

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

District: East Lindsey District Council

Application number: S/184/01932/24

Application Type: Full

Proposal: Planning Permission - Excavation of land to form a commercial fishing lake and construction of an internal access road

Location: Land Adjacent Holly Tree Pub, Steeping Road, Thorpe St Peter

Response Date: 3 April 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: No Objections subject to Planning Conditions as detailed below

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety, subject to the below planning condition, or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.

Comments:

The proposal is for the excavation of land to form a commercial fishing lake and construction of an internal access road, located at Holly Tree Country Caravan Park. The existing use of the site as a caravan park provides a baseline for assessing the impact of the proposed fishing lake.

Highway safety and capacity

The parking provision is satisfactory and meets that of the expected number of vehicles accessing the site, ensuring no significant impact on local road infrastructure. The dimensions of the proposed access, which should be constructed prior to use of the fishing lake, are adequate to enable 2 cars to pass in opposing directions and the proposal would therefore not result in an unacceptable impact on highway safety.

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 circular route layout of the proposed development ensures continuous traffic flow, reducing the likelihood of congestion and accidents. It allows for easy navigation and access

for all users, including pedestrians, cyclists, and vehicles, promoting a harmonious and efficient movement throughout the site.

Flood Risk and Drainage

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 site is in Flood Zone 3, with a high probability of flooding from the River Steeping. Surface water flood risk is classified as 'very low.' The proposed lake will not negatively impact flood storage capacity and may provide additional water retention. A Flood Warning and Evacuation Plan has been prepared, and the access road will be constructed with permeable materials to support drainage.

Therefore, the Lead Local Flood Authority does not consider that this proposal would increase flood risk in the immediate vicinity of the site.

IDB Comments

A Board maintained watercourse exists on the east boundary of the site and to which BYELAWS and the LAND DRAINAGE ACT applies. Under the terms of the Board's Byelaws, the prior written consent of the Board is required for any proposed temporary or permanent works or structures in, under, over or within 9 metres the top of the bank of a Board maintained watercourse.

Please note the Board will not consent any permanent to temporary construction within the 9 metres BYELAW easement. Please refer to the Board's Nine Metre Easement Policy for further information: <https://www.w4idb.co.uk/resources/document-library/consent-forms-and-guidance/> A permanent undeveloped strip of sufficient width should be made available adjacent to the top of the bank of all watercourses on Site to allow future maintenance works to be undertaken. Suitable access arrangements to this strip should also be agreed. Access should be agreed with the Local Planning Authority, LCC and the third party that will be responsible for the maintenance in consultation with the Internal Drainage Board where a watercourse is subject to Byelaws.

Note to officer:

W4IDB are currently dealing with the landowner concerning an unconsented footbridge over Sewer 357d1.

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 access (by means of widening the access where it meets the public highway, for a length of 10m, as per drawing 68724-03 Rev A) 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.

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>.

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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: Justine Robson

Officer's Title: Senior Development Management Officer

Date: 3 April 2025