of the safety and free passage of those using the adjacent public highway to the permitted development during construction.

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>.

Officer's Name: Justine Robson

Officer's Title: Senior Development Management Officer

Date: 9 July 2024