

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

District: East Lindsey District Council

Application number: S/204/00755/24

Application Type: Full

Proposal: Planning Permission - Erection of a free range egg production poultry unit with ancillary structures and hardstanding.

Location: Land at Poplar Farm, Main Road, Keal Cotes

Response Date: 17 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 subject to the below condition(s)

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 application site is an agricultural area with and is accessed from Hagnaby Lane, Keal Cotes. The northern boundary is marked by the applicant's existing free-range poultry farm, which consists of a 32,000-bird free-range unit with additional structures and a 16.2-hectare ranging area.

The development will operate alongside the established poultry unit, which will result in an additional average of 309.2 vehicle trips per annum, including return journeys. 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.

In highways terms, this volume of traffic can be accommodated at the junctions within capacity and will not result in an unacceptable impact on highways safety. There could be impacts on resident's amenity, noise, air pollution. These environmental impacts are for the Local Planning Authority to consider and not within the remit of the Highways and Lead Local Flood Authority.

The dimensions of the proposed access are adequate to enable 2 HGVs to pass in opposing directions and the proposal would therefore not result in an unacceptable impact on highway safety. It is noted that the access is made up of unbound material. Unbound materials are not

permitted within 1m of the Highway to ensure that unbound material does not spill into the Highway and create a safety hazard.

The proposed unit will be built on land within Flood Zone 1 with the current site access partially situated in flood zones' 2 and 3. Surface water flood risk is low with an annual flooding probability of 0.1% to 1%.

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 will feature a surface water drainage system that channels clean roof and surface water into an underground PVC crate soakaway system. Water from the poultry unit roof will be directed to the soakaway through a gutter system, which is designed to handle 1 in 100-year storm events, including considerations for climate change. The hardstanding area outside the poultry unit entrance will be drained through gullies or channel drains and pipes leading to the soakaway. Therefore, the Lead Local Flood Authority does not consider that this proposal would increase flood risk in the immediate vicinity of the site.

IDB Comments:

- A Riparian watercourse exists on the boundary surrounding the site and to which the Land Drainage Act applies. <https://www.w4idb.co.uk/wp-content/uploads/2023/05/llc-riparian-leaflet-pages-print-.pdf>
- Under the provisions of the Flood and Water Management Act 2010, and the Land Drainage Act. 1991, the prior written consent of the Lead Local Flood Authority (Lincolnshire County Council) is required for any proposed works or structures in any watercourse outside those designated main rivers and Internal Drainage Districts. At this location, this Board acts as Agents for the Lead Local Flood Authority and as such any works, permanent or temporary, in any ditch, dyke or other such watercourse will require consent from the Board.
- No development should be commenced until the Local Planning Authority, in consultation with the Lead Local Flood Authority has approved a scheme for the provision, implementation and future maintenance of a surface water drainage system. The Board would wish to be consulted directly if the following cannot be achieved and discharge affects the Boards District:
 - Existing catchments and sub-catchments to be maintained.
 - Surface water run-off limited to 1.4l/s/ha for pumped and lowland catchments.
 - Surface water run-off limited to the greenfield rate for other gravity systems.
 - Brownfield sites limited to the greenfield rate.
- The suitability of new soakaways, as a means of surface water disposal, should be to an appropriate standard and to the satisfaction of the Approving Authority in conjunction with the Local Planning Authority.
- A permanent undeveloped strip of sufficient width should be made available adjacent to the top of the bank of all watercourses on Site to allow future maintenance works to be undertaken. Suitable access arrangements to this strip should also be agreed.
- Access should be agreed with the Local Planning Authority, LCC and the third party that will be responsible for the maintenance.
- All drainage routes through the Site should be maintained both during the works on Site and after completion of the works. Provisions should be made to ensure that upstream and downstream riparian owners and those areas that are presently served by any drainage routes passing through or adjacent to the Site are not adversely affected by the development.
- Drainage routes shall include all methods by which water may be transferred through the Site and shall include such systems as “ridge and furrow” and “overland flows”. The effect of raising Site

levels on adjacent property must be carefully considered and measures taken to negate influences must be approved by the Local Planning Authority.

- Consideration must be given to the route of flow downstream of the site from the discharge point to an appropriately maintained watercourse. Are there any off site works or the need for increased maintenance required to safeguard the site discharge for the life of the development.
- This location is in the Board's extended area.
- If there is any change to the surface water or treated water disposal arrangements stated in the application, please contact the Board.

Planning Conditions:

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

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 XXX 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 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.

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.

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: 17 July 2024