



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

**District: South Holland District Council**

**Application number: H09-0554-24**

**Application Type: Full - Major**

**Proposal: Proposed Residential Development comprising 21 dwellings and associated roads and footpaths**

**Location: Land off Dam Gate, Holbeach, Spalding, PE12 8PB**

**Response Date: 2 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:**

Acceptable subject to the following conditions as detailed below.

### **Introduction/Site Location**

*The proposal is for a Residential Development comprising 21 dwellings and associated roads and footpaths. The site is out of the settlement boundary and is not an allocated site in the Local Plan but there is an approved development to the north by the same developer – Seagate Homes. This layout will provide pedestrian connectivity into the northern approved site via a pedestrian footpath on the western boundary set back from the carriageway on Dam Gate (C826). The northern site has technical approval for a Section 38 Agreement with Lincolnshire County Council that has been split into two phases. There are no Public Rights of Way affected by the proposal. There is a Section 278 Agreement for the northern site to widen the carriageway on Dam Gate to 5.5m and a frontage footway connecting to the existing footway network. The widening requirement will also apply to this application.*

### **Existing Conditions**

Walking distance to the town centre is 600m and there are bus stops on Fleet Street 330m away. The site is close to the Community Centre/flood lit playing field and 40m away from the medical centre on Fishpond Lane. A speed limit reduction from 40 to 30mph is already being processed. Dam Gate is in a good standard of repair.

### **Highway safety**

There is no highway safety issues in the vicinity of the site. Visibility is in accordance with Manual for Streets. Pedestrian connections with this site and the site to the north will connect pedestrians all the way to Fleet Street and beyond. There is no supporting cycle infrastructure connecting to the site.

### **Highway capacity**

The number of dwellings does not meet the threshold to submit a Transport Assessment. 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 layout has been improved to the original submission – more street trees have been included and it is now a Shared use carriageway. We tried to push for a vehicular connection to the approved Section 38 site to the north as that is quite a large site which no other means of access if the culvert at the access was shut off, the developer has been reluctant to provide anything further than a pedestrian connection here. As we must assess this site independently, we had no way of forcing this. Secure cycle storage for each property will be conditioned. Tandem parking was raised with the applicant, he was reluctant to change the parking as otherwise there would be row after row of parking spaces side by side out the front of the houses resulting in streets lined with parking bays.

### **Flood Risk and Drainage**

The site lies at a level of approximately 2.00m – 2.40m AOD, it is generally level. It is in a South Holland Internal Drainage Board catchment area – an existing SH IDB high priority watercourse passes along the western boundary of the site. A section will be culverted at the site entrance. A riparian owned watercourse is located along the southern boundary. The site is in Flood Zone 3 but is at a low risk of Surface Water Flooding. The probability of flooding associated with blockages in the South Holland IDB drainage system is low due to the maintenance standards achieved and managed by the IDB. There is no evidence of historic flooding in the area. Floor levels will be raised to 1m above existing ground levels for flood mitigation – details will be conditioned to ensure this will not have an adverse impact on surrounding properties. Ground investigation works have not been undertaken but the British Geological Surveys indicate that infiltration will not be suitable. The proposal is acceptable in principle subject to further details – the proposed to discharge to the IDC watercourse at a restricted rate of 5l/s. Attenuation will be provided in oversized pipes (750mm diam) within the proposed highway to cater for the 1 in 30year storm event and additional attenuation will be provided in the form of geocellular tanks located in parking areas/private drives to accommodate the 1 in 100year storm event. Infiltration trenches to the site of the adoptable highway are to collect drainage prior to discharge to the oversized sewers. As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to Drainage on all Major Applications. The Lead Local Flood Authority does not consider that this proposal would increase flood risk in the immediate vicinity of the site providing the information requested in the drainage condition submitted for approval.

## Off-Site Improvements

The carriageway on Dam Gate shall be widened to 5.5m linking into the Section 278 works for the northern site. 3 sets of tactile crossing points will be required at Dam Gate/Fleet Street junction, Mattimore Drive and Fishpond Lane.

The proposed development is just over 400m from the 505 Bus service that runs through Fleet Street with two bus stops in situ where Dam Gate meets Fleet Street. As a service won't be able to divert or come closer to the development, **we request that the Developer enters into Section 106 Agreement to provide travel passes for the residents who would occupy the new houses. For a 12month pass for each household it would be £20,000.**

## Planning Conditions:

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

### Highway Condition 21

No part of the development hereby permitted shall be occupied before the works to improve the public highway (by means of widening Dam Gate to 5.5m from the existing Section 278 to the north past the access to this development, 3no tactile crossing points at Fleet Street, Mattimore Drive and Fishpond Lane) have been certified complete by the Local Planning Authority.

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

### Highway Condition 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 5 litres per second;
- provide details of the timetable for and any phasing of implementation for the drainage scheme; and
- provide details of how the scheme shall be maintained and managed over the lifetime of the development, including any arrangements for adoption by any public body or Statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime.
  - Provide evidence that any raising of the existing land will not have an adverse impact on the surrounding land/properties.

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 00

The development hereby permitted shall be undertaken in accordance with a Construction Management Plan and Method Statement that shall first be approved in writing by the Local Planning Authority. The Plan and Statement shall indicate measures to mitigate the adverse impacts of vehicle activity and the means to manage the drainage of the site during the construction stage of the permitted development. It shall include;

- the phasing of the development to include access construction;
- the on-site parking of all vehicles of site operatives and visitors;
- the on-site loading and unloading of all plant and materials;
- the on-site storage of all plant and materials used in constructing the development;
- wheel washing facilities;
- the routes of construction traffic to and from the site including any off-site routes for the disposal of excavated material and;
- strategy stating how surface water run off on and from the development will be managed during construction and protection measures for any sustainable drainage features. This should include drawing(s) showing how the drainage systems (temporary or permanent) connect to an outfall (temporary or permanent) during construction.

Reason: In the interests of the safety and free passage of those using the adjacent public highway and to ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the permitted development during construction.

## Highway Condition 26

Before any dwelling is occupied, all of that part of the estate road and associated footways that forms the junction with the main road and which will be constructed within the limits of the existing highway, shall be laid out and constructed to finished surface levels in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority.

Reason: In the interests of safety, to avoid the creation of pedestrian trip hazards within the public highway from surfacing materials, manholes and gullies that may otherwise remain for an extended period at dissimilar, interim construction levels.

## Highway condition

Prior to occupation details of the Secure Cycle Storage to be provided for every dwelling shall be submitted in writing to the Local planning Authority for approval.

Reason: To provide a safe secure cycle storage for every dwelling to encourage the residents to use sustainable modes of transport.

## Informatives

### Highway Informative 07

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

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

### Highway Informative 09

The existing ground level of the site must not be raised above the ground level of any surrounding land without further consultation with the Lead Local Flood Authority and Local Planning Authority, to consider suitable mitigation measures to ensure that surface water flood risk is not created or increased to land adjacent to the permitted development.

### Highway Informative 08

Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections, Section 50 licences and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works. For further guidance please visit the

Highway Authority's website via the following link: Traffic Management -  
<https://www.lincolnshire.gov.uk/traffic-management>

**Officer's Name: Samantha Legg**

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

**Date: 2 December 2024**