

**LINCOLNSHIRE COUNTY COUNCIL**  
**GRANTHAM SOUTHERN RELIEF ROAD**

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**STATEMENT OF REASONS**  
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**LINCOLNSHIRE COUNTY COUNCIL (A52 GRANTHAM SOUTHERN GROWTH CORRIDOR – GRANTHAM SOUTHERN RELIEF ROAD) COMPULSORY PURCHASE ORDER 2018**

**LINCOLNSHIRE COUNTY COUNCIL (A52 GRANTHAM SOUTHERN GROWTH CORRIDOR – GRANTHAM SOUTHERN RELIEF ROAD) (CLASSIFIED ROAD) (SIDE ROADS) ORDER 2018**

**THE A1 TRUNK ROAD (GRANTHAM SOUTHERN GROWTH CORRIDOR) (SLIP ROADS) ORDER 2018**

**THE A1 TRUNK ROAD (GRANTHAM SOUTHERN GROWTH CORRIDOR) (SIDE ROADS) ORDER 2018**

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## **1. Introduction.**

1.1. This Statement introduces the Lincolnshire County Councils (the LCC or LCC) published proposals for the provision of the Grantham Southern Relief Road.

1.2. LCC propose to construct a part single part dual carriageway scheme, known as the Grantham Southern Relief Road (the GSRR), linking the existing A1 Trunk Road south of Grantham with the existing A52 roundabout at Somerby Hill. The proposal starts at the A1 with a new grade separated dumbbell type junction south of Gorse Lane where it crosses the existing A1. East of the grade separated junction is a roundabout which will provide access to development areas between the A1 and the existing developed area west of the B1174. The route continues east to form a new roundabout junction with the B1174. The proposal continues eastwards from the B1174 to cross the River Witham and the East Coast main line railway. East of this is a further roundabout which will provide access to both the balancing pond and land to the north of the road. Beyond the roundabout is a simple priority junction which will form a new link to Whalebone Lane. The proposed road then continues eastwards to tie into the existing A52 benefiting from an improved roundabout.

1.3. There are three preliminary matters to address by way of introduction to the proposals within the Scheme. The first is that although the Scheme consists of a single overall proposal it has been developed in three closely linked phases which may mean that it is constructed in a similar fashion. The second preliminary matter is that the Scheme requires alterations to and the provision of a new junction to the A1 Trunk Road network, which is the joint responsibility of Highways England on behalf of the Secretary of State for Transport and also the Secretary of State, as well as to roads which fall within the authority of LCC. The third matter is that given the evolution of the Scheme and the basis on which it has been brought forward LCC has already constructed part of the overall proposals.

1.4. The Scheme can be considered in three phases. Phase 1 is that part of the Scheme consisting of the element from the B1174, including the provision of the new roundabout on that road, running westwards towards the A1 Trunk Road but excluding the trunk road and county road elements of the Scheme that form the grade separated junction. Phase 2 relates to the new links to connect with the A1 and any necessary alterations to the A1 to accommodate the new junction. That element has been developed and designed by WSP, on behalf of LCC and Highways England as the responsible authority for that part of the Scheme has given its technical approval to the design. In addition, the Secretary of State has agreed to publish the required order to ensure the relevant parts of that phase become trunk road. Phase 3 is the element of the GSRR which connects the B1174 to the A52 crossing the railway and the river and linking into local roads as required for which LCC is the responsible authority.

1.5. It is clear that the phasing of the development reflects in part the body responsible for bringing forward the Scheme itself. Phase 1 and 3 are within the responsibility of LCC. Highways England is the highway authority for the A1 junction and slip road elements of phase 2 and the Secretary of State for Transport is responsible for the ensuring the relevant new road elements becomes trunk road. Both the Secretary of State and Highways England have entered into Agreements with LCC by which the relevant powers of each have been delegated to LCC as is necessary to promote the Scheme the subject of the various Orders. These Agreements are listed in the list of documents at the end of this Statement of Reasons.

1.6. LCC has therefore developed and will promote the following Orders using the powers it enjoys under the Highways Act; these are: -

- (i) The Lincolnshire County Council (A52 Grantham Southern Growth Corridor – Grantham Southern Relief Road) Compulsory Purchase Order 2018
- (ii) The Lincolnshire (A52 Grantham Southern Growth Corridor – Grantham Southern Relief Road) (Classified Road) (Side Roads) Order 2018

1.7. In respect of the phase 2 element, Highways England has delegated its functions under Section 6 of the Highways Act 1980 included within the Delegation Agreement (Document 8 listed in the document list) to enable the LCC to progress the following Order: -

- (i). The A1 Trunk Road (Grantham Southern Growth Corridor) (Side Roads) Order 2018

1.8 In addition under the Phase 2 element of the Scheme the following draft Order, which would be made under Section 10 of the Highways Act and which is necessary to ensure the relevant parts of the new A1 Junction become trunk road, has been drafted by the Secretary of State for Transport within powers held exclusively by the Secretary of State. The order is the:-

- (i). The A1 Trunk Road (Grantham Southern Growth Corridor) (Slip Roads) Order 2018

Having drafted the Order the Secretary of State has delegated his powers to LCC to promote the Order along with and as part of the promotion of the other three Orders as contained within the Delegation Agreement (Document 7).

1.9. LCC has therefore been given, subject to the terms of the Delegation as indicated within the two Delegation Agreements all powers necessary to publish and promote the Orders including through any necessary public inquiry. Both Highways England and the Secretary of State have agreed that any evidence required to be delivered to any necessary inquiry will be given by a witness made available by them.

1.10. Throughout this Statement of Reasons, the various Orders will be referred to as follows. Where all the Orders, namely the Lincolnshire County Council (A52 Grantham Southern Growth Corridor – Grantham Southern Relief Road) Compulsory Purchase Order 2018, The Lincolnshire (A52 Grantham Southern Growth Corridor – Grantham Southern Relief Road) (Classified Road) (Side Roads) Order 2018, The A1 Trunk Road (Grantham Southern Growth Corridor) (Slip Roads) Order 2018 and The A1 Trunk Road (Grantham Southern Growth

Corridor) (Side Roads) Order 2018, are referred to collectively the term Orders will be used and where they are referred to specifically they will be referred to by their individual name.

1.11. The third matter referred to above related to the fact that part of the Scheme has been constructed already pursuant to a planning permission granted for a commercial development known as the King 31 Site; the full extent of the planning permissions for the Scheme is set out below. The planning permission for the King 31 development consisted of a large scale commercial warehouse development and the necessary access provision. The element which has been built relying on that consent runs from the B1174, including the provision of the roundabout, through the development site and ends to the east of the A1 Trunk Road. It has been constructed in accordance with the planning permission granted and includes the necessary access roundabout into the development site. That construction took place in 2016 by LCC pursuant to a licence to occupy the necessary land prior to acquisition of the land by agreement. The construction which has been carried out has taken place in accordance with the planning permission on land within the red line area to which the permission relates and with the agreement of the owners. That land, along with other areas has subsequently been transferred to LCC.

1.12. The position at the time of drafting this Statement of Reasons is therefore as follows. The whole Scheme is being promoted by LCC as a single Scheme, albeit the Scheme may be built in three phases. LCC has the delegated authority to promote the necessary Orders affecting the Trunk Road as well as the authority required to promote the Orders required on its own behalf; Document 19 provides for the delegated authority and Document 18 for Committee approval to promote the Orders for which it is directly responsible.

1.13. Planning permission has been granted for all the elements of the Scheme. Phase 1 has been implemented and in the main built out. There are, however two matters which arise from that construction which remain to be dealt with. The first is that some alteration to the layout of the road as built in the vicinity of the garage on the corner of Tollemache Road and the B1174 needs to be brought forward. This can be achieved using existing Highway Powers available under

the Highways Act 1980 and accordingly do not affect the Orders themselves. The second point is that highway rights which existed in the now diverted B1174 need to be addressed in a formal way. Those rights are included within the SRO as promoted by the LCC.

1.14 This Statement sets out the reasons for building the GSRR and explains the need for the Compulsory Purchase Order to enable land and any other interest in the land that is not within the ownership or control of the LCC to be acquired to permit the works to be carried out. The Order made is the Lincolnshire County Council (A52 Grantham Southern Growth Corridor – Grantham Southern Relief Road) Compulsory Purchase Order 2018

1.15. In addition to promoting a Compulsory Purchase Order, LCC has made The Lincolnshire (A52 Grantham Southern Growth Corridor – Grantham Southern Relief Road) (Classified Road) (Side Roads) Order 2018 in order to carry out works to existing highways as well as private means of access and rights of way which are necessary to enable the Scheme to be built. The LCC is also promoting the The A1 Trunk Road (Grantham Southern Growth Corridor) (Slip Roads) Order 2018 on behalf of the Secretary of State and The A1 Trunk Road (Grantham Southern Growth Corridor) (Side Roads) Order 2018 on behalf of Highways England to link the new road to the A1 Trunk Road which are also necessary to enable the Scheme to be built along with any consequential alterations to the existing highway network including private means of access and rights of way.

1.16. Planning permission for the GSRR has been granted in respect of the whole of the Scheme consistent with the phasing as set out above. Phase 1 was granted planning permission on 18<sup>th</sup> August 2010, phase 2 on 18<sup>th</sup> August 2010 and phase 3 on 27<sup>th</sup> November 2013: the phase 2 permission was reassessed on 29<sup>th</sup> January 2016 with a revised permission being granted on 27<sup>th</sup> May 2016. The planning consents, which are all attached as documents to this Statement of Reasons in section 15, include the following which summarise the chronological order of events: -

- (i). Original KING 31 planning permission S08 – 0448, which relates to both phases 1 and 2 for the Scheme;
- (ii). Southern Quadrant Link Road (Phase 3) planning permission S13 – 0775;
- (iii). Approval of pre-commencement conditions on application S14 - 1389 relating to conditions 2,3,8,18 and 22 for planning permission S08 – 0448 (KING 31);
- (iv). Approval of details on application S14 - 3560 pursuant to condition 3 on permission S08 – 0448;
- (v). Confirmation of a non-material alteration made by application S15 – 0727 to the roundabout geometry for the B1174 Roundabout granted permission by S08 – 0448;
- (vi). Approval of Section 73 application S15 – 2101 to amend conditions 2 and 11 of planning permission S13 – 0775;
- (vii). Approval of a revised grade separated junction to connect with the A1 Trunk Road pursuant to PL – 0027 which supersedes that element within planning permission S08 – 0448.

1.17. Those listed planning permissions, approval of elements within the listed planning permissions and alterations to them will collectively provide LCC with all the necessary planning consents to undertake the construction of the GSRR as currently envisaged and allow for its operation.

1.18. LCC intends, subject to the decision on the Orders to implement the GSRR at the earliest opportunity and the current programme expects construction to commence during 2018. LCC would wish to make it clear however that it intends to carry out early activity on the Site of the Scheme where such work is feasible and sensible in order to implement the planning permissions where such work does not prejudice or prejudice the consideration of the Orders themselves.

1.19. This Statement describes the land to be acquired under the CPO and sets out LCC's purpose in seeking acquisition and the justification for the use of compulsory purchase powers. The Statement describes the scheme and explains the planning position and policy context within which the planning

decisions will be taken. Other matters are also considered including the Human Rights implications and other special considerations.

1.20. The Statement also describes the Side Roads Order and the requirements that arise in order for LCC to construct the GSRR. Given that part of the Scheme requires a new junction to be constructed with the A1 Trunk Road, for which Highways England is the responsible highway authority, this statement will describe the steps which have been taken to enable that to be considered as part of the overall Scheme. The new junction would become a trunk road pursuant to the draft section 10 Order prepared by the Secretary of State which is also described.

1.21. LCC has published this Statement of Reasons to accompany the CPO, the two SRO's and the Slip Roads Order to provide for the connection with the A1 Trunk Road and copies of it will be served directly on all owners and occupiers directly affected by the GSRR as well as various statutory bodies. Copies will be placed on deposit at Lincolnshire County Council, County Offices, Newland, Lincoln LN1 1YL and South Kesteven District Council Offices, St Peters Hill, Grantham, Lincolnshire NG31 6PZ.

1.22. The purpose underlying the publication of this Statement of Reasons is to explain LCC's proposals and to provide sufficient detail about the extent and nature of the land required for the proposals as well as the effects of the works on side roads, including those that are to be stopped up, to inform those affected as well as others of the effect of the GSRR.

## **2. Description of the Land, its Location, Topographical Features and Use.**

2.1 The Scheme for the GSRR requires the acquisition of land and interests in respect of which LCC has made the relevant CPO. The land and new rights proposed to be acquired ("the Order Land") have an area of 51.66 hectares, the extent of which is shown on the plan to the CPO which is comprised of 2 sheets. The Order Land is in approximately 12 separate freehold/leasehold ownerships. The majority is in the freehold ownership of HAM Nominees and Mr and Mrs Hardcastle and there are a number of agricultural tenancies held.

2.2. The Order Land for the route of the GSRR starts at the existing A1 Trunk Road south of Grantham and runs for approximately 4.2 km to join with the existing roundabout on the A52 at Somerby Hill. The Scheme starts in a largely rural area around the A1, although there are some residential properties alongside Gorse Lane including a mobile home park. This largely rural character changes in nature to one of commercial activity as it approaches Tollemache Road where it runs between commercial properties to the north and south of the road up to the B1174 Junction. Beyond the B1174 the route runs largely through rural countryside crossing the River and the Railway line before climbing from the valley and continuing to join with the existing A52 roundabout east of Grantham. The Scheme therefore runs largely through rural countryside from the A1 through to the A52 other than around the B1174 where there are a series of commercial properties. At that point the new roundabout constructed on the B1174 sits adjacent to existing commercial premises.

2.3. The topography of the land is essentially on a plateau with a deep river valley located to the east of the B1174. The landform from the A1 through to the A52 is gently sloping from northwest to south east. Between the B1174 and Whalebone Lane the landform falls dramatically into the valley bottom which contains both the river Witham and the railway before climbing steeply to the east. This deep valley requires an elevated crossing for the Scheme at this point with long embankments either side of the valley.

2.4. Land use in the immediate vicinity of the GSRR can be described as follows. The land use in the vicinity of the A1 is currently agricultural. East towards the B1174 the character is more commercial. There are several large warehouse type buildings to the south of the Tollemache Road with other commercial activities to the north including several garages. The whole of the land between the A1 and the B1174 not currently developed is within the King 31 planning permission for commercial warehouse development and that permission has been implemented as a result of the construction of the access road and roundabouts. From the B1174 heading east the land use is currently agricultural, albeit with areas of woodland proximate to the river and along the valley sides. The railway and the water works in the valley bottom mark the main non-

agricultural activity in the area. The water works cover an extensive area of approximately 5 hectares in the valley bottom.

2.5. The principal watercourse in the vicinity of the GSRR is the River Witham.

The area is largely covered with a thin band of clayey material overlaying a band of fracture limestone. The consequence is that the area is reasonably free draining by infiltration with few ditches.

2.6. There is a Scheduled Monument to the south of the Scheme, which is a bowl barrow. The proposed Scheme will have a minor impact on the setting of the Scheduled Monument and also some Listed Buildings within the study area but these assets are largely well screened and their settings are already compromised to a certain extent by the presence of the A52, B1174 and the A1. The Scheme will also pass through an area of known buried archaeological assets and through two non-designated built heritage assets and will, therefore, lead to the partial or total loss of these features. The Environmental Statement, which accompanied the planning application, concluded there will be an overall slight adverse effect on the historic resource arising from the Scheme. The Scheme if it progresses will be accompanied by a full archaeological investigation along the line of the route.

2.7. There are a number of Public Rights of Way that are within or cross the route of the Scheme or are close to the GSRR boundary. The Scheme has a direct effect on two of those rights of way, namely GRAN/13/1 and GRAN/16/1 both of which will be diverted as part of the proposals. In addition, the right of way arising from the Phase 1 planning permission, which has been built as part of the implementation of that phase, alongside the north side of Tollemache Road will need to be addressed as part of the Scheme. The A1 Trunk Road (Grantham Southern Growth Corridor)(Side Roads) and The Lincolnshire County Council (A52 Grantham Southern Growth Corridor – Grantham Southern Relief Road)(Classified Road)(Side Roads) Orders address that element and it will be provided using existing highway powers without the need for further planning permission.

2.8. There are designated air quality management areas within the vicinity of the Scheme and accordingly the air quality implications need to be and have been taken into account in respect of bringing forward the road proposals. The Lincolnshire Transport Plan, “LTP4” notes that, to date, five Air Quality Management Areas (AQMAs), have been declared in Lincolnshire where levels of nitrogen dioxide (NO<sub>2</sub>) are predicted to exceed the threshold set down in the National Air Quality Strategy. In all cases, the primary source of NO<sub>2</sub> is road traffic. Two of the five locations are within Grantham Town Centre: these are at:-

- Wharf Road, Grantham.
- Brook Street / Manthorpe Road, Grantham.

2.9. The most recent Air Quality monitoring as outlined in the 2015 Updating Screening and Assessment Report (Document 15), suggests that there are also other areas in the town where the thresholds are being breached. Consideration is currently being given to consolidating the existing AQMAs into a single area which will also incorporate these new areas of concern into the designated area so that relevant action can be considered. Removing traffic from the roads running through those areas within Grantham Town centre, in particular HGVs, may contribute towards tackling the air quality problems.

2.10. LTP 4 is the current published local transport plan and it is set out in full in the document attached. Similarly the Grantham Transport Strategy is attached. Both documents support the provision of the Scheme.

### **3. The Enabling Powers**

3.1. The Highways Act 1980, “the 1980 Act”, empowers LCC to acquire land compulsorily which it requires to construct and improve the highway. The 1980 Act gives similar powers to Highways England to enable it to carry out proposals on the Trunk Road network. As stated above those powers have been delegated to the Council by Highways England pursuant to the Agreement dated the 19<sup>TH</sup> February 2018.

3.2. Section 239 of the 1980 Act enables the Council as the Highway Authority for the area to “acquire land required for the construction of a highway, other than a

trunk road, which is to become maintainable at the public expense”, as well as any land required for the improvement of a highway.

3.3. Section 240 of the 1980 Act provides that LCC as Highway Authority may acquire land required for the use in connection with construction or improvement of a highway.

3.4. Section 246 of the 1980 Act allows LCC to acquire land for the purpose of mitigating any adverse effect that the existence or use of the highway may have on its surroundings.

3.5 Section 250 Of the 1980 Act allows LCC as the acquiring authority to acquire rights over land, both by acquisition of those already in existence and by the creation of new rights.

3.6 Section 260 of the 1980 Act allows LCC to override restrictive covenants and third-party rights where land acquired by agreement is included in a compulsory purchase order.

3.7. Section 10 of the 1980 Act allows for the Secretary of State to make an order which will ensure the new road being provided is to become trunk road and thereafter to be treated as such. The Secretary of State has drafted such an order and has delegated to LCC the power to publish it in accordance with the Delegation Agreement.

3.8 Section 14 of the 1980 Act authorises LCC as the Highway Authority to stop up, divert, improve or otherwise deal with a highway that crosses or enters the route of the road to be provided.

3.9 Section 41 of the 1980 Act applies in respect of the duty it creates for both existing roads and new roads to be constructed to be maintained at public expense. Once again, all material powers are given to LCC as set out on the delegation agreements.

3.10 Section 125 of the 1980 Act empowers LCC to deal with any private means of access affected by the new road including the provision of a new means of access.

3.11 The purpose of seeking to acquire land and new rights compulsorily is to enable the GSRR to be constructed. These proposals would enable LCC, using both the powers it enjoys as a Highway Authority and those delegated to it by Highways England, to provide the Scheme that would meet its statutory purposes.

#### **4. A Brief Description of Existing Land Ownership**

4.1. The Order land being the land and interests and new rights over land proposed to be acquired compulsorily pursuant to the CPO constitutes approximately 516,584 square metres. The LCC has obtained all the land between the A1 Trunk Road and the B1174 required for the Scheme but for four specific plots. Those remaining plots are in the ownership of two private individuals; the LCC is currently seeking to acquire all of them by agreement. LCC has recently acquired a plot of land from the Highways England which was held by it as non-operational land to the north east of the new junction. The LCC has in addition been in discussion with the owners of the land within phase 3 and discussions to acquire the land are progressing. Given that these have not yet been finalised the need to make the CPO to cover those areas remains.

4.2. The Order land is in various uses with the majority being in arable use or subject to the King 31 planning permission for commercial purposes. It does also include highway and other uses. Full details of the Order land appear in the schedule to the Order. Details of known interests and new rights to be acquired are recorded in the schedule. The Order land is in approximately 12 separate ownerships (both leasehold and freehold). All land ownership information has been obtained from an inspection of Land Registry title documents and information provided by owners and occupiers following service of requests by LCC under the relevant powers.

4.3 Details of the interest to be acquired and land over which rights are to be acquired are more particularly described in the schedule annexed to the Order.

These include licence areas where land is required to enable construction to take place but where the land is capable of being offered back to the owners on the completion of the works. The areas are set out Table 1 below. The table identifies each plot number in turn and the purpose for which freehold title is required.

4.4. Table 1- Areas required for construction work which are capable of being offered back to the owners.

| <b>CPO Number</b> | <b>Plot</b> | <b>Purpose for which freehold title is required</b>  |
|-------------------|-------------|--|
| <b>1</b>          |             | Essential licence for construction and access during construction.                           |
| <b>2A</b>         |             | Essential licence for construction and access during construction.                           |
| <b>3</b>          |             | Essential licence for construction and access during construction.                           |
| <b>4</b>          |             | Essential licence for construction and access during construction                            |
| <b>4B</b>         |             | Essential licence for construction and access during construction                            |
| <b>5</b>          |             | Essential licence for construction and access during construction                            |
| <b>5B</b>         |             | Essential licence for construction and access during construction                            |
| <b>6</b>          |             | Essential licence for construction and access during construction                            |
| <b>7</b>          |             | Essential licence for construction and access during construction                            |
| <b>8</b>          |             | Essential licence for construction and access during construction                            |
| <b>13</b>         |             | Essential licence for site compound and materials storage                                    |
| <b>14</b>         |             | Essential licence for construction and access during construction                            |
| <b>14A</b>        |             | Essential licence for temporary topsoil storage, construction and access during construction |
| <b>14C</b>        |             | Essential licence for construction and access during construction                            |
| <b>14F</b>        |             | Essential licence for temporary topsoil storage, construction and access during construction |
| <b>17</b>         |             | Essential licence for construction and access during construction                            |
| <b>24A</b>        |             | Essential licence for construction and access during construction                            |
| <b>24C</b>        |             | Essential licence for construction and access during construction                            |
| <b>25A</b>        |             | Essential licence for construction and access during construction                            |
| <b>25C</b>        |             | Essential licence for construction and access during construction                            |
| <b>29B</b>        |             | Essential licence for construction and access during construction                            |
| <b>30</b>         |             | Essential licence for construction and access during construction                            |
| <b>30B</b>        |             | Essential licence for construction and access during construction                            |

|            |  |
|------------|--|
| <b>30D</b> | Essential licence for temporary topsoil storage, construction and access during construction               |
| <b>30J</b> | Essential licence for construction and access during construction  |
| <b>33</b>  | Essential licence for temporary topsoil storage, site offices, construction and access during construction |
| <b>34A</b> | Essential licence for construction and access during construction  |
| <b>34B</b> | Essential licence for construction and access during construction  |
| <b>34C</b> | Essential licence for construction and access during construction  |

4.5. The areas required for site compounds/construction areas and for the temporary storage of top soil are necessary to provide the essential means for the Scheme to be carried out as planned.

## **5. The Need for the Scheme.**

5.1. The purpose of this section of the Statement of Reasons is to demonstrate the overall need for the GSRR and consequently the need to use compulsory purchase powers. This has been undertaken by considering the current transport problems and issues, the future growth expectations for Grantham particularly taking into account its status as a Growth point and a town of sub regional importance, before arriving at the view of the need for the Scheme.

5.2. As set out above the proposed Scheme has been considered in planning terms in three phases. Phase 1 was for a commercial development along with the access roads to provide for commercial floorspace within Grantham. That phase was developed for that purpose and has in part been built out. The promotion of the GSRR takes that element and considers it as part of the overall provision of the GSRR. Closely connected to phase 1 is phase 2 which is the new connection with the A1 Trunk Road and that was considered originally as part of the consent for the commercial development site at King 31. Phase 2 has been the subject of a revised planning consent to reflect changes to that design although the location and principle of it remain essentially the same. Phase 3 is the remaining part of the proposed GSRR running from the B1174 through to and connecting with the A52, including all necessary connections into the highway network and to allow for future development.

5.3. There are several key issues currently affecting Grantham. Local Development Framework (LDF) for South Kesteven District Council (SKDC) Core Strategy outlines that Grantham has been identified as 'an urban area with the capacity to support sustainable growth. This will provide the means to strengthen the role of the town as a Sub-Regional Centre. Grantham has also been awarded New Growth Point status, which will require two urban extensions to accommodate the increased development.'

5.4 The latest SKDC housing strategy, for the period 2013-2018, outlines that the growth plans for the district anticipate the development of 7,500 homes and up to 4,000 new jobs by 2026 in the Sustainable Urban Extensions (SUEs) of Grantham, referred to as the North-West Quadrant/Poplar Farm and the Southern Quadrant (SQ), reflecting Grantham's status as a Growth Area. The SQ SUE lies on the southern edge of the built up area of Grantham between the A1 and A52. The land is situated 1.5km south of the town centre and has the potential for up to 3,500 new homes, alongside local shops, schools, community facilities and 110,000sqm of employment land.

5.5 Whilst a small quantum of the SQ development could be served from the existing highway network, the full delivery of the SQ SUE can only be facilitated by the delivery of the GSRR, which is therefore fundamental to the development proposals. A further key issue is that Grantham currently experiences a high level of congestion within the town centre. Grantham lies close to the A1, which forms a north-south bypass to the west of town. Grantham does not benefit from any other bypasses, and is intersected by the A52 and A607. A number of radial routes connect in the town centre, forming a traffic collar of closely spaced mainly signalised junctions. The timings of the signalised junctions in the town centre are coordinated via the 'SCOOT' Urban Traffic Control system. This system uses real time traffic information to make constant small adjustments to signal timings in order to optimise performance and reduce delays and queuing. However, there are heavy traffic flows through and within the town, with large volumes of HGVs particularly on the west east A52.

5.6 There are a number of bridges, associated with the East Coast Main Line, with low heights that force HGVs to use the centre of the road to pass under

them. Within Grantham, low rail bridges force freight traffic to use Wharf Road (in the town centre) and the A52 (Barrowby Road) to access, amongst other things, agricultural industries to the east. The Transport Strategy for Grantham (2007-2021) states that; 'Tall vehicles hitting the low bridges in Grantham causes problems through delays to traffic, delays to rail passengers and potentially expensive repairs to the bridge'. In fact, for the year ending 31 March 2012, Network Rail reported 11 recorded bridge strikes at the Barrowby Road Bridge in the Grantham urban area (3 of the bridges in the town are amongst the 10 most hit bridges in the country). Consequently, due to a lack of alternative routes and serious bridge height constraints, there are a large number of HGV bridge strikes in and around Grantham Town Centre, which adds to the problems of congestion and delay.

5.7 There is significant queuing and congestion during peak periods and during the 'school run' around the town centre traffic collar and along key radial routes. Cycle times at the signal junctions in the town centre are long, resulting in significant delays for pedestrians waiting to cross.

5.8 Various small-scale developer and County funded schemes have assisted in improving traffic flow through the town centre, but it is recognised that larger scale developer-funded schemes such as the GSRR would be required in order to effect significant improvements and to accommodate future planned developments.

5.9 The LTP4 notes that, to date, five Air Quality Management Areas (AQMAs), have been declared in Lincolnshire where levels of nitrogen dioxide (NO<sub>2</sub>) are predicted to exceed the threshold set down in the National Air Quality Strategy. In all cases, the primary source of NO<sub>2</sub> is road traffic. Two of the five locations are within Grantham Town Centre:

- Wharf Road, Grantham.
- Brook Street / Manthorpe Road, Grantham.

The most recent Air Quality monitoring as outlined in the 2015 Updating Screening and Assessment Report, suggests that there are also other areas in the town where the thresholds are being breached. Consideration is currently being given to consolidating the existing AQMAs into a single area to incorporate

these new areas of concern. Removing through traffic, in particularly HGVs, from Grantham Town Centre may contribute towards tackling the air quality problems.

5.10 The Council's current Air Quality Management Area (designated 2013) covers the main roads leading in the Grantham town centre including Bridge End Road on the edge of the town centre. The Council has adopted an Air Quality Management Plan (2016) which sets out a range of measures to improve air quality in the AQMA. One of the identified measures is the implementation of the approved GSRR.

5.11 The revised Environmental Statement includes the results of an air quality modelling exercise to identify the existing air quality environment in the surrounding area and to quantify the impact of the proposed development upon concentrations of key transport related pollutants and particulate matter and, if required, to advise on mitigation measures. It concludes that the magnitude of change to pollutant and particulate matter would be considered imperceptible at the majority of receptor locations. There would be overall positive impact on Grantham town centre air quality as a result of the GSRR due to the reduction in pollutant levels with the AQMA. During the construction of the development, mitigation will be required at the earthworks, construction and track-out phases which will comprise a CEMP to limit dust impact on existing adjacent properties.

5.12 The GSRR is therefore intended to seek to address current existing traffic problems within Grantham but also to facilitate the provision of the anticipated and desired growth. Without the GSRR the SQ SUE could not be brought forward and the need to provide up to 3500 new homes and 110,000sqm of employment land would not be achievable. The GSRR is therefore fundamental to the future growth ambitions of the town and without the GSRR it would fail to fulfil its role as a sub-regional Centre and a Growth Point Area.

5.13 In addition, without the GSRR the A52 will continue to form the strategic route for east-west traffic and as such significant levels of strategic traffic will continue to travel through the town centre. Given that there is no realistic alternative routing option for this traffic, including the use for heavy goods vehicles, the strategic HGV movements will continue to travel through the town

centre. This will not only continue the risk of bridge strikes but it will maintain the current situation in respect of congestion and the effects of that especially in relation to the air quality implications.

5.14 The Department for Transport traffic forecasts as well as the work undertaken by the Council to assess the traffic implications of the Scheme both indicate that traffic levels are expected to continue to increase over the coming years. If that is the case then the current situation will continue to deteriorate in the absence of the GSRR.

5.15 Traffic forecasts as derived from the Grantham Traffic Model indicate that without the GSRR continued growth on the network will occur. The anticipated increases range between 4% and 17% (for projected Scheme opening year) depending on the road which is examined; 4% is on the B1174 North Parade and the 17% on the A52 Barrowby Road. For the design year of 2031 the increases are higher with 6% on the B1174 and 37% on the A52. Those increases are based on a simple comparison between the base year assessment and the future year on a do-minimum basis, which assumes therefore no significant alterations to the road network.

5.16 If the GSRR is brought forward then the traffic forecasts indicate that by the design year, taken to be 2031, the roads within the model will be carrying less traffic than would otherwise occur but the anticipated growth in terms of additional housing and employment land would have been achieved.

5.16 The Outline Business case sets out five clear objectives for the Scheme, which are as follows:

- Objective 1 - To contribute to the expansion of Grantham by facilitating the provision of a mixed use development including up to 3,500 homes, employment opportunities and community facilities in accordance with the Grantham Southern Quadrant SPD.
- Objective 2 - To provide the second phase of a relief road that links the A52 and the A1 and thereby improve connectivity and cater for strategic traffic movements, in particular HGVs.

- Objective 3 - To support the Transport Strategy for Grantham by helping tackle town centre congestion and contributing to creating a safer, more attractive and assessable environment in Grantham Town Centre by removing strategic through traffic.
- Objective 4 - To address the problems of disruption and unplanned delays within Grantham Town Centre associated with a high number of HGV bridge strikes
- Objective 5 - To help improve the quality of life for Grantham residents, workers and shoppers by reducing carbon emissions and noise pollution in the town centre.

## **6. Description of the Scheme.**

6.1 Grantham is a market town and sub regional centre situated within the South Kesteven district of Lincolnshire. It is the largest town in south west Lincolnshire, with a population of approximately 47000 residents and a travel to work population rising to approximately 60000 during the day.

6.2 Both the East Coast Main Line railway, which provides a fast and effective link to London to the south and Edinburgh to the north and the River Witham run through the town. The A1 Trunk Road runs the west of the town on a north south axis and the A52 and the A607 run through the town on a more east west alignment. The A52 connects Grantham with Nottingham and beyond with the coastal towns to the east. The A607 provides a route from Leicester to Lincoln.

6.3 The GSRR is located to the south of the Grantham urban area. It falls within essentially two sections. The first section, which is made up from what is described above as falling within phase 1 and 2, connects the A1 Trunk Road with the B1174 and the second section runs from the roundabout on the B1174 through to the A52.

6.4 That part of the Scheme, essentially phase 1 running between the B1174 and including the roundabout on that road has been constructed up to the point where the roundabout for the new dumbbell with the A1 grade separated junction to the east of the A1 would be located. No construction has yet taken place on either

phase 2 within the first section or for phase 3 although some advanced works in respect of some of the services has been undertaken.

6.5 The Scheme starts at the A1 with a new junction at Spittlegate. This would be a new grade separated junction in the form of a dumbbell junction. A new roundabout would be constructed on either side of the A1 with new link roads to be provided to connect back into the A1. The two new roundabouts will be connected by means of an underbridge beneath the A1. The Trunk Road element of the Scheme is comprised in the alterations to the A1 and the new Slip roads but in all other respects the Scheme is promoted by the Council. The creation of the new Slip Roads will require the closure of existing laybys on the A1 main carriageway as they are currently located within the land required to carry the Slip Roads themselves. Highways England, the body responsible for the A1 road are aware of this and are in agreement to the closure of the laybys and have delegated its power to deal with the Scheme design to LCC to develop the proposals.

6.6 From the new Spittlegate junction the road will run through until it reaches the B1174. A new five arm roundabout is provided at the B1174 to provide the new junction with the link road. Two of the arms will serve the B1174, a third will provide for access to the SQ development site and the drainage system and the remaining two will provide for the link road itself. This roundabout with its connecting arms has been constructed already. The Scheme provides for the stopping up of all existing highway rights on the B1174 and the appropriate re-provision. The existing footway/cycle way will be re-routed to the west of the new roundabout. The route of the proposal will sever an existing right of way. This right of way is to be closed and re provided to the west of the A1 where it will reconnect with the original line south of the new A1 junction.

6.7 From the B1174 the Scheme, which is a single carriageway at this point, crosses the agricultural field and the East Coast main line and the River Witham for a distance of approximately 540 metres. In order to cross the railway and the river a 250 metre long bridge is to be constructed. The topography at this location requires the bridge approach from the west to rise up on an embankment which

will have a height of approximately 15 metres. That embankment severs an existing right of way which will be re-provided by means of a diversion to the east to run under the bridge itself before reconnecting with the original alignment as shown on the Definitive Map. A climbing lane is to be provided on the Scheme to permit overtaking of slow moving uphill traffic. There will be climbing lanes in both directions.

6.8 From the location of the bridge over the railway and river the Scheme continues eastwards for approximately 500 metres until it reaches the SQ roundabout location. This roundabout is to provide access to the development area and also to allow the balancing pond to be serviced. It is a single carriageway with a climbing lane to permit overtaking of slow moving vehicles. The new roundabout is to be 4 arm roundabout to service an access to a proposed housing development, proposed allotments, a retention reservoir and a proposed access to a quarry.

6.9 The Scheme continues in an easterly direction from the SQ roundabout to Whalebone Lane where a priority junction will be constructed to connect Whalebone Lane from the south with the Scheme. Whalebone Lane will be stopped up to the north of the Scheme as the GSRR severs that road.

6.10 From Whalebone Lane to the A52 the Scheme continues as a single carriageway before connecting into the existing roundabout. The roundabout will have improvements to the A52 western and northern legs, the B1176 eastern leg and the B6403 southern leg. There will be a shared footway/cycleway linking the new A52 bypass leg round the western side of the roundabout across the existing A52 Somerby Hill leg to join up with a footway on the north side of this leg then round to the western side of the A52 northern leg.

6.11 The Scheme has been designed in accordance with a proper application of the relevant guidance and design standards including those prescribed in the Design Manual for Roads and Bridges (the DMRB). Table 2.2 below summarises the carriageway standards used in the design of the Scheme.

Table 2-2 – Carriageway Standards

| Link  | Designation | Width  |
|---|-------------|--|
| A1 to Spittlegate Junction to Eastern Dumbbell roundabout           | S2          | 7.3 metres   |
| Eastern Dumbbell Roundabout to Site Access Roundabout               | D2AP        | Dual 7.3 metres with 1 metre                                     |
| Tollemache Road to B1174 Roundabout                                 | S2          | 7.3 metres   |
| Tollemache Road/B1174 Roundabout to the proposed bridge             | S2          | 7.3 metres (10 metres at climbing lane) with 1 metre hard strips |
| Proposed Bridge to the Development Roundabout                       | S2          | 7.3 metres (10 metres at climbing lane) with 1 metre hard strips |
| Development roundabout to the priority junction with Whalebone Lane | S2          | 7.3 metres with 1 metre hard strips                              |
| Whalebone Lane to the roundabout at the junction of the A52-B6403   | S2          | 7.3 metres with 1 metre hard strips                              |
| Whalebone Lane link road  | S2          | 7.3 metres narrowing to meet existing                            |

6.12 There are four different stages of a Road Safety Audit each forming their own independent report but referring to each other:

Stage 1 - undertaken at the completion of the preliminary design

Stage 2 - undertaken at the completion of the Detailed Design

Stage 3 - undertaken at the completion of Construction

Stage 4 - undertaken post-construction and involving the preparation of collision monitoring reports using 12 months and 36 months collision data from the time the scheme became operational

6.13 It should be noted that it is the Design Team's responsibility to ensure that all problems raised by the Audit Team are given due consideration. If the Design Team considers any problem raised to be insignificant, is outside the terms of reference, or that the solutions recommended are not suitable given the relevant economic and environmental constraints, the Design Team shall prepare a Designers Response Report giving reasons and proposing alternatives. At each audit stage, the Designers are invited to respond to the audit.

A copy of the report is also given to the Local Highway Authority as they have the ultimate decision on whether to accept the recommendations of the audit team and/ or the responses of the design team.

#### Phase 1

Stage 1 RSA undertaken August 2013

Stage 2 RSA undertaken September 2015. Mouchel, as the designer, provided a Designer's Response in September 2015.

Stage 3 RSA undertaken in August 2016. LCC produced an Exceptions Report dated August 2016 identifying those items raised within the Audit that were accepted/ rejected by LCC, as the Highway Authority responsible for the new highway.

#### Phase 2

Stage 1 RSA undertaken September 2015. Mouchel, as the designer, provided a Designer's Response in September 2015.

Stage 2 RSA undertaken June 2016, with the final report issued in December 2016. Mouchel, as the designer, provided a Designer's Response in February 2017. Highways England, as the Highway Authority responsible for the new highway, issued an exceptions report in August 2017.

### Phase 3

Stage 1 RSA undertaken December 2012. LCC provided an exceptions report dated December 2012. A supplementary audit was undertaken in August 2013.

Stage 2 RSA (Interim) undertaken September 2015, with further interim audits undertaken in March 2016 and February 2017 as a result of amendments to the scheme design.

## **7. The Need for and Justification of the Compulsory Purchase.**

7.1. The purpose of seeking to acquire land and new rights compulsorily is to enable the GSRR to be constructed. These proposals would enable LCC to meet its statutory purposes within the shortest realistic timescale in the most appropriate way.

7.2. LCC recognises that a CPO for the GSRR can only be made if there is a compelling case in the public interest which justifies the acquisition of private rights and interests in land and the creation of new rights sought to be acquired. A compelling case exists here. A CPO is necessary and justifiable in the public interest.

7.3. LCC has made the Order to secure the outstanding interests and new rights required to enable implementation of the GSRR, which is necessary to achieve LCC's objectives for the area. Given the history of the development of the scheme proposals discussions have taken place with land owners affected by the scheme as the precise extent of land ownership could not be established. LCC has held discussions with the owners of relevant interests in an attempt to reach agreement but the CPO remains necessary to ensure that the GSRR can proceed.

7.4 The CPO is necessary to facilitate the GSRR and satisfies the statutory requirements for use of CPO powers pursuant to the 1980 Act. As such the Scheme meets the objectives set out for the Scheme in section 5 above.

7.5. The above explains why it is necessary to acquire land as shown in the CPO now to allow the Scheme, including those elements within the Delegation Agreements, to proceed and without it the Scheme cannot be built.

## **8. The Need for and Justification of the Side Roads Order.**

8.1. The purpose of the Side Roads Order is to maintain access to all land and property directly affected by the Scheme and to make necessary changes to the highway network. In order to build the new road, it is necessary to improve, or stop up existing highways and construct new highways to link into the new road. It will also be necessary to stop up some existing private means of access to land or premises and to replace those where necessary with new means of access. To enable it to carry out those works LCC is promoting the Side Roads Orders.

## **9. The Need for and Justification of the A1 Trunk Road Slip Roads Order**

9.1 The planning permission granted in respect of the connection with the A1 Trunk Road indicated that direct connections on to and off the A1 would be provided to enable an all movement junction to be created. The junction would ensure that anyone wishing to connect with the Scheme or to access the King 31 development site could do so from both north and south on the A1.

9.2 In order to achieve that movement and to meet the requirements of the planning permission as granted the Slip Roads Order is necessary. The Slip Roads as shown in the order have been designed to meet the relevant and applicable standards and have been assessed by Highways England and have received the necessary technical approval to be acceptable (Document 29).

## **10. The Planning Position.**

10.1 The following paragraphs provide an overview of the various applicable planning and related policies as contained within the published documentation which demonstrate how the GSRR is consistent with and will contribute to meeting national and local priorities. Given that planning permission has been granted for the Scheme, following a thorough assessment by the relevant planning authorities and found to be acceptable in planning terms, the process now requires the adoption of the means necessary to bring the Scheme forward.

**National Policy - The National Planning Policy Framework (the NPPF) and supporting documents.**

10.2 The NPPF was published in March 2012 and provides guidance on national planning policy. It replaces the previous planning guidance and it is supported by the National Planning Policy Guidance information. The NPPF places an emphasis on supporting sustainable development, advising that environmental conditions are to be considered alongside economic and social considerations as all three elements contribute to the approach. At paragraph 14 it is stated that: -

“At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision taking.

For plan making this means that:

- Local planning authorities should positively seek opportunities to meet the development needs of their area.

For decision -taking this means:

- Approving development proposals that accord with the development plan without delay.”

10.3 The Local Development Framework for South Kesteven Core Strategy the “LDF”, for Grantham identifies that the developments of both the King 31 commercial site and also the Southern Quadrant for a mixed used development lead by substantial housing provision will strengthen the role of Grantham as a regional centre and also be of benefit for the town itself. The provision of the GSRR is an essential element in that process and neither the King 31 development nor the Southern Quadrant can be developed without it.

10.4 The NPPF recognises the role which the planning system is to play as contributing to the achievement of sustainable development. The Core Planning policies contained within paragraph 17 of the NPPF are relevant to the promotion of the GSRR. These include the following:

- To proactively drive and support sustainable economic development to deliver infrastructure and create thriving local places;
- Take account of and support local strategies to improve health, social and cultural wellbeing for all and deliver sufficient community and cultural facilities and services to meet local needs.

10.5 The GSRR fulfils the aims underlying the NPPF as it supports the goal of sustainable development as it enables the provision of additional commercial development as well as the establishment of the southern quadrant urban extension to Grantham in accordance with the applicable planning policy for the area. In addition, the Scheme will provide traffic relief to the town centre and its historic core which will bring forward environment as well as transportation benefits.

**Creating Growth, Cutting Carbon Making Sustainable Local Transport Happen** (Department for Transport White Paper 2014)

10.6 The White Paper presented the Government's vision for a transport system recognising that transportation is an engine for economic growth. On this it states that "Economic growth is one of our biggest challenges. Transport's role in this is hugely important – getting people to work and to services such as education and healthcare providers, as well as to leisure activities and shops, is crucial to quality of life as well as to enhancing people's spending power". The economic implications of providing the GSRR have been examined in detail and are set out in the Business Case in Document 6.

10.7 The overall conclusion to be drawn from that assessment is that the economic case, taking into account a monetary value for all the potential effects of the Scheme, allows for a conclusion to be drawn that the Scheme meets the high value for money category. It has a sound financial case and is affordable and the commercial case for pursuing the Scheme has been established to enable the conclusion to be drawn that it is commercially viable.

10.8 Based on that overall assessment the GSRR will meet the policy ambitions as set out in the NPPF. In addition, the GSRR, given that the proposal has been promoted through local planning documents and is widely supported, the principles of "Localism" have been met.

**Local Policy and Strategy.**

**Local Development Framework for South Kesteven Core Strategy Document**

10.9 The Core Strategy sets out the key principles that will help decide where development should take place and what it should look like. It provides the framework that will steer development and change in South Kesteven until 2026. The Core Strategy identifies that Grantham is affected by local congestion and that economic and residential developments have been constrained by restricted capacity on the local road network. The Core Strategy does note however that “Grantham has been identified as an urban area with the capacity to support sustainable growth. This will provide the means to strengthen the role of the town as a sub-regional centre. Grantham has also been awarded New Growth Point status, which will require two new urban extensions to accommodate the increased development.”

10.10 The Core Strategy outlines the vision for South Kesteven with the intention that by 2026 it will be a successful rural district supported by excellent social and transport infrastructure. With respect to Grantham itself the intention is that it will have developed as a key economic centre not only for the County but also for the sub region of Peterborough.

10.11 The Core Strategy contains a number of specific objectives. Objective 6 seeks to “promote and strengthen the role of Grantham as a sub-regional centre and to properly plan and deliver the additional housing growth expected by the Grantham Growth Point” and the Regional Spatial Strategy”. Although the Regional Spatial Strategy has now been superseded the ambition as stated in the Core Strategy remains. In addition, Objective 8 relates to broadening and diversifying the employment base in the district, identifying development opportunities for specific employment sectors within Grantham and ensuring an adequate and appropriate supply of land. Both Objectives 6 and 8 support the development of the Southern Quadrant strategic urban extension (the SQSUE) and the provision of necessary and appropriate access arrangements to it are an integral part of that support. The King 31 planning permission, although pre-dating the Core Strategy was consistent with the planning policy at that time and that consent was granted with phase 1 and 2 road access as an integral part. The SQSUE requires access and the GSRR in its entirety will provide for the necessary access arrangements.

10.12 The policy approach followed within the Core Strategy is to outline a range of policies grouped under four main headings. These headings are:

- Spatial Policies (suffix SP).
- Environmental Policies (suffix EN).
- Sustainable Homes (suffix H).
- Economic Prosperity (suffix E).

10.13 Policy SP1 is the spatial policy which outlines that the majority of all new development should be focussed upon Grantham to support and strengthen its role as a Sub-Regional Centre. The approach is to seek new development proposals on appropriate sustainable and deliverable Brownfield sites and where appropriate Greenfield sites including the use of urban extensions.

10.14 Policy SP3 relates to sustainable integrated transport. It states in considering development proposals within the district, “the objectives set out within the most recent local transport plan for Lincolnshire are met. As part of the growth agenda for Grantham the delivery of traffic relief, including heavy goods vehicles, from the town centre will be a priority and any major development proposals within these areas will be expected to contribute towards delivering these schemes. The provision of an east west relief road between the A1 and the A52 to the south of Grantham will be brought forward as part of the Southern Quadrant SUE to the town.” In accordance with Policy SP3 it is proposed that “all large-scale infrastructure proposals identified in the Strategy will be funded through developer contributions from the private sector.” This is the case for the GSRR which is identified in the document as a “priority for further work and investment”.

10.15 H2B provides an overview for the development of the Southern Quadrant outlining that the site could yield up to 4000 new homes, together with employment and community facilities. The policy reiterates that “access to the residential part of the SUE will be dependent on the provision of a new road from the A52.”

10.16 Policy E1 refers to employment development. It indicates that specific sites will be allocated for employment land use in the Site Specific Allocations

and Policies DPD and Grantham Area Action Plan. For Grantham the policy includes for “approximately 90 hectares to include the identification of high quality business park with good access to the strategic highway network; sites which meet the needs of storage and distribution (B8) industries with excellent access to the A1 and A52...”.

10.17 The GSRR is essential in seeking to deliver the development as envisaged within the policies outlined in the Core Strategy. It supports the housing development and the employment as envisaged within the Core Strategy and as allocated within the document. It provides the means by which the SQSUE, as an urban extension can be brought forward.

### **Greater Lincolnshire Local Enterprise Partnership – Strategic Economic Plan.**

10.18 In December 2013 the Greater Lincolnshire Local Enterprise Partnership “the LEP” published its growth plan in a draft document for a business investment programme across Lincolnshire. That draft document was adopted in its final form in Spring 2016 and is current guidance in the context of the GSRR. The draft document promoted a number of priorities and drivers for the future success of development within Lincolnshire and those priorities have now been adopted, subject to some minor variations into the final document.

10.19 The first priority is to drive the growth of the areas four defining and strongest sectors which offer the most competitive advantage. These four areas being agri-food, advanced manufacturing, companies dealing with low carbon initiatives and the visitor economy.

10.20 The second priority is to grow specific opportunities identified as future defining features of the area. These include the health and care sector and the ports and logistics centres to become of national importance.

10.21 The third priority is to drive growth in those various sectors and with those businesses by putting improved skills, expansion into new markets and with modern telecommunications and with infrastructure improvements at the forefront of the approach. In doing so it was anticipated that significant numbers

of additional jobs would be created, with large numbers of businesses assisted and with approximately £3.2 billion added to the local economy.

10.22 The fourth priority is to promote the County as a place for sustainable growth through improved transport infrastructure to connect the county with national and international markets. This would also enable wider enjoyment of the available heritage assets, permit an enhancement of cultural links and provide for stronger communities.

10.23 The fifth priority is to recognise the need for new housing for the existing population and for potential movers into the area. Support is therefore to be offered to seek a balance in housing and economic development through the promotion of the areas capacity to deliver high quality growth.

10.24 The LEP document reinforced the approach that the majority of new development in South Kesteven would be focussed on Grantham in order to support and strengthen its role as a sub-regional centre and a recognised Growth Point. In so doing the document recognised that a key element of the adopted Grantham Transport Strategy was the provision of southern relief road running from the A52 to the A1, which would assist with removing through traffic from the town centre, thereby reducing congestion and the number of bridge strikes. A relief road to the south would also open up land for development consistent with the Core Strategy and the Grantham Area Action Plan. The LEP made specific mention of the GSRR within both the original draft document and also in the finally adopted version. It is included as a key goal for transport infrastructure improvements and as a scheme which meets the LEP's objectives of opening up strategic housing and employment land.

#### **The 4<sup>th</sup> Lincolnshire Local Transport Plan**

10.25 The fourth LTP has been adopted and is intended to cover the period from 2013 through to 2023 and it is consistent with the previous version in that the GSRR is identified as a proposal to be pursued. It is recognised that schemes such as GSRR are required if the SUE are to be brought forward. The LTP identifies three key challenges affecting the area. These are: -

- supporting growth in the local economy;

- improving access to employment, training and key services;
- contributing to a healthier community.

10.26 In respect of Grantham the LTP highlights the high levels of congestion affecting the town as well as noting the high level of bridge strikes in the town. The GSRR is listed as a major scheme and that it forms an essential part of the Grantham Transport Strategy.

### **The Transport Strategy for Grantham (2007 to 2021 and beyond)**

10.27 The Transport Strategy for Grantham was originally commissioned in 2005 and it outlined four key aims. These were: -

- To provide a framework for the better management of movements into and through Grantham in both the short term (taken to be up to 2010) and in the longer term (2011 to 2021 and beyond);
- To address the problems associated with existing and future levels of congestion in Grantham;
- To address the environmental impacts of existing and future traffic movements in Grantham, in particular with regard to air quality; and
- To support the sustainable growth of the town and its surrounding area.

10.28 The Strategy outlined a large number of options grouped under five key considerations. These were: -

- The introduction of specific short-term improvements;
- The pursuit of funding for new roads;
- Making the most of re development opportunities;
- Seeking to influence public transport operations; and
- Seeking to manage the transport and planning processes.

10.29 Within the strategy the benefit of providing a new road for Grantham is recognised and an east west route to tackle the problem of vehicles, particularly HGV'S travelling along the A52 was identified specifically.

### **The Grantham Town Centre Masterplan**

10.30 The Masterplan was produced by South Kesteven District Council in 2002 and was reviewed in 2007. The Masterplan is supportive of the GSRR and the

document seeks to “promote the implementation of the southern A52 bypass through developer funding, necessitated further by the Growth Point Status, to remove through traffic from the town centre.”

### **Grantham Growth Point Programme of Development.**

10.31 Grantham Growth Point was established in 2007 as a strategic alliance between LCC and South Kesteven DC in order to deliver the ambitious growth described in the Growth Point programme. Following its formation, a submission was made to central Government which released funding to pursue the programme. It was recognised that the scale of the required key infrastructure projects to bring forward the growth would require public intervention and the design work for the GSRR was therefore identified as a priority.

10.32 The Growth Point programme includes a number of strategic objectives around which future investment and development should be themed. In the context of the GSRR the following objectives are particularly relevant: -

- Sustainable population growth;
- Sustainable economic growth;
- Sustainable transport improvements.

10.33 The Programme acknowledges that the need for higher quality commercial floor space and dealing with local transport issues were among a number of key challenges facing Grantham, which nevertheless has a number of strengths, including its capacity for growth. The SQSUE is identified in the programme as a key development site capable of providing a new mixed use residential and employment development with a new relief road provided as part of the development to improve east west linkage across the town.

10.34 LCC has also published its Organisational Strategy and Business Plan and South Kesteven DC has produced its Economic Development Strategy for the area. Both documents are supportive of pursuing the Scheme and both documents are contained in the attached document list.

10.35 In addition South Kesteven District Council has produced the Southern Quadrant Masterplan which shows the Scheme as being an integral part of the

development of the area to achieve the growth required. Without the Scheme the southern quadrant cannot be developed. The Masterplan is attached as document 14.

### **Conclusion on Policy.**

10.37. The Scheme has been promoted through significant number of policy documents published by both the County Council and SKDC. The need for the Scheme, the benefits it will bring are widely recognised and that has been reflected in the grant of planning consent. The proposal fits well within the applicable policy and is supported at both local and national level.

10.38. As indicated above planning permission has been applied for in respect of the Scheme and has been granted to cover the three phases. Since that time planning permission has been sought and has been granted for an alternative form of development on part of the land which fell within the Kings 31 planning permission. Although that application was in respect of a different type of use, namely for use as a Designer Outlet Village rather than for use as a commercial warehouse activity, following consideration planning permission for that use was granted by the Local Planning Authority. The grant of planning permission does not require LCC to alter the arrangements for the Scheme as set out and authorised within the planning permissions related to the Scheme or in respect of the Orders now being published.

### **11. Special Considerations.**

11.1 Part of the Order Land is in the ownership of the Lincolnshire County Council, a statutory body charged with the provision of highway facilities in the area. Lincolnshire County Council supports the Scheme and its statutory obligations, rights and powers have been taken into account in the development proposals. Parts of the route of the Scheme fall within land controlled by Highways England, the Strategic Highway Company charged with the control of the Truck Road Network. Highways England supports the proposals which affect its direct interests and further supports the Scheme.

11.2. There is a Scheduled Monument to the south of the Scheme, which is a bowl barrow. The proposed Scheme will have a minor impact on the setting of

the Scheduled Monument within the study area but this asset is largely well screened and there settings are already compromised to a certain extent by the presence of the A52, B1174 and the A1.

11.3 Equipment and structures of the Statutory Undertakers will be protected, diverted, extended or improved as required by the Scheme. The affected Statutory Undertakers consist of the following bodies. The current position in respect of each of those bodies is as follows:

(1) Lincolnshire County Council have had regular engagement with Network Rail and have agreed heads of terms for an easement between Network Rail, Lincolnshire County Council and South Kesteven District Council. Lincolnshire County Council have undergone an operational process with Network rail to enable a plot of land to be released for acquisition. Arrangements are currently being put in place for this plot of land to be transferred.

(2) Lincolnshire County Council have been working with Western Power Distribution in making amendments to electricity pylons in facilitating the construction of the scheme. Lincolnshire County Council have had regular engagement with Western Power Distribution in the design of other diversions required to take the scheme forward.

(3) Lincolnshire County Council have engaged Anglian Water on a regular basis with regards to diversions required for the construction of the scheme. Lincolnshire County Council are currently in discussion with Anglian water with regards to access rights and acquisition of land for the construction of the scheme and use after construction.

(4) All land owners and leaseholders affected by the scheme have been engaged either engaged directly by Lincolnshire County Council or through Lincolnshire County Council's agents. They have also been written to directly by the Council to inform them of a possible CPO of their properties.

(5) Lincolnshire County Council have engaged Highways England on a regular basis and have signed a section 6 agreement with them. LCC have also acquired a plot of land from them for the construction of the scheme. Phase 2 of the scheme has undergone a technical approval process with Highways England.

(6) Lincolnshire County Council's design consultant have engaged the environment agency with regards to any mitigation considerations for the construction of the scheme which crosses the River Witham.

(7) Lincolnshire County Council are working closely with both the majority land owner most affected by the scheme's delivery and South Kesteven District Council to deliver the scheme and consider them as key partners in its delivery.

## **12. Draft Orders and Programme**

12.1. The Scheme will be implemented by the Council. The current intention, subject to completing the relevant procedures to acquire the land, is to start work on site in the 2018. The works are currently programmed to take approximately two and a half years from starting on site to completion. The Council does intend to carry out preliminary pre-commencement works on land for which planning permission exists and which is within its ownership or control at the earliest opportunity to bring forward the completion date for the overall Scheme where that is feasible.

12.2. The Council is of the view that 2018 is the earliest possible start date allowing for the successful completion of the Orders and that is the timescale that the Council has been using in discussions with land and business owners affected by the scheme.

12.3. The Council is satisfied that there are no foreseeable barriers to the implementation of the Scheme and that funds will be available to secure the GSRR. All relevant considerations are in place to achieve the start date subject to the successful outcome of the consideration of the Orders.

## **13. The Human Rights Act 1998.**

13.1 The Council has addressed the implications arising from the Scheme in respect of the Human Rights Act 1998. The Human Rights Act 1998 incorporated the European Convention on Human Rights (the "Convention") into domestic law. The Convention includes provisions in the form of Articles, the aim of which is to protect the rights of the individual.

13.2 In resolving to make the Orders, the Council has carefully considered the rights of property owners under the Convention against the wider public interest.

**Article 1 of the First Protocol to the Convention.**

13.3. This protects the right of everyone to the peaceful enjoyment of possessions. No one can be deprived of possessions except in the interest and subject to the relevant national and international laws.

**Article 6.**

13.4. This entitles those affected by the Scheme to a fair and public hearing. This includes property rights and can include opportunities to be heard in the consultation process.

**Article 8.**

13.5 This protects private and family life, home and correspondence. No public authority can interfere with these interests except if it is in accordance with the law and is necessary in the interests of national security, public safety or the economic well-being of the country.

**Article 14.**

13.6. This protects the right to enjoy rights and freedoms in the Convention free from discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, or national or social origin.

13.7. The European Court of Human Rights has recognised that “regard must be had to the fair balance that has to be struck between competing interests of the individual and of the community”. Both public and private interests are to be considered in the exercise of the Council’s powers and duties as a local authority. Any interference with a Convention right must be necessary and proportionate.

13.8. In light of the significant public benefit which would arise from the implementation of the Scheme, the Council has concluded that it would be appropriate to make the Orders. It does not regard the Orders as constituting any unlawful interference with individual property rights.

13.9. In addition to the publicity and consultation on the planning application for the Scheme, all known owners and occupiers of land within the Order Land have been contacted regarding the Scheme. Further representations can be made by way of objections to the Orders in the context of any public inquiry that the Secretary of State decides to hold in connection with the Orders. Those parties, whose interests are acquired under the CPO, will be able to claim compensation under the relevant provisions of the Compensation Code.

#### **14. Contacts and Additional information.**

14.1 Owners and Tenants of properties affected by the Orders who require information about the Council's intentions or the process itself can contact Lincolnshire County Council, County Offices, Newlands, Lincoln LN1 1YL, or telephone 01522 782070.

14.2 Copies of the Orders, the Order Maps, Schedule to the Orders and this Statement of Reasons for making the Orders can be inspected during normal office hours at LCC's offices at County Offices, Newland, Lincoln LN1 1YL. Copies will also be available for inspection at the following locations South Kesteven District Council, St Peters Hill, Grantham, Lincolnshire, NG31 6PZ. Details will also be made available on LCC's website [www.lincolnshire.gov.uk](http://www.lincolnshire.gov.uk).

#### **15. Documents, Maps or Plans Relied on.**

15.1 If relevant and applicable objections are received to the various Orders and a public local inquiry is held, LCC may refer to some or all of the documents set out below. Copies of these documents (or relevant extracts) will be available for inspection by members of the public and can be inspected during normal office hours at LCC'S offices at County Offices, Newland, Lincoln LN1 1YL and also South Kesteven District Council, St Peters Hill, Grantham, Lincolnshire, NG31 6PZ. LCC reserves the right to introduce such additional documents as may be relevant to any public inquiry in respect of the Orders and will endeavour to notify the public inquiry and any statutory third parties of any such documents as soon as possible prior to the opening of such inquiry. Further LCC may update this list of documents at the time that any Statement of Case is produced.

## **Policy and Legal Documents.**

- (1) Highways Act 1980
- (2) Acquisition of Land Act 1981
- (3) National Planning Policy Framework
- (4) South Kesteven Local Plan
- (5) Grantham Growth Point Second Local Transport Plan 2006/7 to 2010/11 dated March 2006
- (6) Grantham Southern Relief Road Outline Business Case
- (7) Section delegation 6 agreement dated 12<sup>th</sup> February 2018 between DfT and Lincolnshire County Council
- (8) Section delegation 6 agreement dated 19<sup>th</sup> February 2018 between Highways England and Lincolnshire County Council
- (9) Local Development Framework for South Kesteven Core Strategy adopted 5<sup>th</sup> July 2010
- (10) Greater Lincolnshire Local Enterprise Partnership Strategic Economic Plan
- (11) Grantham Growth Point Programme of Development
- (12) The 4<sup>th</sup> Lincolnshire Local Transport Plan
- (13) Transport Strategy for Grantham (2007 to 2021 and beyond)
- (14) The Grantham Town Centre Masterplan
- (15) 2015 Screening and Assessment Report
- (16) Highways and Traffic Guidance Note HAT 34 (Design Standards and Departures for Highway Schemes)
- (17) Road Classification Policy for Lincolnshire
- (18) Lincolnshire County Council Executive approval dated 3<sup>RD</sup> January 2018
- (19) Lincolnshire County Council decision of Executive Director for Environment and Economy dated 26<sup>th</sup> February 2018
- (20) Southern Quadrant Masterplan

## **Planning Application Documents.**

- (21) Planning Application for the A1 Junction and King 31 Site: phase 1 and 2 of the Scheme s08-0488
- (22) Planning Application for the B1174 to A52 Roundabout: phase 3 of the Scheme.s13-0775
- (23) S14-1389: approval of pre-commencement details relating to conditions 2, 3, 8, 18 and 22 on planning permission S08-0448;

- (24) S14-3560: approval of details reserved by condition 3 on planning permission S08-0448;
- (25) S15-0727: non-material amendment to roundabout geometry on planning permission S08-0448;
- (26) S15-2101: Section 73 application to amend conditions 2 and 11 of planning permission S13-0775;
- (27) PL\_0027\_16: approval of proposed new GSJ on A1.

**Funding Documents.**

- (28) Grant Funding Agreement Grantham Southern Relief Road

**Other documents**

- (29) Technical approval from Highways England