

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

**District: South Holland District Council**

**Application number: H13-0261-25**

**Application Type: Full**

**Proposal: Erection of detached two storey dwelling, annexe & garage**

**Location: Land off Fen Gate, Moulton Chapel, Spalding, Lincolnshire, PE12 0QA**

**Response Date: 24 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: Approve with conditions**

### **Comments:**

The proposal is for Erection of detached two storey dwelling, annexe & garage and it does not have an impact on the Public Highway. There will be a requirement to provide a new vehicular access off Fengate. Suitable visibility can be provided at the access including sufficient parking and turning facility within the development site to allow vehicles to enter and leave in a forward gear so drivers are able to judge if it is safe to complete the manoeuvre and enter the highway and therefore, it is considered that this proposal would not result in an unacceptable impact upon highway safety.

### Highway Informative 06

This application is a minor application, and it is the LPA's responsibility to satisfy themselves that the risk from surface water flooding is acceptable. It is noted that the proposal is in an area at risk from surface water flooding. We therefore suggest that, to assist the LPA, a Flood Risk Statement is submitted which considers this risk and any necessary mitigation.

There will be a requirement to extend the existing 30mph speed limit further North of the development site and provide a frontage footway from the development site in a Westerly direction making connection with the existing footway network for safe and suitable pedestrian connectivity.

### **Planning Conditions:**

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

### Highway Condition 20

The development hereby permitted shall not be occupied before a 2.0-metre-wide footway, 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 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 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>.

### 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>

### **Note to Planner**

We wish to request that the applicant enters a S106 Agreement to secure the funding of £2,800 for Lincolnshire County Council to undertake a Traffic Regulation Order to extend the 30mph speed limit West of the proposed access site on Fen Gate.

**Officer's Name: Dean Whitehead**

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

**Date: 24 April 2025**