Town and Country Planning Act 1990

APPROVAL OF DETAILS RESERVED BY CONDITION(S)

Name and address of applicant

Lincolnshire County Council

Name and address of agent (if any)

WSP
The Mailbox
Wharfside Street
Birmingham
B1 1RQ

Part I – Particulars of application

Date of Application
15 February 2022

Application No.
H16-0327-19

LCC Ref. No.
PL/0025/22

Particulars and location of development

To construct Section 1 of the Spalding Western Relief Road comprising of a new single carriageway route from the B1172 Spalding Common to Holland Park Sustainable Urban Extension (SUE) incorporating a new roundabout junction with the B1172 Spalding Common, a bridge over the Peterborough to Sleaford railway line, and a new roundabout junction for access into Holland Park SUE at land by South Drove Drain to the west and B1172 Spalding Common to the east, Spalding.

Part II – Articles of Condition(s)

Conditions 3(a), 11 & 12

Part III – Particulars of decision

The Lincolnshire County Council hereby give notice in pursuance of the Town and Country Planning Act 1990 that **approval has been given** as set out overleaf.

Date: 22 March 2022

N McBride

County Offices, Newland,
Lincoln LN1 1YL

Head of Planning
Lincolnshire County Council

1. It should be noted that this approval only relates to the details submitted and not to the compliance with the provision of the condition.

APPROVED DETAILS

Condition 3(a) (Construction Environmental Management Plan)

Condition 3(a) requires a Construction Environmental Management Plan (CEMP) to be submitted for approval before any works commence within Phase 1. Phase 1 of the development comprises of the provision of a 100-metre section of track off The Raceground that would be used by construction vehicles/contractors when constructing Section 1 of the Spalding Western Relief Road. The access track would upgrade an existing track by re-surfacing it with tarmacadam which would then be secured with a steel field gate and post and rail fence.

A CEMP has been submitted (prepared by WSP entitled "CEMP of Phase 1 of Section 1" dated March 2022) which relates solely to Phase 1. The CEMP lists the commitments and actions that are required in order to ensure compliance with legislation and ensure the environmental effects highlighted in the original Environmental Statement and its appendices that supported the application are adequately considered and managed. The CEMP contains details on a range of different matters including the measures and controls to be adopted to address any potential impacts such a noise, dust, surface water, hours of working and measures to prevent mud and other deleterious materials being tracked onto the public highway.

The submitted CEMP is considered acceptable insofar as it relates to works relating to Phase 1 only and therefore is hereby approved. The CEMP should therefore be implemented in accordance with the approved details and subject to this the requirements of Condition 3(a) are hereby discharged.

Conditions 11 (Breeding Birds) & 12 (Water Voles)

Condition 11 restricts soil stripping and vegetation clearance works being carried out between March and September (i.e. the bird breeding season) unless the land affected is evaluated and checked for breeding birds by a qualified ecologist and such works agreed with the County Planning Authority (CPA). Condition 12 similarly restricts any vegetation clearance works or works affecting existing drainage ditches taking place until a pre-construction water vole survey has been carried out and the results submitted to the CPA for approval.

Details have been submitted to address the requirements of these conditions with the aim to allow works to commence on site. The information provided comprises of a 'Precautionary Method of Works' (PMoW) which is dated 14 February 2022 and sets out the measures to be implemented to ensure that all reasonable actions are put in place to safeguard legally protected terrestrial species during the vegetation clearance works. The PMoW confirms that a suitably qualified experienced Ecological Clerk of Works (ECoW) will be appointed prior to and for the duration of the construction period and will attend site as appropriate. The ECoW will (i) undertake walkover survey prior to construction; (ii) provide Toolbox Talks; (iii) supervise

the implementation of the measures identified within the PMoW to ensure any vegetation clearance and ground works do not impact on water voles, breeding birds, etc and are maintained during construction with repairs instigated as necessary; (v) check post construction that sensitive habitats remain intact and that all construction materials are taken off site. Specific examples of some of these measures include the erection of fencing along the top of the Hills Drain to prevent works encroaching into riparian habitat; carrying out vegetation clearance works between 15 February and 15 April which is the least sensitive period for water voles; further inspection of the tree to be removed at the entrance of the access track by an ecologist before removal to ensure absence of bats; setting up of exclusion zones in the event birds or water voles are found to be present following walk-over inspection.

The measures contained within the PMoW are considered to be reasonable actions to safeguard legally protected terrestrial species and sufficient to allow vegetation clearance and any soil stripping works to be carried out between March and September. Therefore should works be carried out during this period then subject to the PMoW being implemented the CPA is agreeable to this and satisfied that the requirements of Conditions 11 and 12 will have been met and discharged insofar as they relate to Phase 1 only.