



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

**District: Boston Borough Council**

**Application number: B/24/0363**

**Application Type: Full - Major**

**Proposal: Proposed development of a battery energy storage system and associated infrastructure**

**Location: Land to the south east of Vicarage Drove, Bicker Bar, Boston**

**Response Date: 18 December 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:**

Approve with conditions

### **Introduction/Site Location**

*The proposal is for the development of a battery energy storage system and associated infrastructure. The site is located to the south-east of Vicarage Drove, approximately 1.2km northwest of Northorpe and 2.4km west of Bicker Village. It is on the existing National Grid Site and agricultural land (generally level in topography with a gentle slope to the east). It is surrounded by agricultural land on all sides. The proposed development will be capable of storing electricity from the grid at times of excess supply in the system and exporting it back to the grid at times of high demand/reduced generation capacity. It will act as a balancing service and will provide a flexible back up source to the grid and can respond rapidly to variations that result from local and national energy demand. It will connect to the National Grid Substation via a wholly underground connection cable in the road surface – a license from the Highway Authority will be required for the laying of equipment within the highway.*

### **Existing Conditions**

The access to the site is currently only gated agricultural access that will need upgrading to a heavy-duty construction to Lincolnshire County Council specification. The latest structural assessment on Ash Holt Bridge is for weights of up to 40 tonnes. Doubletwelves Drove is a very narrow single-track road with limited places to pass.

### **Highway safety**

There are no recorded personal injury accidents in the vicinity of the site.

The applicants have secured an in-principle agreement to utilise the Tritton Knoll Haul Road. Improvements will be made to Doubletwelves Drove in the form of passing places and minor carriageway widening under a Section 278 Minor Works Agreement. Any abnormal loads will use the haul road to the south of the site – these will be infrequent and no more than 10 over the period. Vehicles will not exceed 40 tonnes in weight when traversing over Ash Holt Bridge – the structural assessment for this bridge is only for up to 40 tonnes. This is an old structure and although there is no weight limit on the bridge, we have a duty of care to ensure that 40 tonnes is not exceeded.

## **Highway capacity**

The construction phase is expected to last 6-8 months. There will be 4 weeks enabling works which will result in 23 HGVs and 20 light vehicles per day. Construction phase is 18 weeks and will result in 2 two-way trips per day. Post construction 8 weeks will result in 2 two-way trips per day. Staff/Contractor trips – LGVs will result in 40 two-way trips per day for a 4-week period reducing down to 10 two way trips per day.

A Construction Traffic Management Plan will be conditioned to ensure that the cumulative impact of this development and other live construction sites in the vicinity do not have an adverse impact on the highway network.

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.

## **Site Layout**

The proposed access is from Vicarage Drove on the bend with good visibility in both directions. A new access track is proposed and will be utilised by construction and maintenance vehicles. It will be surfaced with compacted stone and the remainder of the site will be surfaced with permeable crushed stone where not landscaped. The development will consist of 72no containers housing battery energy storage systems. Containers will be supported by ancillary infrastructure including: 36no inverter/transformer units, 1 no switchgear building, 1 no control building, 1 no auxiliary transformer, 1 no main transformer, 1 no Neutral Earthing Resistor, 1 no transformer marshalling kiosk and 5 no water tanks for health and safety. The containers and ancillary infrastructure will be located within a secure compound surrounded by a 4m high security acoustic fence with CCTV.

## **Flood Risk and Drainage**

The site is flood zone 3a but has very low risk of surface water flooding. The closest drain to the site is adjacent to the northern, southern and eastern boundaries. The South Forty Foot Drain is 1.9km to the west of the site. The ground conditions are clayey with a naturally high-water table. The principle of draining the site is set out in the Drainage Strategy but a condition will be applied subject to a more detailed design. The site will be surfaced with crushed permeable stone and compacted impermeable stone or similar. The proposed impermeable area will total approximately 3700m<sup>2</sup> comprised of the access track and the

central area of the site containing the control room etc. All plant/machinery will sit on concrete plinths. Greenfield run off rate will be maintained and controlled via a flow control device.

### **Off-Site Improvements**

Improvements will be made to Doubletwelves Drove in the form of two number passing places and minor carriageway widening, widening of the bend and widening of the carriageway on Bicker Drove between the bend and Vicarage Drove with two number passing places on Cowbridge Road under a Section 278 Minor Works Agreement.

### **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;
  - Details of the Construction traffic Management to ensure that the cumulative impact of the proposal and other sites currently under construction do not have an adverse impact on the highway network.
- 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 33**

The permitted development shall be undertaken in accordance with a surface water drainage scheme which shall first have been approved in writing by the Local Planning Authority.

The scheme shall:

- be based on the results of evidenced groundwater levels and seasonal variations (e.g. via relevant groundwater records or on-site monitoring in wells, ideally over a 12-month period);
- be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development;
- provide flood exceedance routing for storm event greater than 1 in 100 year;
- provide details of how run-off will be safely conveyed and attenuated during storms up to and including the 1 in 100 year critical storm event, with an allowance for climate change, from all hard surfaced areas within the development into the existing local drainage infrastructure and watercourse system without exceeding the run-off rate for the undeveloped site;
- provide attenuation details and discharge rates which shall be restricted to greenfield run off rate;
- provide details of the timetable for and any phasing of implementation for the drainage scheme; and
- provide details of how the scheme shall be maintained and managed over the lifetime of the development, including any arrangements for adoption by any public body or Statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime.

No dwelling/ no part of the development shall be occupied until the approved scheme has been completed or provided on the site in accordance with the approved phasing. The approved scheme shall be retained and maintained in full, in accordance with the approved details.

Reason: To ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, or upstream of, the permitted development.

#### Highway Condition 21

No part of the development hereby permitted shall be occupied before the works to improve the public highway (by means of 2 no passing places and minor carriageway widening) have been certified complete by the Local Planning Authority.

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

Condition – Prior to commencement of any part of the development hereby permitted, the condition of the parts of the public highway affected by the proposal (namely Vicarage Drove, Bicker Drove, Cowbridge Road, Ing Drove and Doubletwelves Drove) shall be recorded by written notes, still and moving photographic images during an inspection that shall be undertaken by the Applicant's representatives in the company of an Officer of the Local Highway Authority. Those public roads shall be maintained, at the cost of the Applicants, in a safe and suitable condition throughout construction of the permitted development and shall

be reinstated to no less than the standard of their pre-commencement condition following completion of the construction

Reason: In the interests of safety and convenience to other road users and in accordance with Section 59 of the Highways Act 1980.

### **Informatives**

#### **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 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>

#### **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 07**

The highway improvement works referred to in the above condition are required to be carried out by means of a legal agreement between the landowner and the County Council, as the Local Highway Authority.

For further guidance please visit our website; [www.lincolnshire.gov.uk/highways-planning/works-existing-highway](http://www.lincolnshire.gov.uk/highways-planning/works-existing-highway)

**Officer's Name: Samantha Legg**

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

**Date: 18 December 2024**