

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

District: West Lindsey District Council

Application number: WL/2024/00662

Application Type: Full

Proposal: Planning application for the installation and operation of a Battery Energy Storage System (BESS) with ancillary infrastructure and landscaping and biodiversity enhancements

Location: Land at Willingham By Stow Farm, Marton Road, Willingham By Stow, Gainsborough, DN21 5BH

Response Date: 14 November 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.

Recommendation for No objection subject to:

The below recommended conditions and notes

- **Planning Conditions** as detailed below.

Three passing places between the junction of Marton Road/A156 and the development site.

Comments:

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.

Introduction/Site Location

Land at Willingham By Stow Farm, Marton Road, Willingham By Stow, Gainsborough, DN21 5BH

Planning application for the installation and operation of a Battery Energy Storage System (BESS) with ancillary infrastructure and landscaping and biodiversity enhancements

Existing Conditions

Greenfield site

Highway safety

Developments impact on the highway network will be temporary in nature, during the construction phase of the development proposals. The impact on highway safety will require mitigation through the provision of three passing places along Marton Road, along with construction of the new site access to Lincolnshire County Council's specification.

Highway capacity

The proposed trip generation during the construction phase has a minor impact on highway capacity at this location, with an average of twenty two-way movements a day. Please see above note in the comments section. Once in operation the trip generation of the development is negligible.

Additional passing places on Marton Road, along the construction route, will mitigate the impact of the construction traffic on the network.

Travel Plan

A Travel Plan is not required for this development proposal.

Site Layout

Site layout, as shown, is acceptable.

Flood Risk and Drainage

Flood risk has been assessed and the conclusions are acceptable to the Highway and Lead Local Flood Authority. A suitable drainage strategy, that observes sustainable drainage principles, has been proposed for the site and is acceptable. It is concluded that the development site will not pose an adverse effect on surface water flood risk.

Off-Site Improvements

Three passing places along Marton Road will be required.

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 development shall take place before a scheme has been agreed in writing by the local planning authority for the construction of three passing places along Marton Road, between the development site and the junction of the A156, together with arrangements for the disposal of surface water run-off from the highway. The agreed works shall be fully implemented before any of the works associated with the development has commenced. Or in accordance with a phasing arrangement to be agreed in writing with the local planning authority.

Reason: To ensure the provision of safe and adequate means of access to the permitted development.

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 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

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>

Note to Officer

A highway condition (delap) survey will be required prior to commencement of the development. This must be carried out with, and the detail agreed, with the Highway Authority. Any damage or premature deterioration caused to the public highway by traffic associated with the development's construction phase, will require remedial works either during or after the construction phase, as necessary.

The above may be conditioned if the Local Planning Authority deem it necessary.

Regards

Officer's Name: John Clifton

Officer's Title: Principal Development Management Officer

Date: 14 November 2024