SOUTH HOLLAND DISTRICT COUNCIL

Report of: Development Manager

To: Planning Committee - 29 May 2019

(Author: Polly Harris-Gorf - Principal Planning Officer)

Purpose: To consider Planning Application H14-0326-19

Application Number: H14-0326-19 **Date Received:** 21 March 2019

Application Type: COUNTY MATTER

Description: Construct Section 5 of the Spalding Western Relief Road comprising of a new single carriageway route from the B1356 Spalding Road and Enterprise Way to Vernatt's Sustainable Urban Extension (SUE) incorporating a new roundabout junction with the B1356 Spalding Road, a bridge over the Peterborough to Sleaford railway line, and a priority junction into Vernatt's Sustainable Urban Extension

Location: Land parallel Vernatt's Drain and bound by B1356 Spalding Road to east Spalding

Applicant: Lincolnshire County Council **Agent:** WSP Global Inc

Ward: Pinchbeck and Surfleet
Spalding Castle
Spalding Wygate

Ward Councillors: Cllr S A Slade
Cllr J Avery
Cllr E J Sneath
Cllr G J Taylor
Cllr R Gambba-Jones
Cllr C J Lawton

You can view this application on the Council's web site at

http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H14-0326-19

1.0 REASON FOR COMMITTEE CONSIDERATION

1.1 Consultation from Lincolnshire County Council, as the determining authority, raising matters of strategic planning policy that impact on local residents, the wider town and the District as a whole; the views of the Planning Committee are sought.

2.0 PROPOSAL

2.1 Consultation from Lincolnshire County Council (LCC) seeking the formal views of the District Council on a detailed planning application for the construction of Section 5 of the proposed Spalding Western Relief Road (SWRR). The formal decision on this application will be made by the County Council as the determining authority.

2.2 Section 5 to the proposed SWRR is shown to comprise of a new single carriageway route from the B1356 Spalding Road and Enterprise Way providing access to phases 1 and 2 to Vernatt's Sustainable Urban Extension (VSUE). It would incorporate a new roundabout junction with the B1356 Spalding Road, a bridge over the Peterborough to Sleaford railway line, and a priority junction facilitating access into phase 2, and thereafter phase 3, to the Vernatt's Sustainable Urban Extension (VSUE). The new roundabout on Spalding Road would also facilitate direct access into phase 1 to the VSUE, i.e. land lying to the immediate east of the railway line, west of and fronting onto Spalding Road.

2.3 In essence, the County Council are seeking planning permission for the:
Construction of a new single carriageway route approximately 1 kilometre in length from the B1356 Spalding Road into the VSUE. The route incorporates a new roundabout junction with Spalding Road and Enterprise Way, the diversion of the Blue Gowt, and the construction of an earth ramp with bridge across the Peterborough to Sleaford railway line and landscaping.

2.4 The main key elements of the proposed development are as follows:
Bridge
Structural Landscaping;
Five-arm roundabout on to B1356 Spalding Road; and
Other key elements including a new junction.

2.5 These elements are discussed in more detail below.

2.6 The submitted Transport Assessment (TA) states that, in isolation, Section 5 to the SWRR will bring about transport improvements and will improve transport links and capacity on the surrounding road network. The TA also clarifies that, subject to the delivery of future sections of the SWRR, the benefits of a relief road in this location, offering an alternative to town centre route for local traffic not destined for the town centre itself, are clearly recognised.

2.7 Whilst Section 5, ultimately, forms one of five sections to the SWRR, it has been designed so that it can be delivered independently of the remaining sections. These proposals can therefore be determined on their individual merits.

2.8 This application is submitted to LCC as the Local Planning Authority for Highway development (LPA) under Regulation 3 of The Town and Country Planning General Regulations 1992.

2.9 Whilst the proposals for Section 5 fall to be determined on their own merits, they should be read in conjunction with a separate planning application for Section 1 of the SWRR extending from Spalding Common to Holland Park, also known as the "Southern" section, which is also considered on this agenda.

2.10 The application is supported by significant documentation, this comprising;

·Planning Statement,

·Design & Access Statement,
·Environmental Statement,
·Transport Assessment,
·Highways Design Statement,
·Route Appraisal & Justification Statement,
·Signal Sighting Report,
·Historic Environment Desk-Based Assessment
·Written Scheme of Investigation for an Archaeological Evaluation
·Archaeological Evaluation,
·EIA Scoping Report
·Environmental Statements relating to Air Quality, Cultural Heritage, Ecology, Ground Conditions, Landscape, Noise and vibration, Water environment, People and Communities, Materials, Climate and a Cumulative Assessment.
·Ground Investigation - Factual Report
·Arboricultural Survey Report
·Ecology reports regarding Macro Invertebrates and Fish, Reptiles, Barn Owls, Winter Birds, Bats, Riparian Mammals, aquatic flora (macrophytes), Invertebrates
·Land Ownership Schedule

2.11 Associated background studies and plans covering the Site Location and Layout, Cross Sections, Proposed Highways Finishes, General Arrangements, Landscaping, General Arrangement of Structures, Earthworks and Topographical Surveys also form part of the application.

2.12 Due to the nature of the Proposed Development and the potential environmental impacts, a Screening Opinion was sought from LCC in accordance with the Environmental Impact Assessment ("EIA") Regulations 2017. The LPA issued its formal Opinion on 17/09/2018 (LPA ref. EIA/08/18) confirming that the Proposed Development may give rise to significant adverse impacts and therefore, an EIA will be required to support the planning application.

2.13 An Environmental Statement ("ES") was submitted with this planning application.

2.14 Since submission amendments have been received to amend the Blue Gowt Lane link.

2.15 The main elements of the scheme are as follows:
The bridge;
Structural Landscaping;
Five-arm roundabout on to B1356 Spalding Road; and
Other key elements including a new junction

2.16 In terms of detail, the main key elements comprise;

2.17 Bridge

2.18 The proposed bridge is to include a 3-span continuous highway bridge merged with a reinforced earth ramp. The proposed bridge/viaduct has a 7.3m wide carriageway, 1m hard strips either side, 2.6m wide footway along the southern side of the structure, 4.0m wide cycleway and 1.5m footway along its northern edge.

2.19 The bridge is designed with parapet railings 1.8m high. The main span of the structure, over the railway, measures 40m, with each of the back spans measuring 25m. The underside of the bridge will be 6.5m above the railway; the distance between the underside of the bridge deck and the top of the parapet is 3m, above the piers this distance is 4.3m.

Structural Landscaping

2.20 To visually soften the reinforced earth ramp a detailed landscape scheme is an integral part of the design process and proposes a linear soft landscape belt running in line with the embankment. The proposed shrub and tree planting belt becomes denser towards the overbridge section. It is intended that the soft landscape features will introduce a soft landscape edge to the proposed built form and ensures the bridge structure assimilates with the

surrounding landscape.

2.21 Five-arm roundabout on to B1356 Spalding Road

2.22 A proposed five-exit roundabout (Junction I) will be provided on the B1356 Spalding Road. to serve

·A proposed five-exit roundabout (Junction I) will be provided on the B1356 Spalding Road to serve
·The B1356 Spalding Road to the north;
·Enterprise Way to the east;
·The B1356 Spalding Road to the south; and
·The SWRR to the west.

2.23 The key elements of the Junction A roundabout are as follows:

A new 5-arm roundabout to the east - Junction I, with a 3.5m shared use footway / cycleway between the pedestrian crossings; and an embankment on the outside of all five exits.

New Junction I will result in the removal of Nos. 167 and 169 Spalding Road. No other dwellings are proposed to be removed as part of this planning application.

Realigned section to the B1356 Spalding Road (north exit) comprising two lanes leading towards Junction I and two lanes leading away from Junction I

The realignment of the B1356 Spalding Road north exit to provide an access road with turning facilities for the houses on Spalding Road

Realignment of the Enterprise Way exit comprising two lanes leading towards Junction I and two lanes leading away from Junction I

Realignment of the B1356 Spalding Road south exit comprising two lanes leading towards Junction I and two lanes leading away from Junction I

Junction I roundabout will have a new exit to provide access to the Vernatt's Sustainable Urban Extension comprising two lanes leading towards Junction I and two lanes leading away from Junction I

Junction I roundabout will have a new exit for the SWRR comprising two lanes leading towards Junction I and two lanes leading away from Junction

2.24 Other key elements including a new junction

2.25 2.5m wide shared cycleway/footway on the south side of SWRR carriageway and a 5.5m wide segregated two-way cycleway on the north side of a carriageway.

2.26 A 190m long embankment incorporating a 1.4m high railings on either side.

2.27 New ramp and underpass connecting the realigned Blue Gowt west of the new bridge to the shared cycleway / footway along SWRR.

2.28 A new access junction (Junction H) north of the SWRR and west of the new bridge to provide access to the VSUE.

2.29 Finally, it needs to be noted that the Section 5 highways infrastructure has been designed so that it is capable of merging with Section 4 of the SWRR in the future.

3.0 SITE DESCRIPTION

3.1 The Application Site extends to approximately 14.51 hectares. It is located to south western edge of Spalding on land designated for the SWRR in South East Lincolnshire Local Plan

approved in March 2019 and shown on the Policies Map for Spalding and Pinchbeck.

3.2 The large waterway called the Vernatt's Drain runs east west to the south of the proposals. The site and surroundings are flat and open comprising few trees and hedgerows. The existing fields are set within a network of drainage channels feeding into Vernatt's Drain.

3.3 The B1356 Spalding Road runs north south and connects Spalding to Pinchbeck. This stretch of the B1356 Spalding Road, north of its junction with Enterprise Way, comprises a ribbon development of two storey residential properties on both sides of the road.

3.4 The Spalding to Sleaford railway line runs perpendicular to Vernatt's Drain from a south east to north west direction.

3.5 The open land behind the houses on the west side of B1356 Spalding Road, and north side of the B1356 junction with Enterprise Way, is designated as Housing Allocation in the SELLP and the Policies Map. This land parcel will form Phase 1 of the VSUE.

3.6 The wedge of open land north of Vernatt's Drain and south of the B1356 junction with Enterprise Way is shown as allocated open space as part of the VSUE in the statutory SELLP and Policies Map.

3.7 The land south of Vernatt's Drain comprises a mix of two storey residential properties and bungalows. To the east of the B1356 Spalding Road is Enterprise Park; a mixed use development comprising largely light industrial uses and some residential development. The area is designated as an Existing Main Employment Area in the SELLP and Policies Map. Enterprise Park can be accessed from Enterprise Way.

3.8 Nos. 167 and 169 Spalding Road are two storey residential properties located near to the junction with the B1356 Spalding Road and Enterprise Way. They are typical of the surrounding residential development. Southwards from this junction, on the eastern side lies a row of three detached houses set back from Spalding Road and further south, and accessed from Spalding Road, is the Johnson Community Hospital which provides a range of healthcare services to the local community. The B1356 Spalding Road and Enterprise Way have a cycle and pedestrian lane facilities.

3.9 The nearby Pinchbeck Conservation Area contains a number of listed buildings including the Grade I Listed Church of St Mary. The spire of which is notable feature within the Pinchbeck skyline.

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3.11 Yew Tree Farmhouse is two-storey three-bay early 19th century house, in addition there are other listed buildings in the vicinity - Brownlow House, Pigeoncote at Brownlow House, Money Bridge Public House and Glen House are all Grade II Listed Buildings.

4.0 RELEVANT PLANNING POLICIES

4.1 The Development Plan

4.2 South East Lincolnshire Local Plan, March 2019

4.3 Policies
1 Spatial Strategy
2 Development Management
3 Design of New Development
4 Approach to Flood Risk
5 Meeting Physical Infrastructure and Service Needs
6 Developer Contributions

7 Improving S E Lincolnshire's Employment Land Portfolio
9 Promoting a Stronger Visitor Economy
10 Meeting Assessed Housing Requirements
11 Distribution of New Housing
15 Vernatts Sustainable Urban Extension
17 Providing a Mix of Housing
18 Affordable Housing
25 Supporting the Vitality & Viability of Spalding Town Centre
28 The Natural Environment
29 The Historic Environment
30 Pollution
31 Climate Change and Renewable and Low Carbon Energy
32 Community, Health and Well-being
33 Delivering a More Sustainable Transport Network
35 Delivering the Spalding Transport Strategy

4.4 South East Lincolnshire Infrastructure Delivery Plan 2016

4.5 *Delivery of growth in the Spalding sub regional centre.*

para 2.4.9 In the case of Spalding, the consented Holland Park urban extension and various sites along the safeguarded Spalding Western Relief Road will help to deliver this piece of long term infrastructure.

4.6 para 4.6.1 The proposed Spalding Western Relief Road (SWRR), when completed is expected to provide faster access to areas to the north, west and south of the town and by reducing the car journeys currently passing through Spalding town centre along the A151, it is likely that the delays at the railway level crossings will be reduced.

4.7 para 4.6.2 Where the SWRR route has not been clearly defined, the Local Plan includes a safeguarding corridor to protect the broad area within which the route is expected to proceed. Although fairly complicated in detail, the SWRR is best considered in three sections - Northern, Central and Southern. The Southern and Northern sections of the SWRR are expected to be delivered during the plan period alongside the delivery of planned growth, whilst the Central section is likely to be delivered beyond this plan period.

4.8 If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, Section 38 (6) to the Town and Country Planning Act as amended by the 2004 Act states that the determination must be made in accordance with the plan unless material considerations indicate otherwise.

4.9 National Guidance

4.10 National Planning Policy Framework (NPPF), 2019

Sections

2. Achieving sustainable development
3. Plan-making
4. Decision-making
5. Delivering a sufficient supply of homes
6. Building a strong, competitive economy
7. Ensuring the vitality of town centres
8. Promoting healthy and safe communities
9. Promoting sustainable transport
11. Making effective use of land
12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding and coastal change
15. Conserving and enhancing the natural environment
16. Conserving and enhancing the historic environment

4.11 The NPPF sets out that there are three overarching objectives required to achieve sustainable development: economic, social and environmental.

4.12 An economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

4.13 A social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

4.14 An environmental objective - to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

4.15 Planning Practice Guidance (PPG)

4.16 **The Development of SHDC Planning Policy and the Spalding Western Relief Road**

4.17 The South Holland Local Plan 2006 allocated 85 hectares of land in the form of a sustainable urban extension, Holland Park Sustainable Urban Extension (SUE). located to the south and west of Spalding. This allocation deliberately included a policy-protected and an indicative safeguarded route for the delivery of the first section of the SWRR through the Holland Park housing allocation (albeit on a different alignment than currently planned).

4.18 The SWRR, as described in the South Holland Local Plan adopted in July 2006, envisaged that Broadway would form part of the route. At that time, the SWRR comprised three phases: Phase 1 (present Section 1) began at the B1172 Littleworth Drove and included a new bridge over the railway, extending to the boundary of Holland Park. It was envisaged that Phase 1 would be delivered by the developer for Holland Park.

4.19 Phase 2 was a continuation of Phase 1 route, northwards, linking the Holland Park development to A151 Bourne Road, with a new roundabout constructed at Bourne Road.

4.20 Phase 3 was identified as a longer-term aspiration that would link Bourne Road to the B1356 Spalding Road, in the vicinity of Enterprise Way.

4.21 In September 2007 the Holland Park Development Brief was consulted upon by SHDC. The Brief sets out the requirements for the developer to provide Phase 1 of the relief road in preparation for the Phase 2 link (to Bourne Road) in the future. In that document Broadway was identified as a link for the development, and not part of the relief road. This principle was adopted and consulted upon in the Holland Park Master Plan in 2009.

4.22 The South Holland Local Plan and the 2nd Local Transport Plan, published in March 2006 both identified the SWRR as a longer term major scheme, not likely to be funded before 2021 through the LTP. In March 2011 LCC published the 3rd Local Transport Plan which identified the County Council's intention to develop proposals for the relief road and apply for planning permission in 2012.

4.23 Subsequently, the VSUE comprising land north of Vernatt's Drain was identified in the SELLP as a suitable area to provide phased development comprising approximately 4,000 dwellings and supporting community infrastructure.

4.24 Between 3rd May and 28th June 2013, SHDC invited public comments on preferred options for a Strategy and Policies Document. Background to the SWRR was set out on pages 234-235 and a draft policy approach for the SWRR was set out at page 242 of the document. In addition, a map included at page 302 of that document showed a broad alignment for the road. Specific consultation questions relating to the SWRR were set out at page 243 of the document (questions 77-79).

4.25 Between 8th January and 19th February 2016, SHDC invited public comments on a draft Local Plan for South East Lincolnshire, which set out; a vision and strategic priorities for the area; draft policies; and options for possible land allocations. This also included the SWRR including what is now known as sections 1 and 5. It also included the proposed safeguarding corridor for the central section. Note - this was a larger safeguarding area than went forward to proposed submission/ examination.

4.26 Between 15th July and 12th August 2016, SHDC invited public comments on revised policies 2 (spatial strategy) and 12 (distribution of new housing) and on proposed sites for development. This included a revised inset map that included the relevant sections of the SWRR through the proposed Vernatts SUE and Holland Park, as well as the proposed safeguarding corridor for the central section of the route.

4.27 Between 10th April and 22nd May 2017, SHDC invited people to let officers know whether they considered the proposed submission Version of the Local Plan to be legally compliant and sound. This included the alignment of Sections 1 and 5 and the safeguarding corridor for the central section.

4.28 The proposed Main Modifications were subject to consultation from 16th July 2018 to 28th August 2018. This included revised versions of Policies 12 (MM016) and 30 (MM034) that were amended as a result of discussion during the hearing stage of the Examination in Public. These modifications related primarily to the approach to delivery rather than amendments to either the principle or location of the SWRR.

4.29 Public consultation on three proposed Further Main Modifications to the Plan ran from Friday 30th November 2018 until 5.00 pm on Monday 14th January 2019. None of these related to SWRR.

4.30 Independent Inspectors were appointed to conduct the examination in to the SELLP. The Inspectors role was to determine whether the Local Plan is 'sound' and legally compliant. There were Hearing Sessions to assist in reaching their conclusions. The SWRR was considered and discussed during the public hearing sessions. Pinchbeck Parish Council participated in the hearings and their views were fully taken on board by the Inquiry Inspectors.

4.31 8th March 2019 - South East Lincolnshire Local Plan adopted by SELLP Joint Committee.

4.32 Governance of SELLP

4.33 The Joint Committee is the Local Planning Authority for Local Plan purposes.

4.34 The governance arrangements for the Joint Committee include a Committee Structure, a joint Steering Group and an officer cohort. The Joint Strategic Planning Committee (JSPC) is made up of 9 councillors, 3 each from South Holland District, Boston Borough and Lincolnshire County Councils. Each with equal voting rights.

4.35 The Joint Steering Group comprises representatives of the same in equal measure and draws on officer support from both Districts and the County. The officer cohort supporting the Committee's work comprises a team of officers drawn from South Holland and Boston Borough Councils. This team is known as the South East Lincolnshire Joint Policy Unit (JPU).

4.36 Governance of the SWRR

4.37 Spalding Western Relief Road Steering Group (the Steering Group). The Steering Group is facilitated by Lincolnshire County Council highways department and incorporates officers from both the County and District Councils. Given the overarching strategic nature of the SWRR the Steering Group has in the past had both a senior officer and a technical officer focus.

4.38 Spalding Western Relief Road Executive Management Board - cements the partnership between the County and District Councils and provides coherence to the development of policy, funding arrangement, bid processes and the co-ordination of the various strands of the planning

processes.

4.39 Aims and benefits of SWRR

4.40 The strategy to deliver the full route of the SWRR has been developed over a considerable period of time. Extensive traffic modelling has been undertaken to determine which phases of the road in conjunction with potential locations for growth would have the most benefit in transport terms. The evidence shows that, with the levels of growth planned for Spalding, in conjunction with the planned increases in rail crossing downtime, should the SWRR not be delivered then the traffic impacts upon the town would be severe. For this reason, it is considered that the SWRR is critical to the delivery of the growth strategy for town.

4.41 The ten stated objectives of the SWRR create a compelling case to deliver the full route and, equally, to deliver the component parts in a phased manner in conjunction with wider housing growth. The ten objectives of the SWRR are as follows:

4.42 SWRR 1
Support and facilitate sustainable population, housing and commercial growth within South Holland
SWRR 2
Reduce delays and improve journey times for road users
SWRR 3
Lessen the impact of increased freight passing through Spalding and the associated increase in level crossing barrier downtime
SWRR 4
Reduce traffic congestion in Spalding town centre
SWRR 5
Enhance connectivity by improving west to south links around Spalding
SWRR 6
Enhance quality of life for residents of Spalding by improving air quality, reducing carbon emissions and addressing issues of town centre safety
SWRR 7
Improve the reliability of public transport by minimising delays in the town centre
SWRR 8
Support and encourage walking and cycling by reducing town centre traffic and providing safe links
SWRR 9
Support and facilitate sustainable population, housing and commercial growth within South Holland
SWRR 10
Reduce delays and improve journey times for road users

4.43 Evolution of the SWRR Proposals

4.44 Members are reminded that a comprehensive report on the delivery strategy associated with the SWRR was presented to Cabinet and Council on 19 and 20 September 2017. This report clarified that the delivery of Spalding's Western Relief Road (SWRR) is a fundamental cornerstone to two of the Council's principal ambitions, namely:

· significant planned growth of the wider town; and
· managing traffic and easing congestion by providing an alternative route to the congested A151 which passes through the centre of town and which is subject to increasing delay's resulting from level crossing 'downtime'.

4.45 The above report clarified that the Council was working in partnership with both the County Council and landowners/developers to deliver the SWRR in a series of sections, these designed to mesh with the towns wider growth ambitions whilst at the same time providing for measures which reduce congestion, improve and enhance connectivity, minimise delays within the town centre and encourage walking and cycling.

4.46 In the context of the whole route, the strategic ambition is predicated on delivering the relief road in five sections. These are:

4.47 Section 1 - Spalding Common to Holland Park
Section 2 - Holland Park to Bourne Road
Section 3 - Bourne Road to North of Vernatt's Drain
Section 4 - North of Vernatt's Drain
Section 5 - North of Vernatt's Drain to Spalding Road

4.48 The Spalding Transport Strategy 2014-16 (STS) provides an approach to the improvement and provision of transport and access for Spalding and its surrounding area, including the delivery of the Spalding Western Relief Road (SWRR). It was prepared with a view to addressing existing issues and supporting proposals for significant growth in the town in the short, medium and long term. From the outset the STS was developed in close cooperation with Lincolnshire County Council (LCC), SHDC and other key stakeholders, and through wider public engagement. The adoption of this approach at an early stage was intended to ensure that the STS would complement and support other local and national policies, including the then emerging South East Lincolnshire Local Plan.

4.49 The STS highlights the importance of the proposed SWRR, which will link the B1172 (Spalding Common), in the south-west of the town to the B1356 (Spalding Road) in the north. This road scheme is an integral part of the 4th Lincolnshire Local Transport Plan (LTP4) and is identified as one of four key major schemes within Lincolnshire in the short to medium term. LCC, as the local highway authority, recognises the SWRR as playing a strategic role in opening-up development sites including the Holland Park Sustainable Urban Extension (SUE), the Vernatt's SUE, and other major sites to the west of Spalding; and in providing an alternative route to the congested A151 which passes through the centre of Spalding and is subject to increasing delays resulting from level-crossing 'downtime'.

4.50 Significant consultation was undertaken during the preparation and adoption process of the current policy stance for this area:

4.51 July 2011 Public consultation undertaken for the Holland Park Development

Nov 2011 Consultation report released for North Phase 2

May 2012 Holland Park development receives outline planning permission

Sept 2014 Transport Strategy for Spalding and the surrounding area adopted by LCC and SHDC (Full Council)

Jan 2016 Proposals for Phase 2 presented for public scrutiny

July 2017 Grant funding for technical and detailed design work for the Northern Phase accepted

Feb 2018 £12m in Housing Infrastructure Fund awarded for Northern Phase

April 2018 Traffic modelling undertaken

Feb 2019 Public engagement sessions for input in to Sections 2-4 - the central section

March 2019 Planning applications submitted to LCC

5.0 RELEVANT PLANNING HISTORY

5.1 The outline planning application for the Holland Park development comprising the erection of 2,250 dwellings, district centre, community facilities, access and estate roads was approved on 18th May 2012 (H16-0571-09). The planned delivery of Section 1 of the SWRR was secured through the Section 106 legal agreement relating to the outline planning permission.

5.2 Screening Opinion was sought from LCC in accordance with the Environmental Impact Assessment ("EIA") Regulations 2017. The LPA issued its formal Opinion on 17th September 2018 (EIA/08/18) confirming that the Proposed Development may give rise to significant adverse impacts and therefore, an EIA will be required to support the planning application.

5.3 The development of the planning policy stance for this proposal is set out above.

6.0 REPRESENTATIONS

6.1 LCC have undertaken direct consultation with the relevant statutory and non-statutory bodies, as well as local residents, given their responsibility as planning authority for these proposals.

6.2 SHDC has additionally undertaken the following internal consultations in order to inform its own consideration of the wider proposals. The results of these consultations are set out below.

6.3 LCC Highways Officers

As the design and the supporting evidence for the development proposed in this application has been provided by qualified, professional officers of LCC, in accordance with the relevant design/audit processes, the LCC Development Management Group makes no observations on this major County Council scheme.

6.4 SHDC Environmental Health

Environmental Protection Team (EPT) comments in response to the consultation, by Planning, for Section 1 (H16-0327-19) and Section 5 (H14-0326-19) of the Spalding Western Relief Road.

The EPT comments are in respect of:

Contaminated Land
Noise
Air Quality

Contaminated Land

The scoping document supplied in August 2018 suggested that a staged approach to land contamination would be undertaken.

EH officers have been in contact with LCC and they have supplied SHDC with information which also deals with land contamination issues.

Whilst officers appreciate the risks to future users from land contamination are very low given the greenfield nature of the area, it is requested that a discovery strategy is put in place with the aim of ensuring that any localised pockets of made ground or unexpected contamination (for example backfilled ditches and field entrances) are dealt with adequately during construction.

Alternatively, this matter could be dealt with by means of an appropriate planning condition worded as follows:

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with details to be agreed with Local Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved by Local Planning Authority.

Noise

Officers note that noise mitigation measures have been considered during the construction phase and understand that work is to be carried out with regard to the Control of Pollution Act. If there are issues, alternate hours, methods, and equipment will be considered under that Act.

A number of noise sensitive properties along the proposed route of Sections 1 and 5 have been identified and officers understand it is proposed to construct acoustic barriers to help mitigate noise from road traffic.

As the noise from road traffic will increase once the scheme is completed and all sections of the relief road are joined together the EH officer would ask that noise mitigation measures be revisited as the scheme develops.

EH officers would wish to see the recommendations made in the report submitted to support the

applications relating to noise control and mitigation are considered and controlled by conditions.

Air Quality

Chapter 5 of the submitted Environmental Statement addresses Air Quality (dated March 2019) has been submitted for both Sections 1 and 5. The report considers the likely significant effects arising from the scheme upon Air Quality in both the construction and operational phases.

Construction Phase.

An assessment of the impacts on local air quality, due to the generation and dispersion of dust and PM10, during this phase was undertaken using the pertinent assessment methodology in the Institute of Air Quality Management (IAQM.) - Guidance on the Assessment of Dust from Demolition and Construction (updated June 2016). Details of the Construction Dust Assessment are provided in Appendix 5.1

Appendix 5.1 Step 5 details construction dust mitigation measures which are considered to represent best practice and should be included in the Construction Environmental Management Plan (CEMP).
Recommend that a condition requiring that details of dust mitigation measures to be applied/adopted during the construction phase are included in the CEMP.

Recommend that a condition requiring that details of dust mitigation measures to be applied/adopted during the construction phase are included in the CEMP.

Operational Phase.

An assessment of the impacts on air quality are presented in respect of the completion of the scheme in 2036, with reference to the current baseline situation.

EH officers concur with the conclusion of the assessment that the air quality impact of the proposed completed scheme (2036) is negligible, with the additional caveat that concentrations of pollutants are expected to fall in the future due to reductions in vehicle emissions and improved technologies.

However the assessment does not adequately address the short/medium term air quality impacts of the proposed Sections 1 and 5 and SHDC officers are seeking clarification regarding:

- the impact of the operational phase on PM10/PM2.5 emissions in 2023 and 2036 as there is an Air Quality Objective for PM10 and a target value for PM2.5 (by 2020) with an overarching requirement for Local Authorities to work towards reducing concentrations of particulate matter within their area. (The Air Quality (Standards) Regulations 2010.)

- impacts of particulate matter have been excluded from the report as it has been assessed and considered to be insignificant. For SHDC EHO to comment on particulate emissions we need to see the evidence that supports this view and the rationale for this conclusion.

- The assessment should consider the potential impact of the proposed developments on the air quality in Spalding Town Centre in the interim 13 years (2023 -2036) or if Sections 2- 4 aren't built.
Extensive residential development is proposed in this period which will be accessed via the existing road network, Section 1 and Section 5.

- No assessments have been provided on the likely impact on AQ of the proposed roundabouts or traffic lights on Sections 1 and 5.

Further information and clarification has been sought.

6.5 Third Parties

6.6 All third party objections have been forwarded to LCC as the determining local planning authority.

4 objections have been received from third parties, raising objections regarding:

Route of entire road and rerouting of parts of the road should be considered

The rerouting and proposed levels of the Blue Gowt Lane/Two Plank Lane link
Road would cause traffic issues that is was designed to alleviate
Lack of public consultation
Housing assessment of need for housing in Spalding
Loss of visual amenity to residents along Vernattt's Drain
Height of bridge and the gradient of the road
Traffic noise
Air pollution
Wildlife disruption
The merging of Spalding and Pinchbeck
Waste of public funds

6.7 PEDALS (Spalding's Cycle Action Group) object to the application as it fails to show how cycling routes link to the existing network, so does not comply with the SELLP policies 33, 15. The rerouting of the Blue Gowt Lane/Two Plank Lane link should be considered.

6.8 These representations have been forwarded to LCC as the determining local planning authority.

7.0 CONSIDERATIONS

7.1 Planning Considerations

7.2 Lincolnshire County Council are the local planning authority for this development and SHDC are a consultee in this process. It is for SHDC to submit a view on this proposal to LCC, as to the impact of the development on the District, taking in to account the following matters:

7.3 Principle of Development and the SELLP
Built Form of Development
Landscaping and Arboricultural impacts
Environmental Impacts
Transport Impacts
Archaeological Impacts and Investigation
Impact on listed buildings and the Pinchbeck conservation area
Visual Impact on Local Residents and Communities
Impact on the wider community of the District
Ground Investigations
Ecological Impacts
Removal of Nos. 167 and 169 Spalding Road

7.4 Principle of Development and the SELLP

7.5 The adopted South Holland District Council (SHDC) Local Plan 2006 (SHLP) identified an aspiration for a western relief road in Spalding. This plan is now replaced by the SELLP, adopted in March 2019.

7.6 Policy 15 Vernatts Sustainable Urban Extension

7.7 *Land to the north of the Vernatt's Drain, as identified on the Policies Map Inset for Spalding and Pinchbeck, will provide approximately 4,000 dwellings and supporting community infrastructure, Sections 4 and 5 of the Spalding Western Relief Road (SWRR) and significant open space. The Vernatts Sustainable Urban Extension (SUE) will be delivered in several phases as follows, the completion of which is expected to extend beyond the Local Plan period:*

A. Phase 1 will include:
1. the creation of a five-spur roundabout at the junction of Spalding Road with Enterprise Way (Roundabout 1, which will form the first part of Section 5 of the SWRR), and the Local Highway Authority's acquisition of the land required for the SWRR through to Blue Gowt Lane;
2. the development of approximately 500 dwellings on land to the east of the Joint Line railway and north of the proposed Section 5 of the SWRR, accessed off the five-spur roundabout;
3. land lying to the east of the Joint Line railway and south of the proposed Section 5 of the SWRR to be designated as Recreational Open Space which will be protected from built development;

4. 4 ha of land adjoining Market Way to be designated as Recreational Open Space which will be protected from built development;

B. Phase 2 will include:
1. the south-westward continuation of Section 5 of the SWRR to a roundabout junction (Roundabout 2) situated to the west of Two Plank Bridge; and
2. the development of approximately 500 dwellings and appropriate community infrastructure accessed off Roundabout 2, which are expected to be completed within the Local Plan period.

C. Phase 3 will include:
1. Section 4 of the SWRR, which involves its south-westward continuation in parallel with the Vernatt's Drain up to a bridge crossing of it to the west of Wygate Park, and then leaving the urban extension and progressing southwards to a junction with the A151 Bourne Road; and 2. the development of approximately 3,000 dwellings and appropriate community infrastructure beyond the Local Plan period, accessed off a combination of Roundabout 2, and one or more junctions on that part of the SWRR lying within the urban extension.
The provision of new or enhanced physical and community infrastructure will be required to mitigate the impact of development across the three phases of the urban extension and contribute to the creation of a sustainable community. Some of this will be provided within the urban extension and some outside, as appropriate. It will be secured via s106 agreements and relate to the provision of:
1. a local centre within the urban extension to west of the Joint Line railway;
2. nursery, primary and secondary school places;
3. health care facilities;
4. open space, and sports and recreational facilities; and
5. mitigation and/or enhancement measures in respect of the historic and natural environments.

Development proposals will be expected to:
i. undertake a heritage impact assessment to inform the master planning of the site. The heritage impact assessment will identify heritage assets including non-designated archaeology, assess their significance, and assess the impact of the development on their significance. Appropriate measures for mitigation and enhancement will be identified and set out in the assessment;
ii. the heritage impact assessment results should inform the approaches to the layout and design of development across the site. Planning applications for the site should accord with the heritage impact assessment;
iii. provide an element of affordable housing in accordance with Policy 18;
iv. provide a range of dwelling types and sizes to deliver a balanced community over the lifetime of the development;
v. take account of agreed Design Codes (or other mechanisms employed) to ensure high-quality and locally-distinctive design;
vi. make appropriate provision of on-site open space, including any specific requirements identified to mitigate any impacts identified by project-level HRA;
vii. maximise opportunities for safe and convenient walking and cycling by giving careful consideration to the location of key uses within the
South East Lincolnshire Local Plan 2011-36
Sustainable Urban Extension and by providing links to neighbouring areas;
viii. integrate sufficient car and cycle parking in accordance with the standards set out in Policy 36;
ix. demonstrate that potential noise and visual impacts arising from the SWRR and the Joint Line railway can be adequately mitigated;
x. incorporate a foul drainage strategy for the Sustainable Urban Extension as a whole, and for each phase;
xi. incorporate a comprehensive Sustainable Drainage System to manage surface water drainage and safeguard against any increased flood risk; and
xii. create natural habitat, contribute to resilient ecological networks and provide net natural environmental gain.

Phases 1 and 2 of development will be required to contribute to the delivery of Section 5 of the SWRR, and Phase 3 will be required to contribute to the delivery of Sections 3 and 4 of the SWRR. These contributions will be in accordance with the Local Highway Authority's approved SWRR Delivery Strategy;

In respect of all three Phases, South Holland District Council and the Local Highway Authority will seek to secure formal agreements with relevant developers/landowners on financial and other contributions. However, if necessary, the authorities will also consider the use of statutory powers, including compulsory purchase, to ensure delivery of the SWRR.

Notwithstanding the provisions of other policies in this Local Plan, all proposals for development within the designated area of this SUE will be subject to developer contributions, the calculation of which will be subject to viability.

Development proposals for these three Phases which do not meet the detailed requirements set out in the SWRR Delivery Strategy or which compromise the strategic role of the road will not be permitted. Specifically, housing development cannot commence on:

Phase 1, until such time as the land required for the route of Section 5 to Blue Gowt Lane is acquired by the Local Highway Authority; and

Phase 3, until South Holland District Council, as Local Planning Authority, has approved the number of dwellings that could be provided in advance of the completion of Section 3 of the SWRR (which links the Vernatts SUE with the A151 Bourne Road) should there be a delay in its delivery.

Further detail relating to the delivery of this proposal will be set out in South East Lincolnshire Local Plan 2011-36 separate master plans for the individual phases to be agreed with South Holland District Council and its partners, which must conform to the approved SWRR Delivery Strategy. The preparation of master plans should have regard to the key constraints outlined below

.
In respect of the whole of the proposed development:
water supply network: infrastructure and any improvements required to serve proposed growth; and
foul sewerage network capacity: infrastructure and any improvements required to serve proposed growth.
In respect of Site Pin045 (covering Phase 1 and part of Phase 2):
it is within Flood Zone 3a, and the SFRA identifies flood hazard in 2115 as a combination of 'danger for most' and 'danger for some', and flood depth in 2115 as up to 1m. Development will be required to include appropriate mitigation;
gas mains cross the site;
water mains and sewers cross the site and the site layout should be designed to take these into account consistent with the requirements of Policy 5: Meeting Physical Infrastructure and Service Needs of the Local Plan; and the South Holland District Council (SHDC) contaminated land register refers to the railway line and to filled land near this site.

In respect of Site Pin024 (covering part of Phase 2 and Phase 3):

it is within Flood Zone 3a, and the SFRA identifies flood hazard in 2115 as a combination of 'danger for some', 'low hazard and 'no hazard' and flood depth in 2115 as up to 0.5m. Development will be required to include appropriate mitigation.
water mains cross the site and the site layout should be designed to take these into account consistent with the requirements of Policy 5: Meeting Physical Infrastructure and Service Needs of the Local Plan; and
it wraps around a pottery which is identified on the SHDC contaminated land register.

7.8 To support the delivery of the proposed urban extension and the strategic SWRR, the policy seeks to ensure that land required to deliver the SWRR through each phase of the development is secured. South Holland District Council's expectation is that this should be through acquisition of the required land by the Local Highway Authority. The precise details of the mechanism for the securing of the land will be identified in the approved SWRR Delivery Strategy. As part of the Local Highway Authority's approach to supporting the delivery of the SWRR, the County Council has confirmed that it will seek to utilise its statutory powers to secure the land if necessary. This approach seeks to ensure that the phases of development and their respective timing align with the delivery of the strategic highway infrastructure.

7.9 Policy 35 Delivering the Spalding Transport Strategy

A. In accordance with Policy 15 and Policies Map Inset No. 2: Spalding and Pinchbeck, the housing allocations Site Pin024: Land north of the Vernatt's Drain and Site Pin045: Land west of Spalding Road will be required to contribute to the delivery of Section 4 and 5 of the SWRR in accordance with the Local Highway Authority's approved SWRR Delivery Strategy, subject to viability.

In respect of these allocations, SHDC and the Local Highway Authority will seek to secure formal agreements with relevant developers/landowners on financial and other contributions.

However, if necessary, the Authorities will also consider the use of statutory powers, including compulsory purchase, to ensure delivery of the SWRR.
Development proposals for these allocations which do not meet the detailed requirements set out in the SWRR Delivery Strategy or which compromise the strategic role of the road will not be permitted.

B. In accordance with Policy 6, Policy 15 and Inset Map 2: Spalding and Pinchbeck, the following housing allocations and all developments for 11 or more dwellings, or which have a combined gross floor space of more than 1,000 sqm, or non-residential development of 1,000 sqm or more floor space (gross), granted planning permission on unallocated sites within the designated settlement boundaries for Spalding and Pinchbeck, will be subject to financial contributions towards the funding of projects featured in the STS, or any successor:

Site Mon005: Land south of Horseshoe Road;
Site Mon008: Land north of Bourne Road;
Site Pin002: Land north of Market Way;
Site Pin019: Land east of Surfleet Road;
Site Pin025: Land east of Spalding Road;
Site Pin050: Spalding Lifestyle, Spalding Road;
Site Pin065: Birchgrove Garden Centre, Surfleet Road;
Site Stm004: Land east of Spalding Common;
Site Stm010: Land west of Spalding Common; and
Site Stm028: The Elders.

Financial contributions to the non-SWRR schemes identified in the STS, as prioritised by the Local Highway Authority, will be secured through legal agreements, subject to the provisions of Policy 6. Their calculation will be subject to viability.

Development proposals for these sites which do not include appropriate financial contributions to secure delivery of identified off-site traffic- mitigation schemes will not be permitted.

C. Other development proposals for sites situated outside of the designated settlement boundaries for Spalding and Pinchbeck, which would have a detrimental impact on traffic management in the Spalding area, will not be permitted without South Holland District Council securing contributions towards the Local Highway Authority's identified off-site mitigation schemes from such proposals in accordance with the relevant provisions set out in B. of this policy.

7.10 The reasoning for this policy is expressed in the SELLP as follows in paras 8.4.5 to 8.4.9:

7.11 The STS highlights the importance of the proposed SWRR, which will link the B1172 (Spalding Common), in the south-west of the Town to the B1356 (Spalding Road) in the north. This road scheme is an integral part of the 4th Lincolnshire Local Transport Plan, and is identified as one of four major schemes within Lincolnshire in the short to medium term. LCC, as the Local Highway Authority, recognises it as playing a strategic role in opening-up development sites including the Holland Park Sustainable Urban Extension (SUE), the Vernatts SUE (see Policy 15: Vernatts Sustainable Urban Extension) and other major sites to the west of Spalding; and in providing an alternative route to the congested A151 which passes through the centre of Spalding and is subject to increasing delays resulting from level-crossing 'downtime'. As a consequence of the SWRR's strategic importance, LCC is leading on the submission of the planning application for Section 1 of the SWRR, and will do the same for Section 5.

7.12 The SWRR, when completed, is expected to deliver significant benefits to traffic management around Spalding. However, its total cost and current funding arrangements (i.e. through developer contributions linked to housing delivery) mean that its construction is viewed as a series of separate 'projects' over a number of years, with the completion of the road currently expected to stretch beyond the end of the Local Plan period in 2036.

7.13 The first project has been 'Section 1 of the SWRR (previously described as the 'Southern section' and associated with the development of the Holland Park SUE by a single developer). The second project is 'Section 5' (previously described as the 'Northern section'). Both of these sections are indicated diagrammatically on the Policies Map Inset for Spalding and Pinchbeck and described in the South East Lincolnshire Infrastructure Delivery Plan using their former names5. Sections 2, 3 and, 4 (previously described as the 'Central section') will link Sections 1 and 5, and due to their total length, may be delivered as several smaller projects. The precise

routes of Sections 2 and 3 have yet to be confirmed, but it will proceed through the designated 'SWRR Safeguarding Corridor' as shown on the Policies Map Inset for Spalding and Pinchbeck. Section 4 will run parallel with, and close to the Vernatt's Drain. An Indicative plan showing the extent of the SWRR sections is contained in Appendix 10.

7.14 Given that there is currently no proposal to introduce a Community Infrastructure Levy (CIL) in South Holland District, LCC, with the support of SHDC, has prepared a 'SWRR Delivery Strategy' to provide a robust and equitable funding and delivery mechanism to govern the development of the outstanding Sections 2-5 of the SWRR until such time as they are completed. It is sufficiently flexible to enable the implementation of individual SWRR projects to be reviewed in the light of additional funding opportunities (e.g. various public-sector initiatives) as and when they emerge.

7.15 The STS also proposes important road/traffic improvement schemes, prioritised by the Local Highway Authority, which are required to mitigate the traffic impact of residential growth in and around Spalding pending the completion of the SWRR. These are to be supported by financial contributions from housing and other developments not directly related to the route of the SWRR.

7.16 Thus it can be seen that the principle of the SWRR, including stages 1 and 5 have been considered via the local plan process, and is considered to be sound.

7.17 Built Form of Development

7.18 The route of the Stage 5 road proposed by this consultation application accords with the alignment expressed in the SELLP. The bridge has been designed to take in to account the height required to cross the railway line, and to the gradient proposed accommodates the requirements of the LCC standard details for highways. The proposed carriageway, footways and cycleways are to be constructed from flexible bituminous pavement.

7.19 Landscaping and Arboricultural impacts

7.20 The submitted information clarified that soft landscaping proposals associated with the Scheme include shrub planting, Native hedgerow planting, Swale and SuDs planting; and Amenity grass seeding.

7.21 The proposed landscape buffer along the length of the structure will incorporate native species to improve connectivity of the existing Green Infrastructure assets in accordance with ecological recommendations to assist wildlife such as bats and birds navigate.

7.22 The scheme and the selected species will developed at detail design stage but potential species could
include: Oak, Birch and Holly.

7.23 The proposed tree and shrub planting will punctuate and soften the facade of the structure. Where possible, the locations of the proposed tree planting are identified to plug visual gaps in existing vegetation along Miles Bank and South Drove. Scattered tree planting will be used at selected locations to provide a transition between the road and adjacent existing landscape. Whilst providing screening to the structure, the vegetation may also prevent access to the base of the embankment to reduce potential for climbing.

7.24 Proposed shrub and scattered tree planting along the elevated section would manage the transition between built form and adjacent fields. The proposed landscaping will visually soften the facade of the earth bank structures and is considered to improve the overall setting of the Proposed Development. Such landscape design measures lessen the visual impact and will ensure the proposal is sympathetically assimilated into the surrounding agricultural landscape.

7.25 A Landscape and Visual Impact Assessment has been carried out as part of this application. The assessment predicts some effects during operation on visual amenity. As mentioned above, the design of the overbridge has been carefully considered to limit impact on visual

amenity with landscape mitigation measures proposed to lessen the visual impact. The site and its surrounding landscape do not fall within any designated landscape character area with statutory or policy protection. No provision is made in the saved local plan for landscape value designations other than nationally recognised AONBs and National Parks as contained within the NPPF. The proposed road currently falls within the open countryside (although within land statutorily allocated within the SELLP for housing and infrastructure development), but is not remote and the surrounding character can generally be characterised as 'urban fringe' in an area of future planned growth/proposed change.

7.26 Whilst there would inevitably be some visual impact on the surrounding landscape, this should be considered against the need for the development, as well as the strategic requirement for the road to be in the location proposed in order to enable future housing growth to the west of Spalding. It is considered that the need for the scheme and locational requirement outweighs its impact on the character of the countryside.

7.27 Furthermore, this should all be considered in the wider context, the road is not remote from the settlement and as part of the Local Plan is within an area of planned change. The proposed road would become integrated with future residential development, extending the urban form and edge of Spalding in an appropriate manner to the West of Spalding.

7.28 Environmental Impacts

7.29 The information provided with this consultation sets out the views that the the air quality assessments and the noise and vibration assessments were modelled on 2018 traffic flows as the baseline, and 2036 traffic flows as the forecast year. 2036 represents the year by which all the Sections of the Spalding Western Relief Road (1 to 5) are expected to have been constructed and operational. Therefore, the results of the air quality and noise and vibration assessments represent a worst-case scenario, based on the levels of traffic travelling through all the sections of the SWRR, rather than the levels of traffic that would use the Proposed Development as it stands, as a cul-de-sac. When considering the Proposed Development in isolation without the impacts of the Section's 1, 2, 3, and 4 it is considered that the traffic flows on this route would be significantly lower.

7.30 LCC considers that there are no significant effects anticipated from the construction of the proposed development, with the assessment having a low risk of dust impacts. Impacts during operation were assessed using detailed dispersion modelling to predict changes in NO2 and PM10 concentrations that would occur due to traffic generated by the proposed development. The pollutants within the existing and future baseline air quality is predicted to be well below the Air Quality Strategy, and with the maximum predicted impact in any scenario being 7% of the Air Quality Assessment Level. The proposed development has been shown to have a very low risk of impacting on the UKs compliance with the Ambient Air Quality Directive and EU limit values. Considering the conservative assumptions in the assessment, overall impacts are negligible and any effects are not likely to be significant.

7.31 The submitted information of Noise and Vibration concludes that there will be no significant operational phase effects upon opening of this section of the road, whilst long term effects will be limited to those arising from traffic associated with new residential development in this section and the growth in traffic that was previously in the town centre. The effects of the entire SWRR will be assessed in tandem with subsequent planning applications for sections 2 to 4.

7.32 Given the works that will be required, it will be inevitable that that there will be some disturbance caused to those nearby during the construction phases, in particular the receptors that are located closest proximity to the works. Dwellings on Spalding Road north of its junction with Enterprise Way are the closest noise sensitive receptors. Mitigation measures are recommended to lessen the construction noise impacts.

7.33 During the operation of the road, when the other Section's 1, 2, 3 and 4 are also operational, there would be significant Major adverse effects principally to several properties backing on to Vernatt's Drain. The impacts at properties adjacent to Vernatt's Drain are however suitable for further mitigation consideration. Mitigation can be provided in the form of a noise barrier 840m long and 1.8m high.

7.34 Overall both noise and air quality assessments demonstrate that the development with appropriate mitigation measures in place would not adversely impact on the amenity of nearby residents nor the environmental as a whole, in accordance with NPPF and local plan policies.

7.35 The SHDC Environmental Health Officers suggest areas for further work, and this is set out in the recommendations below.

7.36 Transport Impacts

7.37 As part of this consultative process we have consulted with LCC Highway Officers. At the time of writing this report we have not received a response. The views of LCC in their role as Highways Authority will feed in to the process as part of the wider implications of the development when the scheme is formally considered at LCC's Planning Committee. At this stage it is important to note that the transport implications of this scheme have more broadly been considered as part and parcel of both work undertaken in connection with developing the Spalding Transport Assessment and throughout the local plan process.

7.38 Archaeological Impacts and Investigation

7.39 The LCC Historic Environment Officer is providing advice to Lincolnshire County Council on the archaeological and historic environment impacts of this application as it is being considered as a county matter. Provided any recommendations made by the Historic Environment Officer are taken in to account in determining these proposals, no additional comments need to be made on this aspect of the scheme.

7.40 Impact on listed buildings and the Pinchbeck Conservation Area

7.41 The following designated assets are located within the setting of the Scheme: Yew Tree Farmhouse is two-storey three-bay early 19th century house, in addition there are other listed buildings in the vicinity - Brownlow House, Pigeoncote at Brownlow House, Money Bridge Public House and Glen House are four Grade II Listed Buildings located in close proximity to each other and share many similarities.

7.42 SHDC officers agree with the LCC conclusion that the proposal would not detract from the character or setting of these listed buildings. It is therefore considered that the proposal meets the requirements of national and local policies.

7.43 The Pinchbeck Conservation Area is located to the north east of the 2km site, this conservation area also contains the Grade I Listed Church of St Mary. The church tower is currently a feature within the local skyline. Given the distant relationship with the conservation area and views/setting of the listed church, the proposal would not undermine the dominance of this heritage assets in the landscape, maintaining open views of them. The proposal also accords with national and local policies to seek to preserve or enhance the character and/or appearance of conservation areas.

7.44 Visual Impact

7.45 The principles of the road infrastructure comprising Section 5 to the SWRR and the wider Vernatt's SUE have been fully considered during the SELLP process. They are accepted and statutorily embedded within Policy 15, which is set out above.

7.46 It is clear that, as a result of the demonstrable housing development needed within both Spalding itself and the wider District, and as set out in adopted policies contained in the statutorily adopted SELLP, there will be considerable change in this part of the town associated with delivering the necessary highways infrastructure and the wider Vernatt's SUE. Throughout the development of the SELLP and its associated policy framework, and taking into account the need to deliver necessary highways infrastructure in tandem with the phased development of housing, there has been clear recognition of the likely impacts upon both existing residents and the wider town;, and in particular those residents and businesses located within the wards impacted by this development.

7.47 Loss of visual amenity to residents along Vernatt's Drain has been raised as an objection and their views have additional been expressed in the media. It is accepted that these proposals, both in themselves and in association with the delivery of subsequent housing development, will significantly impact on views across the site; and that views from dwellings south of Vernatt's Drain will be impacted by this proposal and subsequent housing development. Nevertheless, these proposals are now embedded within the framework of the adopted SELLP. In addition, it is not considered that the proposals for the road and bridge associated with Section to the SWRR would be so close to the dwellings to the south of Vernatt's Drain that an objection could be raised on the basis of either loss of view or loss of currently open land. It also needs to be borne in mind that the visual impact of the road and bridge are proposed to be mitigated by significant landscaping to soften the wider impact of the structures themselves.

7.48 Impact on the wider community

7.49 Given the significant benefits that the Section 5 proposals would bring to the District, in terms of highways infrastructure, transport improvements and the consequent delivery of much needed housing development, the visual and highways impacts of the development needs to be considered within the wider strategic context of policies contained in the adopted SELLP. Policy 15, set out in full above, relates to the delivery of the approximately 4,000 dwellings associated with the Vernatt's SUE. It clarifies that significant open space will be provided in the longer term in order to provide for sustainable growth and that, in order to accommodate this growth within an improved highways network, the longer term ambition is to deliver Section 4 (together with Sections 2 and 3) to the SWRR in order provide relief to the town, both now and in the future.

7.50 The proposals before us, however, relate to Section 5 only. Section 5 has been specifically designed to serve Phases 1 and 2 of the Vernatt's SUE as follows:

7.51 Phase 1: the development of approximately 500 dwellings on land to the east of the Joint Line railway and north of the proposed Section 5 of the SWRR, accessed off the five-spur roundabout. Land lying to the east of the Joint Line railway and south of the proposed Section 5 of the SWRR to be designated as Recreational Open Space which will be protected from built development;

7.52 Phase 2: The south-westward continuation of Section 5 of the SWRR to a roundabout junction (Roundabout 2) situated to the west of Two Plank Bridge; and the development of approximately 500 dwellings and appropriate community infrastructure accessed off Roundabout 2, which are expected to be completed within the Local Plan period.

7.53 It is clear that these proposals are focussed on delivery the infrastructure necessary to support the housing development associated with phases 1 and 2 to the Vernatt's SUE. Put more simply, Section 5 will only serve to deliver approximately 1,000 houses. Future housing development, this including the 3,000 or so houses associated with phase 3 to the Vernatt's SUE, cannot come forward until later sections of the relief road are delivered. It is important, in this context, that we focus on the proposals before us and the significant benefits they will bring forward, in isolation, in facilitating growth and securing improvements to the existing highways network; particularly in facilitating ease of movement along Spalding Road and improving the existing junction at Enterprise Way. It is, nevertheless, critical that we recognise the longer term benefits the delivery of subsequent sections of the SWRR will bring in terms of securing traffic relief to the town as a whole whilst at the same time facilitating sustainable levels of longer-term growth. These benefits are recognised and included within policies contained in the SELLP accordingly.

7.54 Ground Investigations

7.55 As Local Planning Authority for this application it is for LCC to consider the acceptability of the submitted information. SHDC officers have no comment to make as groundworks would need to be fully considered as part and parcel of the detailed design stage of the highways scheme during the construction phases.

7.56 Ecological Impacts

7.57 The ecological and biodiversity impacts of the proposals have been formally considered as part of the submitted scheme. Ecological appraisals and protected species surveys have been undertaken. In addition, the proposed landscaping scheme will in itself provide for habitat creation. The proposals do not appear to conflict with the provisions of Policies 28 (the Natural Environment) to the adopted SELLP. The County Council's planning portal clarifies that there are no objections to the scheme from statutory bodies, including both the Environment Agency and Natural England. Given their roles and the fact that LCC are the determining body SHDC officers have no comment to make.

7.58 Removal of Nos. 167 and 169 Spalding Road

7.59 New Junction I will result in the removal of Nos. 167 and 169 Spalding Road. No other dwellings are proposed to be removed as part of this planning application. These dwellings are not worthy of listing, and the loss of two dwellings to the District's housing stock would be more than accommodated by the delivery of the Vernatt's SUE.

7.60 **Additional Considerations**

7.61 Public Sector Equality Duty

In making your decision you must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:
A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).
C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149 is only one factor that needs to be considered, and may be balance against other relevant factors.

It is not considered that the recommendation to raise no objection in this case will have a disproportionately adverse impact on a protected characteristic.

7.62 Human Rights

7.63 In making your decision, you should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European Convention
on Human Rights.

You are referred specifically to Article 8 (right to respect for private and family life), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation to raise no objection in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation to raise no objection is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

7.64 Conclusions

7.65 The proposals submitted for the highways infrastructure associated with Section 5 of the SWRR are acceptable in principle and accord with the planning policies of the District Council.

7.66 The function of the wider route of the SWRR is to provide an alternative route for existing traffic that avoids driving through the main centre of Spalding, overcoming constraints caused by existing level crossing across the Peterborough to Sleaford railway line and to manage future growth, by avoiding significant impacts from committed strategic development in the Local Plan on the existing transport network in terms of capacity and congestion.

7.67 The Section 5 scheme, including the bridge, seeks to ensure that the proposed development minimises adverse effects on views into the site; adopts an appropriate scale, layout, and density necessary for efficient operation but is sympathetic to prevailing site and surrounding characteristics; and where appropriate incorporates sustainable design principles such as selecting environmentally friendly building products.

7.68 The comprehensive landscape scheme forms an integral part of the overall design proposals. The proposed landscape scheme would protect attractive landscape features, with attention paid to the provision of strategic tree planting becoming denser on the approach to the proposed overbridge and creation of linear habitat features.

7.69 Proposed shrub and scattered tree planting along the elevated section would manage the transition between built form and adjacent fields. The proposed landscaping will visually soften the facade of the earth bank structures and is considered to improve the overall setting of the Proposed Development. Such landscape design measures lessen the visual impact and will ensure the proposal is sympathetically assimilated into the surrounding agricultural landscape.

7.70 Notwithstanding the clear demonstrable need for this section of highway infrastructure, environmental considerations have been examined throughout the preparation of this scheme.

7.71 It is considered that the design of the proposed road scheme would not adversely affect the character or appearance of the surrounding area and takes the opportunities available for improving the character and quality of the area and the way it functions. The immediate and long-term highways benefits associated with the scheme are recognised whilst acknowledging that it is for the County Council to determine the acceptability of the scheme.

8.0 RECOMMENDATIONS

8.1 **No objection, subject to LCC taking into account the need to consider in more detail**

the following aspects that will be developed further as part of the detailed design process:

-Landscape buffer - to include a variety of native species, which respond to local context;

-Ecological mitigation - to protect and enhance existing habitats;

-Highways design - to improve connectivity of the area;

-Drainage design - to improve water quality and collate surface run off from the proposed.

-That noise mitigation measures be revisited as the scheme develops through the various stages.

-The short/medium term air quality impacts of the proposed Sections 1 and 5, in particular

- the impact of the operational phase on PM10/PM2.5 emissions in 2023 and 2036 as there is an Air Quality Objective for PM10 and a target value for PM2.5 (by 2020) with an overarching requirement for Local Authorities to work towards reducing concentrations of particulate matter within their area. (The Air Quality (Standards) Regulations 2010.)

- impacts of particulate matter that have been excluded from the report as it has been assessed and considered to be insignificant.

- the potential impact of the proposed developments on the air quality in Spalding Town Centre

in the interim 13 years (2023 -2036) or if Sections 2- 4 aren't built.

The likely impact on AQ of the proposed roundabouts or traffic lights on Sections 1 and 5.

8.2 In addition, it is suggested that LCC consider the imposition of conditions to cover the following matters

A condition to control and remedy contamination if found at any time when carrying out the approved development that was not previously identified

A condition requiring that details of dust mitigation measures to be applied/adopted during the construction phase.

EH officer would wish to see the recommendations made in the report submitted to support the applications relating to noise control and mitigation are considered and controlled by conditions.

9.0 CONDITIONS

Background papers:- Planning Application Working File

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Appendices attached to this report: Appendix A - Plan A