

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

**District: South Kesteven District Council**

**Application number: S24/0617**

**Application Type: Outline – Major Planning Application**

**Proposal: Outline planning application for up to 80 dwellings, including vehicular access, pedestrian and cycle links, public open space, landscaping, drainage and associated works**

**Location: Land South Of A15 West Of, Peterborough Road, Market Deeping, PE6 8CQ**

**Response Date: 16 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 objection subject to:**

- **Suitable Construction Management Plan**
- **Footway / Cycleway Upgrade**
- **Crossing Upgrade**
- **Suitable Surface Water Drainage Strategy**
- **Suitable Public Highway Connections**
- **Phasing Plan**

### **Comments:**

The principle of development is acceptable. As this is an outline application with only access to be considered, the layout has not been considered. Please make the applicant aware of the requirements for access, parking, visibility, turning, drainage and layout as detailed within the Lincolnshire County Council Design Approach.

The site is located to the Northwest of Market Deeping at the edge of the town, the speed limit along the majority of the site frontage is a national speed limit, drooping down to a 30mph speed limit towards the proposed entrance, the site does benefit from a footway / cycleway along the front, however, this is very narrow and not to modern day specification.

Market Deeping Cycling and Walking Network Plan puts a strong emphasis on improving the footway and cycleway network within the Town and this should be a key focus of any development proposals coming forward. As such, the Highway Authority are requesting a S106 contribution of £50,000 towards implement parts of the plan and a condition to improve the frontage footway cycleway to modern day standards, this could be widening the current footway cycleway or rerouting it through the development.

Furthermore, the crossing point on Peterborough Road needs upgrading, the Highway Authority have investigated the provision of a controlled crossing as this would be desirable for the community, however it didn't meet the adopted LCC policy criteria at this time. Therefore, the Highway Authority are requesting a condition to improve this crossing point into an island crossing, this will aid the safe crossing of pedestrians and cycles, not only for the existing users of this network, for the increased use generated from the development and the Deepings walking loop to the service station.

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. The applicant hasn't yet provided a suitable drainage strategy for the site backed with relevant testing. As this is an outline application with only access to be considered, please make the

applicant aware of the requirements for SuDs, that include water cleansing, when a reserved matters application is made, we expect a fully compliant drainage strategy to be submitted should not utilise the use of pipes and gullies as a means of managing the surface water.

## 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 and it is expected that a suitable drainage strategy to manage surface water, backed up with relevant testing should be obtainable, therefore removing surface water flood risk and therefore the Highway Authority does not wish to object to this planning application.

## Planning Conditions:

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

### Highway Condition 1

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 2

The development hereby permitted shall not be occupied before a 3 metre wide footway / cycleway along Peterborough Road, between Towngate West and the crossing to the North of the site, has been provided in accordance with details that shall first have been submitted to,

and approved in writing by, the Local Planning Authority. The works shall also include appropriate arrangements for the management of surface water run-off from the highway.

Reason: To ensure the provision of safe and adequate pedestrian and cycle access to the permitted development, without increasing flood risk to the highway and adjacent land and property.

#### Highway Condition 3

The development hereby permitted shall not be occupied before the crossing point to the North of the site, on Peterborough Road, has been upgraded to an island crossing, in accordance with details that shall first have been submitted to, and approved in writing by, the Local Planning Authority. The works shall also include appropriate arrangements for the management of surface water run-off from the highway.

Reason: To ensure the provision of safe and adequate pedestrian and cycle access to the permitted development, without increasing flood risk to the highway and adjacent land and property.

#### Highway Condition 4

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 and agreed amount of 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.

#### Highway Condition 5

Before any dwelling is occupied, all of that part of the estate road and associated footways that forms the junction with Perterborough Road and Lime Tree Avenue, 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 6

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.

### **S106 Contribution**

The Highway Authority is actively seeking to promote cycling and walking in a number of towns within the County, including Market Deeping, by means of a series of Cycling and Walking Network Plans. The Authority therefore requests that any grant of consent for this Application be conditional upon the Applicants being required, by means of a Section 106 Legal Agreement, to make a financial contribution of £50,000 towards the cost of delivering initiatives set-out within the Market Deeping Cycling and Walking Network Plan.

### **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>.

#### 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 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)

#### 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: Joseph Walden**

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

**Date: 16 July 2024**