



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

District: South Holland District Council

Application number: H02-0925-24

Application Type: Full-Major

Proposal: Development of commercial land for 9 commercial units

Location: Land off Phoenix Lane, Crowland

Response Date: 10 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: No objection

Recommendation for refusal/No objection subject to:

(Delete as appropriate)

An objection has been raised by the Highways and Lead Local Flood Authority but if the Local Planning Authority are still minded to recommend approval, LCC would be grateful for notification via DevelopmentManagement@lincolnshire.gov.uk as to why material considerations outweigh the Highway and Lead Local Flood Authority objections, and be given an opportunity to make further representations.

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.

This proposal is for development of land for 9no. commercial units which previously had planning consent for 8 No. commercial units (Planning Ref H02-0493-19) which has since lapsed. This consent was granted for a similar size and scale development. The original planning application submitted defined the site as Pinnacle Close as part of three total phases of works. The proposed levels to the site have been dictated by a previously installed roadway serving the development to adoptable standards. The existing land also has a natural slope as indicated on the site topographical and therefore two different floor levels are proposed to accommodate this. Existing access to the site is from the land off Phoenix Lane (Pinnacle Close), utilising a previously installed roadway with dedicated site entrance point. Phoenix Lane (Pinnacle Close) is a Private Road and not an Adopted Highway. Secure fencing has been proposed around the site in keeping with adjacent commercial units in height and appearance. Parking has been provided for each unit with the inclusion of multipurpose bays for disabled users and electric vehicle charging. In total there are 26no. bays which is the same as previously approved and there is sufficient turning available within the site to allow vehicles to enter and leave in a forward gear. Internal cycle storage has been considered as part of the project with dedicated secure space being included as part of the development as

per the proposed plans. Bus stops are located less than a 10-minute walk from the development via Peterborough Road which provide links to Peterborough, Crowland and the surrounding areas.

The site is within a flood zone 3 but not at risk of surface water flooding. As part of the three-phase development to all the land off Pinnacle Close, drainage infrastructure is already constructed with a piped system and discharge point to the IDB watercourse to the west of the development site. Underground storage provision will be made for roof top and car park collection. There will be no increase in Surface Water flood risk to the site or adjoining land or properties.

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 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 10

The drainage strategy submitted proposes a private surface water system. Please be advised that Section 50 of New Roads and Street Works Act 1991 will apply, and permission must be sought from the Highway Authority to grant a license for the apparatus. For guidance, please refer to www.lincolnshire.gov.uk

The Highways and Lead Local Flood Authority response is in relation to the impact the proposed development would be expected to have on the operation of the Public Highway. Phoenix Lane (Pinnacle Close) is a private road, and the highway authority has no jurisdiction over the use of this road. With regard to this application, we have considered the safety and impact of these proposals on Crease Drove and its junction. It is for the Local Planning

Authority to determine whether the access provided by the private road is safe and suitable for all users.

Officer's Name: Dean Whitehead

Officer's Title: Senior Development Management Officer

Date: 10 December 2024