Lincolnshire County Council
Planning Permission

Town and Country Planning Act 1990

Town and Country Planning General Regulations 1992

Date of Proposal 2 July 2002

Application No. H02/0842/02

LCC Ref. No. H1/2/16/0842/02/CC

Part 1 Planning Permission

1. On 5 September 2003 the Lincolnshire County Council resolved, for the purposes of Regulation 3 of the Town and Country Planning General Regulations 1992, to construct that part of the highway improvement scheme and associated works to A1073 between Spalding and Eye situated within Lincolnshire, between the A16 north west of Cowbit and the county boundary south of Crowland, in the parishes of Cowbit, Crowland and Spalding.

2. Take notice that having taken into consideration the environmental information submitted pursuant to the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 Planning Permission is hereby granted by Lincolnshire County Council to carry out the above development in accordance with the application and plans submitted subject to the following conditions.

Part 2 Conditions

1. The development must be begun not later than the expiration of five years, beginning with the date of this permission.

2. The development shall be undertaken strictly in accordance with the details contained in the application, as amended, and in full compliance with the mitigation measures detailed in the accompanying Environmental Statement except as may be modified by the requirements of other conditions of this planning permission or as may otherwise be agreed in writing with the County Planning Authority.

3. No development shall take place until full details of the scheme of landscape mitigation referred to in paragraph 4.4.1 of the Environmental Statement have been submitted to and approved in writing by the County Planning Authority. Such scheme as approved by the

Signed .....
Head of Planning and Conservation
Lincolnshire County Council

Date ..... 8th September 2003

NOTES:

1. This permission must be entered in the statutory register of planning decisions maintained by the District Council (as required by the Town and Country Planning General Regulations 1992). In addition the District Council is requested to make an entry in the Land Charges Register of any conditions attached to this permission.

2. This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, byelaw, order or regulation.

County Planning Authority shall be carried out in its entirety prior to the opening of the road or in accordance with a programme of works to be agreed in writing with the County Planning Authority. All trees, shrubs and bushes shall be adequately maintained for a period of 10 years beginning with the date of completion of the scheme and during that period all losses shall be made good as and when necessary.

4. Notwithstanding the submitted information, no development shall take place until details of the surface water drainage works to serve the road, to include the use of swales, filter strips, ditches and retention ponds and piped systems have been submitted to and approved in writing by the County Planning Authority. Thereafter the drainage works shall be carried out in accordance with the details and timetable agreed.

5. No development shall take place until details have been submitted to and approved in writing by the County Planning Authority of

   (i) methods for intercepting Internal Drainage Board drains

   (ii) details for the crossing at chainages 3100/3200, 4600/4800, 5500/5600 and 8200/8600

   The works shall be undertaken in accordance with the approved details.

6. No development shall take place until details of all accommodation works and the siting of all works compounds have been submitted to and approved in writing by the County Planning Authority.

7. No development shall take place until the implementation of a programme of archaeological works has been secured in accordance with a written scheme of investigation which has been submitted to and approved in writing by the County Planning Authority. The submitted scheme shall extend to all areas covered by Conditions 3 and 6 of this planning permission.

8. No development shall take place until details providing for the resurvey of the site for the presence of little-ringed plover, badgers, bats (including all trees to be felled), great crested newts, water voles (all drains) and harvest mice has been submitted to and approved by the County Planning Authority. The results of this resurvey shall be submitted together with any further mitigation and compensation measures proposed for the approval of the County Planning Authority and thereafter implemented as approved.

9. No development shall take place until details of schemes for compensatory habitat, as well as translocation of species and vegetation affected by crossing of Middle Drain and Highland Drain County Wildlife Sites, and the disused railway line (TN61 and TN72) have been submitted to and approved by the County Planning Authority and shall thereafter be implemented as approved.

10. No development shall take place until a nature conservation management plan has been submitted to and approved by the County Planning Authority. This shall set out an approach to roadside habitat creation and management and the provision of nest boxes for barn owls. Such scheme shall thereafter be undertaken in accordance with the approved details or as may otherwise be agreed with the County Planning Authority.

11. No scrub clearance or site preparation works affecting breeding bird habitats shall be undertaken during the period 1 March to 31 July.

12. Notwithstanding the submitted information no development shall take place until details of the measures to mitigate the impacts arising from the use the road on residential properties have been submitted to and approved in writing by the County Planning Authority. Thereafter such measures shall be implemented in accordance with the approved details.

13. Notwithstanding the submitted information no development shall take place until final details of all of the junctions of the proposed road and other crossing points have been submitted to and approved by the County Planning Authority.

14. No development shall take place until details of the proposed lighting along the road have been submitted to and approved by the County Planning Authority. Thereafter the lighting shall accord with the approved details.

The reason for the conditions are:-

1. Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2. To enable the County Planning Authority to adequately control the development and to minimise its impacts on the surrounding area.

3. To minimise the impact of the development upon the landscape, in the interest of visual amenity.

4. To prevent increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

5. To safeguard the water environment.

6. In order to ensure that no known sites of archaeological remains are destroyed by ancillary operations.

7. In order to ensure that satisfactory arrangements are made for the investigation, retrieval and recording of any possible archaeological remains on site.

8. To minimise the impact of the proposed development on the stated species, in the interest of nature conservation.

9. To minimise the impacts of the proposed development at specific sites of nature conservation interest, in the interest of nature conservation.

10. To balance the needs to minimise the potential impact of the road on the local barn owl population with the need to encourage the nature conservation interest of the roadside verges.

11. To minimise/mitigate against any adverse impacts on protected species.

12. In the interest of local residential amenity.

13. In the interests of highway safety and convenience.

14. In the interests of rural amenity.

The following development plan/emerging development plan policies and proposals are relevant to the decision to grant this planning permission:-

Approved Structure Plan (1982) – Policies 30, 31 and 34
Lincolnshire Structure Plan: Policies Proposed for Adoption (2000) – Policies 36, 43, 44, 45, 48, 49, 50, 52, 53, 56 and 63
South Holland District Local Plan (1998) – Policies E1, E6A, E10, E10B, E11, E12A, E13 and E14
South Holland District Local Plan – First Deposit Draft (November 2001) – Policy T2