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 H16-0327-19

Application Number:	H16-0327-19	**Date Received:**	21 March 2019
Application Type:	COUNTY MATTER		
Description:	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 Sustainable Urban Extension		
Location:	Land: South Drove Drain (west) and B1172 Spalding Common (east) Spalding		
Applicant:	Lincolnshire County Council	**Agent:**	WSP Global Inc
Ward:	Spalding Monks House Spalding St Marys	**Ward Councillors:**	Cllr A M Newton Cllr A Cronin Lord Porter Cllr H T Drury

You can view this application on the Council's web site at
http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H16-0327-19

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 1 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 1 to the proposed SWRR is shown to tie into the existing highway network, forming a four-arm roundabout along Spalding Common. The road then crosses the railway via a three-span bridge and runs parallel with South Drove Drain. The scheme terminates at a new three-arm roundabout to the south of Hill's Drain.

2.3 To the north of the railway line, the Scheme runs parallel to South Drove Drain to the north. The IDB have easement rights to the east of South Drove and south of Hill's Drain. The scheme has been aligned adjacent to these easements to limit unusable space to the north and east.

2.4 Section 1 facilitates direct access into the Holland Park Sustainable Urban Extension (SUE) via the three-arm roundabout shown located south of Hill's Drain. From this roundabout an internal spine road will run through the Holland Park SUE, this providing access into the wider town via a recently constructed roundabout linking into Shakespeare Way and thereafter The Broadway.

2.5 In essence, the County Council are seeking planning permission for the Construction of a new 1.2km single carriageway route from the B1172 Spalding Common to the Holland Park Sustainable Urban Extension (SUE), this 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.

2.6 The main key elements of the proposed development are as follows:
· Bridge;
· Structural landscaping;
· Four arm roundabout; and
· Three arm roundabout

2.7 These elements are discussed in more detail below:

The submitted Transport Assessment (TA) states that, in isolation, Section 1 to the SWRR will provide access to the Holland Park SUE development. The Holland Park SUE is a strategic residential development located to the east of South Drove Drain and to the west of Spalding Common. The link through Holland Park would permit barrier-free movement over the railway line, thereby relieving congestion issues caused by the frequent use of level crossings within the town. In this context, Section 1 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.

2.8 Whilst Section 1, 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.

2.9 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.

2.10 Whilst the proposals for Section 1 fall to be determined on their own merits, they should be read in conjunction with a separate planning application for Section 5 of the SWRR extending from Spalding Road into the Vernatt's SUE, also known as the "Northern" section, which is also considered on this agenda.

2.11 The application is supported by significant documentation, this comprising;
Planning Statement,
Design & Access Statement,
Environmental Statement,
Transport Assessment,
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.
Highways Design Statement,
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.

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 In addition information regarding the Environmental Impact Assessment undertaken as a result of the LCC Screening opinion has also been submitted.

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

2.14 Bridge

The bridge proposal includes a 3-span continuous highway bridge incorporating a reinforced earth ramp with weathering steel/concrete composite beam and slab deck and parallel steel plate girders linked by transverse cross beams at regular centres. The beams are supported on full height concrete abutments and leaf piers.

2.15 The main span of the bridge structure, over the railway, measures approximately 45m in length. A 1.8m high edge protection and vehicle containment parapet will run either side of the deck. 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.

2.16 The bridge will support a future SWRR alignment, which comprises a 7.3m wide carriageway, with 1m hard strips either side, refer to Figure 1.5 below. A 2.6m wide footway is provided along the northern side of the structure, with a 4.0m wide cycleway and 1.5m footway along its southern edge.

2.17 Structural landscaping

A detailed landscape scheme has formed an integral part of the design process. This proposes a linear soft landscape belt running in line with the embankment. The total length of the embankment is 650m comprising 1.4m high railings on either side. The proposed shrub and tree planting belt becomes denser towards the bridge section. Soft landscape features will introduce a soft landscape edge to the proposed built form and ensures the bridge structure assimilates with the surrounding landscape.

2.18 Four-Arm roundabout on to the B1172 Spalding Common

A new four-arm roundabout (Junction A) will be provided on the B1172 Spalding Common to serve
· The B1172 Spalding Common to the north;
· the B1172 Spalding Common to the south;
· access to Holland Park development to the south west;
· the SWRR to the north west; and
· a bridge crossing of the Peterborough to Sleaford railway line.

2.19 The rest of SWRR is shown to comprise a single two-way carriageway with 1m hard strips either side and an embankment with traditional earthworks. North of the bridge a 3.5m footway / cycleway ramp is proposed leading to the land under the bridge for non-motorised user access to the wider area.

2.20 Three-arm roundabout

Section 1 to the SWRR would merge into the new three-arm roundabout to the north - Junction B. It would incorporate a single lane approaching Junction B and a single lane leading away from Junction B. This Junction roundabout will have signalised crossing (for walkers and cyclists), and an embankment of the outside to the south, to the east and to the north.

The proposed Junction B roundabout would incorporate a slip road that providing access to the north-west corner of Holland Park comprising a single lane approaching Junction B and a single lane leading away from Junction B.

Finally, it needs to be noted that the proposed Junction B roundabout is shown to include a new arm that would provide access to the north of Hills Drain where Section 2 of the SWRR would merge with this road in the future. This would comprise a single lane approaching Junction B and a single lane leading away from Junction B.

3.0 SITE DESCRIPTION

3.1 The Application Site extends to approximately 13.39 hectares. It is located at the south-western edge of Spalding on land safeguarded for the SWRR in the South East Lincolnshire Local Plan approved in March 2019 and shown on the Policies Map for Spalding and Pinchbeck.

3.2 Both the South Drove and Fental Mill Drains run parallel in this area, and are separated by open land; the Fental Mill Drain intersects the Hills Drain to the north west. The Spalding to Peterborough railway line runs through the application site and also crosses the Fental Mill and South Drove Drains.

3.3 The land within the triangle created north of the railway by the intersection between the railway line, the South Drove, Hills, and Fental Mill Drains is currently open undeveloped land which is designated as Housing Allocation in the SELLP. The wedge of land south of the railway between South Drove Drain and B1172 Spalding Common is also designated as Housing Allocation in the SELLP. The land south of South Drove Drain is designated as countryside whilst the land north of Hills Drain is designated as SWRR Safeguarding Corridor.

3.4 Immediately north of the Application Site is a culvert where the B1172 Spalding Common crosses Fental Mill Drove Drain, and continuing north on the B1172 Spalding Common are residential properties comprising largely two-storey dwellings and the Ashwood Care Home. This section of the B1172 Spalding Common comprises two bi-directional lanes with a 50mph maximum speed limit. It also has a narrow footway along the eastern side between the junction with South Drove continuing north towards Spalding town centre. Several residential streets lie off this section of the B1172 Spalding Common including Goodfellows Road, Stennett Avenue and South Drove, all comprise two-storey dwellings.

3.5 The B1172 Spalding Common merges with Stennett Avenue, South Fantail Close, South Drove and the A1175 Littleworth Drove, also with residential streets to the south. Travelling south over the South Drove Drain culvert, the road merges and becomes B1172 Littleworth Drove; which continues to join the A1175.

3.6 Although the B1172 Spalding Common currently does not have a separate cycle lane, South Drove provides a cycle / pedestrian link joining the B1172 Spalding Common and the A1175 which has a cycle lane.

3.7 The Holland Park development is located on the extensive tranche of land west of the B1172 Spalding Common and north of the South Drove Drain. Development has commenced on the Holland Park SUE, its northern intersection with Shakespeare Way and thereafter The Broadway. The first phase of development comprises 312 dwellings, of which nearly 200 are under construction. A significant part of the internal spine road has also been constructed to wearing course.

4.0 RELEVANT PLANNING POLICIES

4.1 **The Development Plan**

South East Lincolnshire Local Plan, March 2019

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

4.2 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.

4.3 **National Guidance**

4.4 National Planning Policy Framework (NPPF), 2019

4.5 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

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

4.7 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;

4.8 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

4.9 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.

4.10 Planning Practice Guidance (PPG)

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

4.12 The South Holland Local Plan 2006 allocated 85 hectares of land in the form of a sustainable urban extension, Holland Park 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).

4.13 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.

4.14 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.

4.15 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.

4.16 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.

4.17 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.

4.18 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.

4.19 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).

4.20 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.

4.21 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.

4.22 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.

4.23 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.

4.24 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.

4.25 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.

4.26 8th March 2019 - South East Lincolnshire Local Plan adopted by SELLP Joint Committee.

4.27 Governance of SELLP

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

4.29 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.

4.30 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).

4.31 Governance of the SWRR

4.32 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.

4.33 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:

4.34 Aims and Benefits of SWRR

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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.

4.36 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:

4.37 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

4.38 Evolution of the SWRR Proposals

4.39 Members are reminded that a comprehensive report on the delivery strategy associated with the SWRR was presented to Cabinet and Council on 19th and 20th 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'.

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

4.41 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

4.42 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.

4.43 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'.

4.44 The SWRR has a long history, with its delivery anticipated to take place in stages or phases as outlined within the SWRR Delivery Strategy and in local policy and strategy documents (as set out above). The delivery of certain sections or phases of the SWRR reflects constraints on funding and allows for the scheme to be developed in line with wider area development over time.

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

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

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

4.47 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

March 2018 Traffic modelling begins

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

March 2019 Planning application 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 (reference 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 (LPA reference 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 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.

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.

6.5 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.

6.6 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 are not 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.

6.7 Cllr A M Newton

Lots of residents have spoken to me about the proposed route of the road. They feel it is illogical for it to swing away from the development in Spalding, towards the South Drove Drain.

They feel, since LCC has agreed to reply - look at the proposed routes of the central section again, this application could be premature.

Alternatively, the majority feel the road from Spalding Common should take an easterly Route after the bridge over the railway towards the development/St Johns Circus. They cannot see the need for it to go near the drain.

A County Councillor told residents at various meetings the longer the road, and higher the cost.

Residents feel the road would be much shorter if it did not swing towards the drain.

Also, many point out the poor quality of South Drove Road and feel the peaks troughs and roller coaster ride would soon transfer to a new road to the East of the drain, as the sub structure is obviously the same.

6.8 Third Parties

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

Three 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
- Traffic noise
- Air pollution
- Waste of public funds
- Scheme being developer funded and also not being a complete plan
- Would lead to more congestion until completed and that may or may not happen
- Object to the "Site Access Track Option" as the track is not suitable for any more additional vehicles.
- Also noise and disturbance that would be generated from any additional vehicles using this route to the planned relief road.

6.9 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.

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

7.0 MATERIAL CONSIDERATIONS

7.1 Planning Considerations

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:

7.2 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
Visual Impact on Local Residents and Communities
Impact on the wider community of the District
Ground Investigations
Ecological Impacts

7.3 Principle of Development and the SELLP

7.4 The Adopted South Holland District Council (SHDC) Local Plan 2006 (SHLP) identified an aspiration for a western relief road in Spalding and included an indicative route for Section 1. Outline planning permission was granted for the entire Holland Park SUE, comprising 2,250 dwellings and associated infrastructure, in 2012. Reserved matters approval for the first phase, 312 dwellings accessed via the Broadway, was granted in 2014. The scheme is under construction. The 2006 Local Plan has now been replaced by the SELLP, adopted on 8 March 2019.

7.5 Policy 33: Delivering a More Sustainable Transport Network (part) states:

7.6 The LPA's will work with partners to make the best use of, and seek improvements to, existing transport infrastructure and services within, and connecting to South East Lincolnshire, having considered first solutions that are based on better promotion and management of the existing network and the provision of sustainable forms of travel. To achieve this, the following priorities and actions have been identified:

A. For the road-based transport network this will be by:
· working with the Local Highway Authority to militate against congestion at pinch points and continuing to actively manage roads under its control;
· securing the delivery of new local access roads to open-up allocations and other locations for development;
· enabling the delivery of the Northern and Southern sections of the Spalding Western Relief Road, associated junctions and crossing points; and
· identifying safeguarding routes on the Policies Map, within which sections 2 and 3 of the Spalding Western Relief Road

7.7 This policy additionally seeks to promote cycling, walking and other forms of sustainable transport.

7.8 Built Form of Development

7.9 The proposed route of the Section 1 to the SWRR Stage 1 road proposed by this consultation application accords with the alignment expressed in the SELLP. The bridge has been designed, in conjunction with Network Rail, 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.

7.10 Landscaping and Arboricultural Impacts

7.11 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.

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 and to assist wildlife such as bats and birds navigate.

7.12 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.

7.13 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.

7.14 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.

7.15 Environmental Impacts

7.16 The information provided with this consultation sets out the views that 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 continues to be built out. When considering the proposed development in isolation without the impacts of the Section's 2, 3, 4 and 5, it is considered that the traffic flows on this route would be significantly lower.

7.17 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.

7.18 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 the planning application for the Sections 2 to 4.

7.19 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. Mitigation measures are recommended to lessen the construction noise impacts.

7.20 During the operation of the road, when the other Sections 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 Northern Section). The impacts at properties adjacent to Vernatt's Drain are however suitable for further mitigation consideration.

7.21 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 environment as a whole, in accordance with NPPF and local plan policies.

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

7.23 Transport Impacts

7.24 As part of this consultative process we have consulted with LCC in their role as Highways Authority. 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.

7.25 Archaeological Impacts and Investigation

7.26 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.

7.27 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 proposals.

7.28 Impact on Listed Buildings

Horseshoe Bridge, a Grade II Listed Building is a surviving example of an early 20th-century ferro-concrete bridge, which crosses South Drove Drain to the north of the proposals.

7.29 Sly's Farm is a partially extant 19th century farmstead, which is located on the west side of South Drove, which is a straight road that runs parallel to South Drove Drain.

7.30 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.

7.31 Visual Impact

7.32 The principle of the road and the wider Holland Park and Vernatt's SUE's have been considered during the SELLP process. In the context of Section 1 and the Holland Park SUE, the principle of Section 1 to the SWRR has been embedded in statute since 2006. The outline and reserved matters approvals for the Holland Park SUE add significant weight to the establishment of the principles underpinning the delivery of Section 1.

7.33 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 (and now superseded 2006 Local Plan), there will be considerable change in this part of the town associated with delivering the necessary highways infrastructure and the wider Holland Park SUE.

7.34 Throughout the development of the earlier 2006 Local Plan and the recently adopted 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.

7.35 Loss of visual amenity to residents has been raised as an objection and their views have been additionally been expressed in the media. Views across the Holland Park SUE site will be impacted by the proposals for Section 1 to the SWRR but it is not considered that this section of highways infrastructure and bridge would be so close to existing dwellings that an objection could be raised on that basis. The visual impact of the road and bridge are proposed to be mitigated by significant landscaping to soften the structures. The fact that Section 1 will be largely subsumed within the development associated with the wider Holland Park SUE, this

comprising some 2,250 dwellings, will serve in future to mitigate further the impact of the highways infrastructure on existing residents.

7.36 Impact on the Wider Community

7.37 Given the significant benefits that the Section 1 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 33, set out in part above, seeks to enable the delivery of the Northern and Southern sections of the Spalding Western Relief Road, associated junctions and crossing points. The Holland Park SUE, comprising as it does 2,250 dwellings, is already under construction and its consequential delivery will bring forward significant open space and provide for continued sustainable growth. Importantly, Section 1 will not only bring traffic relief to the south-west of the town in the short-term - it will facilitate the longer term ambition to deliver Sections 2-4 (together with Section 5) to the SWRR in order to provide significant relief to the town, both now and in the future.

7.38 The proposals before us, however, relate to Section 1 only. Section 1 will facilitate the delivery of an already consented scheme comprising 2,250 dwellings and will, of itself, provide traffic relief to the south-west of Spalding via a connection onto The Broadway.

7.39 Ground Investigations

7.40 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.

7.41 Ecological Impacts

7.42 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 of 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.

7.43 **Additional Considerations**

7.44 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.

7.45 Human Rights

7.46 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.

7.47 Conclusions

7.48 The proposals submitted for the highways infrastructure associated with Section 1 of the SWRR are acceptable in principle and accord with the planning policies of the District Council.

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.

7.49 The Section 1 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.

7.50 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.

7.51 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.

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

7.53 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, in its role as highways authority, to determine the acceptability of the scheme on highways and transport grounds.

8.0 RECOMMENDATIONS

8.1 No objection, subject to LCC taking in to 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

Lead Contact Officer

Name and Post:	Richard Fidler , Development Manager
Telephone Number:	01775 764428
Email	rfidler@sholland.gov.uk

Appendices attached to this report: Appendix A - Plan A