

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

**District:** Lincolnshire County Council

**Application number:** PL/0054/24

**Application Type:** Full

**Proposal:** For the construction of an extension to Spratt Close, with a 6.75m carriageway with 1.8m footway to the eastern side and a 4.5m wide swale to the western side. The total length of the road will be 221m long, with two plot accesses and a turning head. The project also includes infrastructure to serve three future development plots (which are not part of this application), with the construction of foul and surface water sewers, a foul pumping station, electrical substation and services to the plots

**Location:** Land to the South of Spratt Close, Horncastle

**Response Date:** 19 September 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.

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, subject to the below planning conditions, and therefore does not wish to object to this planning application.

### **Comments:**

#### **Introduction/Site Location**

The proposal is for the construction of an extension to Spratt Close, with two plot accesses and a turning head. The project also includes infrastructure to serve three future development plots (which are not part of this application), with the construction of foul and surface water sewers, a foul pumping station, electrical substation and services to the plots.

Spratt Close forms part of the Boston Road Industrial Estate. The extension to Spratt Close is within allocated land for commercial use so it is acceptable in principle, with the proposal being Phase 2 of the recent extension of Spratt Close that formed a new entrance to the Polypipe site. The site is partly within the Witham Third District Internal Drainage Board area.

PROW Horn/75/1 is located near to the south of the proposed site but is unaffected by this proposal. However, the HLLFA would like to highlight to the applicant a potential future connection. Please see the Public Rights of Way Officer comments below.

#### **Existing Conditions**

The proposed site lies along former agricultural land with fields to the south and east, and the existing Polypipe site to the west. The condition of the existing highway and recent extension is good, with minimal on-street parking due to the parking provided by the facilities in the area.

As Highways and Lead Local Flood Authority it is our role in the planning process to ensure that any proposed development does not adversely impact on the current network, should the drainage proposals result in not making worse the current situation, it would not be possible to recommend refusal or raise an objection.

## **Highway safety**

Visibility along Spratt Close is good, with the extension following the current north/south line that Spratt Close runs along. The dimensions of the proposed stubs for future facilities are adequate to enable 2 cars to pass in opposing directions and the proposal would therefore not result in an unacceptable impact on highway safety.

No accidents have been recorded in the vicinity of Spratt Close for the past five years, and it is considered that the proposed extension would not have an unacceptable impact on highway safety.

The extension provides access for all highway users, and with the termination of the western footway to allow a SuDs drainage approach, it is requested that a tactile crossing is provided for continued safe access along the extension for the highway's more vulnerable users.

## **Highway capacity**

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. The proposal is solely for the extension and highway capacity would be revisited at such a time that applications are submitted for the plots accessed by the extensions.

## **Site Layout**

The new road will continue from the end of the existing extension, with the removal of the footway at the end of Spratt Close, to allow the inclusion of a conveyance swale. As such, a tactile crossing is requested where the western footway will terminate, as shown on drawing 12753 - WMS - ZZ - XX - D - C - 39001- S2 - P6. The carriageway will crossfall into a swale along the western side of the carriageway. Accesses will be provided for two plots, with a third access from the end of the turning head.

It is encouraging to see that the swale and soft landscaped areas surrounding will be planted with a wildflower grass mix. There will also be 7 semi mature trees planted along the edge of the swale.

Turning can be accommodated at the stubs that have been provided and future applications that are accessed from this extension should meet the requirements for access, parking, visibility, turning and layout as detailed within the Lincolnshire County Council Design Approach.

## Flood Risk and Drainage

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 proposes to drain the adoptable road via a conveyance swale with several check dams, which will connect to a highway drain of 300/600mm diameter beneath the road. The water will be directed to the culvert via a new manhole, with an outflow from the highway drain limited to 4 litres per second. The swale will also feature attenuation through the check dams to utilise upstream storage. A single connection to the IDB watercourse will be made via the below-ground surface water sewer, with the last manhole in the system acting as a control chamber. Note that the culverted watercourse is riparian; it is not a Witham Third District Internal Drainage Board asset

Under the terms of the Land Drainage Act. 1991 the prior written consent of the Board is required for any proposed temporary or permanent works or structures within any watercourse including infilling or a diversion. As identified in the Drainage Strategy a consent will be required for the attenuated discharge into the culverted watercourse that runs under the site.

The proposed development is located in Flood Zone 1, indicating a low probability of flooding from rivers and the sea. There is a potential for groundwater flooding at the surface, but it is not at risk of flooding from reservoirs. There is a low to moderate risk of surface water flooding, that flows east to west. The crossfall of the carriageway will mitigate this risk. Therefore, the Lead Local Flood Authority does not consider that this proposal would increase flood risk in the immediate vicinity of the site.

## Off-Site Improvements

The Public Rights of Way Officer has indicated that there would be advantages for both recreational walkers and commuters in future to have a Public Footpath connection through to Public Footpath 75. This would allow for pedestrian access in future to the development site and gives workers an opportunity to take a more direct route to the convenience store on Boston Road. This has been highlighted in yellow 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 before the works to improve the public highway (by means of a tactile crossing where the western footway will terminate) 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 Condition 26

Before any plot is occupied, all of that part of the estate road and associated footways that forms the tie-in with the existing 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.

## **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 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>

**Officer's Name: Justine Robson**

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

**Date: 19 September 2024**