



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

**District: Boston Borough Council**

**Application number: B/24/0452**

**Application Type: Full-Major**

**Proposal: Erection of 122 dwellings**

**Location: Land off Station Road, Swineshead, Boston**

**Response Date: 26 February 2025**

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**

### **Comments:**

The site lies to the north of Swineshead village centre and close to the A52 and A17 strategic routes, which connect with Station Road via Boston Road and the High-street/South Street corridor.

The proposed development comprises a total of 122 residential dwellings, with vehicular access from a single new priority junction with Station Road. The proposed access would provide visibility splays appropriate to surveyed traffic speeds on station Road, which is subject to 30mph and would accommodate the design vehicle satisfactorily. There will be a frontage footway making connection with the existing to the Southeast towards the village and 2no. uncontrolled pedestrian crossing points either side of the development access to cross Station Road for pedestrian connectivity. There will also be a requirement for the re-modelling of the Boston Road junction opposite the development site as currently there is no pedestrian crossings as the junction is substantially wide. The proposal will be to reduce the junction width and, provide a central refuge with new footways to make this safer and more convenient for better access to the bus stop and beyond These improvements would address all the main desire lines generated by the proposed scheme and additional improvements at the Station Road/Boston Road junction are required to accommodate the development in terms of sustainability.

Records of personal injury collisions show no evidence of road-safety related-issues in the vicinity of the site or its access, or at the Station Road/Boston Road junction. The capacity assessments demonstrate that both the proposed site access and the existing Station Road/Boston Road junction would operate within capacity in the future assessment year with the development in place. The proposed development is not forecast to give rise to significant impacts on queues or delays at the Station Road/Boston Road junction. The volume of traffic generated by the scheme would not be significant at locations beyond the development site. The impact of traffic on the local highway network would not be significant.

The Transport Assessment demonstrates that satisfactorily vehicular access to the development can be achieved. The proposed development would be accessible by a range of sustainable travel modes and would be within walking distance of a wide range of local facilities via the existing walking and cycling networks. A package of off-site highway improvements would satisfactorily accommodate pedestrian demands and desire lines, connecting the development to the adjacent network and community. The volume of traffic generated by the scheme would not be significant at locations beyond the development site.

The impact of traffic on the local highway network would not be significant. The proposed development would be satisfactorily accessed by all travel modes and would comply with the relevant local planning and transport policies, subject to implementation of the highway improvements proposed.

The site is bound by a Black Sluice Internal Drainage Board (BSIDB) watercourse to the Northeastern boundary and lies within a flood zone 1 and 2. A flood risk assessment has been prepared to assess the proposed development and concludes that there are no obvious constraints have been identified that may impact the proposed development and the type of mitigation measures that can be used to reduce the flood risk. A drainage strategy report has been undertaken for the site using storm attenuation techniques. It is proposed to drain the sites surface water via SuDS principles (roadside filter drains) to an inline attenuation basin before discharging to the IDB managed open watercourse at a restricted rate agreed with the IDB. Therefore, the proposal will not increase surface water flood risk to the development site, surrounding properties or land.

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 regarding NPPF.

### **Planning Conditions:**

If permission is to be given, the following planning conditions should be attached:

#### **Highway Condition 00**

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

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

should include drawing(s) showing how the drainage systems (temporary or permanent) connect to an outfall (temporary or permanent) during construction.

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

#### Highway Condition 20

The development hereby permitted shall not be occupied before a 2.0-metre-wide frontage footway with uncontrolled pedestrian crossing points with tactile paving, to connect the development to the existing footway network, has been provided in accordance with details that shall first have been submitted to, and approved in writing by, the Local Planning Authority. The works shall also include appropriate arrangements for the management of surface water run-off from the highway.

Reason: To ensure the provision of safe and adequate pedestrian access to the permitted development, without increasing flood risk to the highway and adjacent land and property.

#### Highway Condition 21

No part of the development hereby permitted shall be occupied before the works to improve the public highway by means of Boston Road/Station Road junction improvement works to reduce the radii and provide a pedestrian crossing point with central refuge 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 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 29

The permitted development shall be undertaken in accordance with an Estate Road Phasing and Completion Plan, which shall first be approved in writing by the Local Planning Authority. The Plan shall set out how the construction of the development will be phased and standards to which the estate roads on each phase will be completed during the construction period of the development.

Reason: To ensure that a safe and suitable standard of vehicular and pedestrian access is provided for residents throughout the construction period of the 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 5.0 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.

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.

### **Informatives**

#### Highway Informative 02

In accordance with Section 59 of the Highways Act 1980, please be considerate of causing damage to the existing highway during construction and implement mitigation measures as necessary. Should extraordinary expenses be incurred by the Highway Authority in maintaining the highway by reason of damage caused by construction traffic, the Highway Authority may seek to recover these expenses from the developer.

#### Highway Informative 05

All roads within the development hereby permitted must be constructed to an acceptable engineering standard. Those roads that are to be put forward for adoption as public highways must be constructed in accordance with the Lincolnshire County Council Development Road Specification that is current at the time of construction and the developer will be required to enter into a legal agreement with the Highway Authority under Section 38 of the Highways Act 1980. Those roads that are not to be voluntarily put forward for adoption as public highways, may be subject to action by the Highway Authority under Section 219 (the Advance Payments code) of the Highways Act 1980. For guidance, please refer to <https://www.lincolnshire.gov.uk>

#### Highway Informative 07

The highway improvement works referred to in the above conditions 20 & 21 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 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 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.

#### **Note to Officer-S106 Contribution Request-Please secure the sums below**

In the interests of promoting sustainable travel and to reduce the dependency on car travel, we request that the developer provides 1 bus pass voucher to the first occupiers of each new dwelling, which the occupier may redeem for free bus services for a period of 1 year. The maximum cost to the developer based on the take up of the scheme and the current cost of the bus service will be £186,000 based on 1 per voucher x 122 dwellings.

The developer is required to manage this process directly with the bus operator and will be required to report uptake of the scheme via the travel plan monitoring process.

Travel plan monitoring at a cost of £5000 is required.

The applicant is required to consult with Lincolnshire County Council Transportation Services with regards the provision of the service.

**Officer's Name: Dean Whitehead**

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

**Date: 26 February 2025**