

**Open Report on behalf of Richard Wills
Executive Director, Environment & Economy**

Report to:	Planning and Regulation Committee
Date:	5 February 2018
Subject:	County Council Development – 137007

Summary:

Planning permission is sought for the construction of a 60m diameter roundabout along with associated realignment and improvement works to the existing A46 Dunholme/Welton junction including new landscaping, drainage and lighting proposals and the stopping up of part of Lincoln Road and diversion of a Public Right of Way at Dunholme, Lincoln.

Recommendation:

Following consideration of the relevant development plan policies and the comments received through consultation and publicity it is recommended that conditional planning permission be granted.

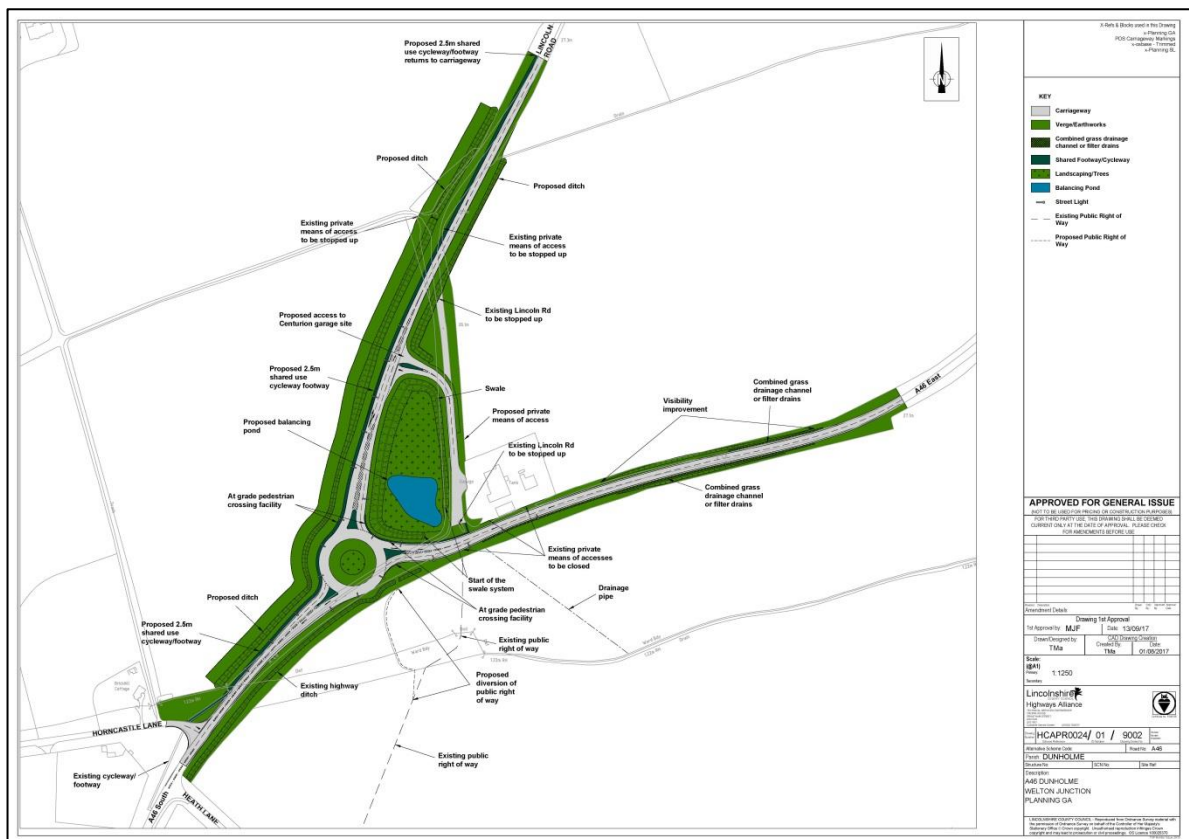
The Application

1. Planning permission is sought for the construction of a 60m diameter roundabout along with associated realignment and improvement works to the existing A46 Dunholme/Welton junction including new landscaping, drainage and lighting proposals and the stopping up of part of Lincoln Road and diversion of a Public Right of Way at Dunholme, Lincoln.
2. The development is primarily being proposed in order to address existing highway capacity and safety issues at the A46/Lincoln Road junction, however, has also been designed for 15 years growth in accordance with the Design Manual for Roads and Bridges guidance. The principal objectives of the scheme are therefore to:
 - enhance safety at the junction and improve visibility so as to reduce accidents;
 - reduce congestion on the A46 which is a principal road into Lincoln. The current junction operates beyond capacity during peak times and as such can lead to significant queuing on Lincoln Road, and;
 - manage existing and future traffic growth which is expected to arise as a consequence of planned residential development in and around the villages of Welton and Dunholme. For example, it is anticipated that 848

residential units will be built in the two villages over the course of the current Plan period.

3. The key elements of the proposed scheme are as follows:

- construction of a 60m diameter, 3 spur roundabout to replace the existing T junction where the A46 and Lincoln Road converge;
- construction of a new section of highway which would realign and replace part of Lincoln Road into and out of Welton village;
- changes to the vertical alignment of the A46 to the east of the junction so as to improve visibility on the approach to the new roundabout junction;
- provision of a 2.5m wide shared use cycleway/footpath within the extent of the development footprint. This path would run alongside the route of the new highway and roundabout junction and would connect to the existing footway close to Horncastle Lane and terminate opposite the existing footway on Lincoln Road;
- permanent stopping up of three private means of access onto the A46 and the construction of a new dedicated access to/from Lincoln Road to serve the existing local businesses which are close to the site;
- permanent diversion of a Public Right of Way which lies to the south of the junction and creation of a new route along with at grade pedestrian crossing points across the scheme;
- proposals for new and replacement landscaping as well as drainage infrastructure including a balancing pond, swales and ditches in order to ensure surface waters are appropriately managed and disposed of.



General Arrangement Plan

4. It is anticipated that construction of the scheme would take approximately 9-12 months to complete and so would be expected to be open for use by 2020. However, whilst there is a clear and urgent intention to carry out the development as soon as possible, the applicant has requested that a condition be imposed on any permission granted which would require the commencement of the development within seven years rather than the standard three years. This extended period of time is sought so as to allow sufficient time to complete the land assembly process, which can be a lengthy process, and to ensure all funding is secured before the development can begin. Such an extended period of time is able to be granted by a Local Planning Authority where this is considered appropriate.
5. In accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 a screening opinion has been carried out which concluded that the proposed development is not EIA development and therefore need not be supported by an Environmental Statement. However, given the nature of the proposed development a series of detailed technical assessments and reports have been carried out in support of the application which include the following:
 - Design & Access Statement
 - Planning Statement
 - Flood Risk Assessment
 - Drainage Strategy
 - Transport Assessment
 - Minerals Assessment
 - Cultural Heritage Desk-based Assessment inc. archaeological assessments
 - Preliminary Ecological Assessment inc. Bat Survey
 - Arboricultural Impact Assessment,
 - Tree Survey & Landscaping Proposals.
6. An outline and summary of keys elements of the above documents and details of the proposed development are set out below:

Environmental & Amenity Considerations

7. **Landscaping:** The realignment of Lincoln Road would result in the loss of two small sections of hedgerow although the works have been designed to keep this loss to a minimum. Replacement hedgerow would be planted along the western extent of the new alignment. Further landscape planting would be carried out to replace lost highway trees and hedgerows, as well as retain and reinforce wooded sections associated with the road corridor. A key feature of the proposed landscaping scheme is located to the north east of the proposed roundabout which would incorporate a balancing pond that would incorporate ecological features, together with a mix of wet woodland, scattered trees and species-rich grassland. This feature would not only benefit wildlife with potential to increase biodiversity but also accommodate sustainable drainage requirements.

The landscape proposals overall seek to integrate the proposed scheme within the surrounding landscape and reduce the visual effects of the development through screening and softening the setting, particularly for road users, but also for nearby existing and future receptors.

8. **Flood Risk & Drainage:** The proposal site lies within Flood Zone 1 which is a zone that is categorised as being at the lowest probability of flooding from main rivers or sea. As a highway project, the scheme is classified as being 'Essential Transport Infrastructure' that is a compatible for development in this zone. The Flood Risk Assessment submitted in support of the application indicates that around 24% of the total area of land subject of the application would be composed of impermeable surfacing. This is an increase of 10% when compared with the existing layout. In order to ensure that all surface waters associated with the scheme are appropriately managed and would not give rise to increased risk of flooding either on or off-site, a comprehensive drainage strategy has been designed and proposed.

The drainage proposals entail the collection of the highway surface water run-off by the use of sustainable drainage features such as cut-off drains, highway drains, swales and grass channels. All these sustainable drainage features would act as a pre-treatment pollution control stage, attenuating and treating any pollutants washed away from the highway.

At the northern side of Lincoln Road the sustainable drainage features are proposed to discharge into and exit a riparian drain located at the northern-eastern side of the site. The remaining sustainable drainage features are proposed to discharge into a proposed balancing pond located to the north east of the roundabout. The balancing pond would discharge into an existing riparian open drain, at a reduced flow rate, located at the southern-eastern side of the site via a piped network. Both riparian open drains run to the east to discharge into the Internal Drainage Board Southern North - Fen Drain which is located approximately 2 km to the east of the site.

9. **Nature Conservation:** A survey of the proposal site, the land immediately adjacent to it, and a single pond located 500m within the boundary of the site has been carried out. Habitats present within the site were identified and recorded along with an assessment as to whether these would support (or there were signs that they) support legally protected and notable or rare species.

The survey confirms that the proposal site largely comprises of arable farmland and contains species poor hedgerows, small areas of semi-improved grassland, water/drainage ditches and a small area of broadleaved woodland. The surveys did not identify the presence of any important or statutorily designated habitats such as SSSIs and although bats have been recorded in the area they were not found to be present within the site. The pond located within 500m of the site was assessed as being of low suitability to support great crested newts and whilst badgers have been recorded in the area and an annex sett lies within the footprint of the site, this appears to have been partially used. Although works are anticipated to

result in some disturbance to badgers, these would be limited by setting up exclusion zones prior to works taking place and, if necessary, all works would be carried out under the terms of Licence obtained from Natural England.

10. **Pedestrians and Cyclists:** As part of the proposals existing footpaths alongside the road would be maintained and reinstated with hard surface to match current standards. A combined 2.5m footpath/cycleway is also proposed to run parallel with the A46 between Horncastle Lane and the proposed roundabout on the north side. The footpath/cycleway would then continue on the west side of Lincoln Road for the extent of the proposed scheme
11. **Public Right of Way Diversion:** The scheme affects a PRoW which would be diverted. The applicant considers that the diversion of the PRoW would be in the interests of the public and landowner.
12. **Lighting:** Improved street lighting is proposed as part of the development which would be LED lit with passively safe columns on all arms of the roundabout.

Site and Surroundings

13. The application site is located 4.5 miles to the north east of Lincoln near to the villages of Welton and Dunholme. Apart from the land in use as public highway, the surrounding area is mainly in agricultural use. There is a former service station that is located to the east of the junction of the A46 with Lincoln Road which is now accommodates a number of small businesses including AMS Hand Car Wash, Motor Wise (a used car dealer) and Centurion Garage. Access to AMS Hand Car Wash and Motor Wise is direct from the A46 and access to the Centurion Garage is from Lincoln Road.



View east along A46



View of existing A46/Lincoln Road Junction



View west along A46

14. There is no other development within the vicinity of the junction. The closest residential properties are to the west of the application site at Horncastle Lane and Heath Lane. The property on Heath Lane is a Grade II listed building and comprises of a detached 18th century barn and stable on the site of Scothern Cliff Farmhouse (approx. 180m from the nearest point of the application boundary). There is also a farm and outbuildings to the north of the application site, known as Dunholme Lodge.
15. A footpath is located on the south side of the A46 (from the west), which crosses to the north side at Horncastle Road. This footpath then continues to Lincoln Road for a distance of 70m where it terminates. A Public Right of Way (PRoW) starts opposite the junction and extends to the south west. There is also a bridleway to the west of the proposed scheme running north/south.



Main Planning Considerations

National Guidance

16. National Planning Policy Framework (NPPF) (March 2012) sets out the Government's planning policies for England and is a material planning consideration in the determination of planning applications. In assessing and determining development proposals, Local Planning Authorities should apply the presumption in favour of sustainable development. The main policies/statements set out in the NPPF which are relevant to this proposal are as follows (summarised):

Paragraph 14 – Sustainable development

Paragraph 17 – Core planning principles

Paragraphs 29 to 41 – Promoting sustainable transport

Paragraph 103 – Flood risk considerations

Paragraph 120 – Protection of the natural environment and general amenity

Paragraph 123 – Quality of life and noise

Paragraph 125 – Impacts of light pollution

Paragraphs 128 to 136 – Assessing the impacts of development on heritage assets

Paragraphs 186 & 187 – Proactive, positive decision making

Paragraph 206 – Use of planning conditions

Paragraphs 215 & 216 – Status of Local Plans, policies and their consistency with the national policy.

Local Plan Context

17. Central Lincolnshire Local Plan (CLLP) (April 2017) – the following policies are of relevance to this planning application:

Policy LP1 (Presumption in favour of sustainable development) confirms that the plan will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. It also states that planning applications that accord with the policies in the CLLP will be approved without delay, unless material considerations indicate otherwise.

Policy LP12 (Infrastructure to support growth) recognises that growth needs to be supported by necessary infrastructure be that roads to support and aid travel, new schools for education and health facilities to support good health. This policy sets out the overarching framework for delivering infrastructure to support growth and states that all development should be supported by, and have good access to, all necessary infrastructure.

Policy LP13 (Accessibility and transport) states that development proposals which contribute towards an efficient and safe transport network that offers a range of transport choices for the movement of people and goods will be supported. The policy lends support to proposals that would improve and manage the strategic and wider highway infrastructure to benefit local

communities and also which would improve and enhance linkages or networks for cyclists and pedestrians.

Policy LP14 (Managing water resources and flood risk) requires all development proposals to demonstrate that there is no unacceptable increased risk of flooding to the development or to existing properties as a result of it and that any impacts on surface and ground water are appropriately considered and managed.

Policy LP17 (Landscape, townscape and views) seeks to protect and enhance the value of our landscapes and townscapes by ensuring that all development proposals take account of views in to, out of and within development areas and requires development to be designed to preserve or enhance key local views and vistas, and create new public views where possible.

Policy LP25 (Historic environment) seeks to protect, conserve and seek opportunities to enhance the historic environment and requires development proposals to demonstrate that their impact on heritage and non-designated heritage assets have been appropriately assessed and taken into consideration in the determination of proposals.

Policy LP26 (Design and amenity) states that all development proposals must take into consideration the character and local distinctiveness of the area (and enhance or reinforce it, as appropriate) and create a sense of place. They must also ensure that the amenity of persons affected by a development is not unduly harmed as a result of a development. A range of different criteria and issues are identified which, where applicable, should be taken into consideration when determining applications.

18. Lincolnshire Minerals & Waste Local Plan: Core Strategy and Development Management Policies (2016) – the following policy is of relevance to this proposal:

Policy M11 – Mineral Safeguarding Areas

Results of Consultation and Publicity

19. (a) Dunholme Parish Council – welcomes the proposal which it is recognised seeks to improve the current dangerous junction in order to reduce the number of serious personal injury and damage-only accidents which frequently occur there.

The Council however feels that insufficient attention has been given to the junction of the A46 with Horncastle Lane which, especially at busy times, often causes a sudden braking of traffic behind a vehicle intending to turn right from the main road into Horncastle Lane. At present there is a reasonable distance between the current junction of the A46 with Lincoln Road, Welton and the Horncastle Lane junction, but sudden braking is nevertheless sometimes needed in order to avoid

queuing traffic. The proposed new roundabout is closer to the Horncastle Lane junction and Lincoln-bound traffic may well be accelerating away from the roundabout and so could be suddenly faced with a tailback behind a stationary vehicle awaiting the opportunity to turn right into Horncastle Lane. The council feels that a reasonable solution to this problem would be the creation of a right-hand turn refuge lane on the main road, thus allowing Lincoln-bound traffic to continue on its journey while the right-turning vehicle awaits a suitable gap in on-coming traffic in order to complete its turn.

As a further point, it is also commented that the opportunity should be taken during construction work to ensure that the sight lines for vehicles turning out of Heath Lane are considerably improved over those currently available.

- (b) Welton Parish Council (adjoining) – has commented that they would like to see priority given to the delivery of a cycleway in tandem with this scheme and for clear signs for cyclists on the roundabout. It is stated that back in 2015 the County Council indicated that such a cycleway would be incorporated into this scheme.
- (c) Scothern Parish Council (adjoining) – support the proposal.
- (d) Environment Agency – has reviewed the application's supporting Environmental Desk Study Report and notes that this confirms the presence of a historic landfill site underlying part of the proposed development site. The presence of this site presents a potential contamination risk to controlled waters if this is not appropriately managed and controlled waters are particularly sensitive in this location because the proposed development site is located upon a principal aquifer. The Agency has however stated that they are satisfied that it will be possible to suitably manage any potential risks but recommend that a planning condition be imposed which would require the submission of a remediation strategy for approval. Such a strategy should include details of further site investigation works and based on these details of any mitigation or remediation measures that need to be undertaken.
- (e) Natural England – no comments.
- (f) Lincolnshire Wildlife Trust (LWT) – has confirmed that having read the information included with the application they would not expect any significant impacts on statutory or non-statutory designated sites in the vicinity, or on any protected or priority habitats or species, provided that the consultants recommendations are implemented.

LWT has also commented that they would strongly support the proposals for a balancing pond, swales, wet woodland and species rich grassland to be created under the landscaping scheme and these should all contribute towards a net gain in biodiversity from the project

and will assist in the achievement of Lincolnshire Biodiversity Action Plan targets through the creation of priority habitats.

Recommendations are also given in respect of the species mix for proposed landscaping, slope profiles around the balancing pond and that consideration is given to the provision of hibernacula within areas of terrestrial habitat adjacent to the pond. These additional and advisory comments could be appropriately drawn to the attention of the applicant by way of an Informative.

- (g) Historic England – does not wish to offer any comments and has suggested that the views of the Council's own specialist conservation and archaeological advisors be taken into account.
- (h) Historic Environment (Lincolnshire County Council) – in respect of the built environment, it is acknowledged that there is a Grade II listed building that will be affected by the proposed works in terms of the potential visual impact on the buildings and their setting. However, there will be some mitigation for this as the existing trees shown on the Landscaping Plan between the development and the buildings will screen views. Therefore no objections are raised in this regard.

In terms of potential archaeological impacts, having considered the information contained within the application and the results of further trial trenching, they have confirmed that the results are such that it would not be reasonable to ask for further archaeological fieldwork either for evaluation or subsequent mitigation of the proposed groundworks. However it is recommended that an archaeological condition be imposed which would require the applicant to submit a copy of the report on the evaluation fieldwork undertaken to be deposited in the archive.

- (i) Public Rights of Way (Lincolnshire County Council) – having taken into account the information and justification put forward by the applicant regarding the need to divert the Public Right of Way, the PRow Team has confirmed that the proposal is acceptable. It is advised that any diversion should be carried out under the Highways Act 1980 s.119 and would enable safe passage of pedestrians once the roundabout project has been completed.
- (j) Minerals & Waste Planning Policy Team – has advised that given the particulars of this proposed development, they are satisfied that the assessment is proportionate and sufficient to qualify as a "Minerals Assessment" for the purposes of Policy M11 of the Minerals and Waste Local Plan: Core Strategy and Development Management Policies (2016) document. It is stated that having regard to the scale, nature and location of the proposed development, and the history of the site and adjacent land, the Minerals Assessment has demonstrated that in accordance with the criteria set out in Policy M11, prior extraction of the remaining mineral would be impractical, and the development could not

reasonably be sited elsewhere. Accordingly, no safeguarding objections are raised.

20. The following bodies/persons were consulted on the application on 11 October 2017 but no comments or response had been received within the statutory consultation period or by the time this report was prepared.

Local County Council Member, Councillor Rawlins
Public Health (Lincolnshire County Council)
Arboricultural Officer (Lincolnshire County Council)
Ramblers Association
British Horse Society
Lincolnshire Field Paths
Anglian Water

21. The application has been publicised by way of notices posted at various locations around the site and in the local press (Lincolnshire Echo dated 19 October 2017). Letters of notification were also sent to 145 properties which lie in the vicinity of the development site and which were considered likely to potentially be affected by the proposal.

22. Four representations have been received which, whilst not directly objecting to the scheme, do contain more general comments/suggestions in relation to the proposal and possible alternatives to that being promoted. A summary of these is given below:

- General support development as this would reduce accidents on the A46/Welton junction. The construction of a huge roundabout however is not the answer and would be costly.
- Rather than a roundabout it is suggested that a cheaper option would be to install traffic lights at the junction or alternatively the speed limit on the A46 could be reduced to 30mph and average speed cameras installed on this part of the road. The right-hand turn into Welton and access to and from the garage/car wash onto the A46 should also be prohibited.
- A footpath/cyclepath from Welton village to the A46 should be provided at the same time as this project. This would reduce the relative cost of separate construction and improve safety for all road users including pedestrians and cyclists and not just motorists.
- Concerns raised about potential impacts of light pollution and noise on properties and residents living closest to the scheme.

23. A local business (Motorwise) which operates from the former service station adjacent to the A46/Lincoln Road junction has also sent a representation directly to the applicant about the proposed development and in this has raised a series of concerns about the project. These concerns are summarised below and whilst the letter has not been made directly to the planning section, for completeness, it is considered appropriate to take these into account:

- lack of consultation or contact with the business about the project either prior to, or following its submission;
- major disruption to the operations of the business during its construction which could detract potential customers and sales which could put the business at financial risk. Around 30% of sales are from passing trade and a local customer base and around 50% from internet sales. Concerns that the disruption during the construction phases could make it difficult for potential customers to access the site and result in the loss of trade;
- concerns about potential impacts of increased dust, debris, noise and disruption which could affect the sales environment and presentation of vehicles;
- concerns regarding the impact on bus service routes during the construction phase and impacts this may have on staff who rely on them;
- concerns about reduced access to the site following completion of the project in particular as a result of the removal of the existing direct access onto/off the A46. Also concerns that the shared access with the other businesses, notably AMS Car Wash, would not be practical due to customer safety and an infringement on the activities of both businesses.

District Council's Observations

24. West Lindsey District Council has confirmed that they have no comments to make on the proposal.

Conclusion

Need & Benefits

25. The proposed roundabout and associated improvements works would replace the current A46/Lincoln Road T junction and help to improve traffic flow and address known highway safety and congestion problems that arise due to its current design. A number of representations received during the consultation process have suggested that alternatives to the roundabout scheme could be implemented in order to achieve the same overall objectives. These include reducing traffic speeds to 30 mph along a section of the A46, restrictions on the turning arrangements into and out of Lincoln Road and also changes to the turn right facility onto Horncastle Lane. The applicant has considered these alternative options but advised that the development of this proposal has been done to current national standards taking account constraints such as safety the future capacity requirements of the junction given the proposed and planned future developments in and around the area. The introduction of a speed limit and cameras on this section of the A46 was not considered appropriate in this particular case and instead an engineering solution was identified as necessary to best meet the scheme objectives. With regard the suggested changes to the right turning into Horncastle Lane, these are noted however traffic flows and accident records at this junction have been reviewed and it is considered that the current junction layout is satisfactory. Whilst this junction lies outside the footprint of this development, the roundabout will reduce vehicle speeds and

as part of the new scheme the visibility splays will be improved by cutting back vegetation that has encroached into the verge. The scheme will therefore provide benefits which extend beyond the immediate footprint of the site.

26. As part of this development, existing means of access serving three local businesses would be closed and a new single shared access created off Lincoln Road. The concerns of a local business about the impacts of the construction phase of the development and potential issues regarding the alternative means of access are noted and whilst it is accepted this project could have some negative impacts on private interests, overall I am satisfied that these are outweighed by the wider public benefits that this scheme offers in terms of improved traffic flow, reduced congestion and a safer junction design which would help to reduce traffic accident rates.
27. The proposed scheme and associated improvements would help to improve the safety and function of the highway network and also facilitate in the future growth and delivery of wider economic and social benefits in and around the area. Although the improvements proposed as part of this development are not identified as a specific project or scheme within the 4th Lincolnshire Local Transport Plan (LTP4) works such as these are recognised as being a key in helping to tackle growing levels of congestion and to support the planned growth in and around Lincoln. As a result, such a scheme would support the objectives and principles promoted by the NPPF and CLLP Policy LP13.

Landscape & Visual Impacts

28. The roundabout and new section of highway would result in the permanent loss of an area of arable farmland and so would have an inevitable impact on the visual appearance of the existing landscape. These impacts would be permanent however over time soft landscaping carried out would mature and help to soften the impacts of the scheme on the local area. Other impacts, such as those from street lighting, would also be minimised by using LED and energy efficient lighting that directional lighting and so reduces light spill. Conditions have been recommended to secure the specific details of these matters and when considered on balance, I am satisfied that any adverse impacts on the local landscape are outweighed by the benefits of the proposal and therefore is acceptable and accords with CLLP Policy LP17 and LP26.

Noise

29. Potential noise impacts associated with the construction of the scheme are largely associated with the movement of plant and machinery and general construction activities (e.g. excavation, drilling, engine noise, etc). Given the location of the development there are very few residential properties in close proximity to the proposed works and those that are present are at some distance. Any noise associated with the construction phase would be temporary in duration and given their distance are unlikely to be of such a

magnitude that they would have an unacceptable adverse impact on the amenity of nearby residents. I am satisfied that any impacts associated with these activities could be satisfactorily addressed through the adoption of good site management practices including regular maintenance of plant and machinery, programming of works so as to limit working to normal hours of working, etc.

30. In terms of noise following the completion of the works, as the proposed changes to the junction are primarily for safety improvements it is not anticipated that total flow rate, speed and composition (i.e. percentage of heavy goods vehicles) on the A46 and Lincoln Road would be significantly altered as a consequence of the development itself. As such it is not expected there would be any changes in road traffic noise levels and/or air quality at the nearest receptors.
31. Therefore, on balance, the development is considered to accord with the objectives of the relevant policies in relation to noise as contained within the NPPF and CLLP Policy LP26.

Nature Conservation and Landscaping Proposals

32. The proposal site largely comprises of arable land that has been intensively farmed and therefore is of limited ecological value. The surveys conducted have not identified the presence of protected species such as bats or great crested newts within the site and whilst there is evidence of badgers within the area best practice measures and exclusion zones would be adopted to minimise disturbance to them during work. If necessary, all works would also be carried out under licence obtainable from Natural England. Lincolnshire Wildlife Trust has been consulted on the application and have raised no objection and therefore subject to the development being carried out in accordance with the recommendations set out in the supporting information, I am satisfied that any impacts could be minimised or mitigated to an acceptable degree.
33. In respect of landscaping, new planting is to be carried out as part of the scheme and this would help to replace that which is lost as a consequence of the development but also includes areas of new planting. Subject to its implementation the planting would help to soften and mitigate the visual impact of the scheme on the surrounding area as well as provide potential habitats and features that could help to support wildlife and improve biodiversity interest. The landscaping proposals are therefore considered to accord with the objectives and principles promoted by the NPPF and CLLP Policy LP17 and LP26.

Flood Risk & Drainage

34. The development has been designed to include measures to ensure that surface waters from the highway are appropriately managed and therefore would not give rise to increased risk of uncontrolled surface water run-off and consequential flooding either on or off-site. Surface waters from the

improved road network would be managed through a series of measures including those which adopt sustainable drainage techniques as well as pipes and eventual controlled out-falls into existing IDB maintained drainage systems. No objections have been raised from a flood risk perspective from the Environment Agency and as the scheme has been designed by the Highway Authority, no objection has been raised from the Highway & Lead Local Flood Authority.

35. Taking into account the above, I am satisfied that the development would accord with the policies in relation to flood risk and drainage as contained within the NPPF and CLLP Policy LP14.

Cultural Heritage and Archaeology

36. The application is supported by a Cultural Heritage Desk-based Assessment which contains a detailed evaluation and assessment of the potential impacts of the proposed development on designated and non-designated (e.g. archaeological) assets.
37. The assessment confirms that there are no Scheduled Monuments, World Heritage Sites, Registered Battlefields, Conservation Areas or Registered Parks or Gardens within the proposed development footprint of wider study area. There is however one Grade II listed building which is located to the south of the proposed new roundabout. Potential impacts upon this property are considered to be the visual impact of the scheme upon the wider setting of this property.
38. The works associated with this project are largely restricted to the land immediately adjoining the existing carriageway and/or affect land that is some distance from the property. The Historic Environment Team has considered the proposal and raised no objection to the scheme from a built environment perspective. The development would not directly affect land falling within the curtilage of this property and any visual impact would be softened by the existing intervening soft-landscaping and new planting proposed as part of the scheme. I am therefore satisfied that the impact of this development upon the setting of this property would be limited and acceptable.
39. In terms of archaeology, following discussions with the Historic Environment Team further field evaluations/investigations including trial trenching of the land affected by the development have been carried out. Having completed these further works the Historic Environment Officer has confirmed that they are content that the trenching undertaken has identified quite conclusively that the archaeological potential is limited. However, it is recommended that planning condition be imposed on any permission granted which would ensure that the reports and findings of the further investigations and evaluations conducted are deposited within the archive.
40. Overall it is concluded that the proposals would not have a significant adverse impact upon the character or setting of the listed building or

features of archaeological interest and therefore accords with the objectives of the NPPF and CLLP Policy LP25.

Landscaping & Nature Conservation

41. New landscape planting would be carried out as part of the scheme to replace that which would be lost as a consequence of the works but also to help soften and mitigate the visual impact of the scheme on the surrounding area. Further details of proposed landscaping works can be secured by way of a condition and subject to this and their implementation I am satisfied that the proposal would be in accordance with the principles promoted by the NPPF CLLP Policy LP17 and LP26.

Impact on underlying Minerals Reserves

42. The proposal site lies within a Mineral Safeguarding area and therefore the applicant has undertaken and submitted a Minerals Assessment in support of the application. The Mineral Assessment contains a high level assessment of the underlying geological deposit and sets out the reason why the applicant feels the proposal should be allowed and complies with the requirements of Policy M11.
43. Whilst the proposal would sterilise potential underlying mineral reserves, having had regard to the scale, nature and location of the proposed development and the history of the site and adjacent land, Officers are satisfied that prior extraction of any remaining mineral within the footprint of the development would be impractical and the development could not reasonably be sited elsewhere. The Minerals and Waste Planning Policy Team have reviewed the Minerals Assessment report and confirmed that there are no safeguarding objections to the development and therefore the development would be in compliance with Policy M11.

Impact on Public Right of Way

44. The scheme affects a Public Right of Way (PRoW) which the applicant proposes to permanently divert to a new route within the footprint of the development. Currently the existing footpath leads onto the A46 with no suitable places to cross the road safely. The proposed new route would create pedestrian dropped crossing points adjacent to the roundabout and allow pedestrians to cross in two separate movements where traffic speeds are slower. The proposed diverted route would be more convenient as it would be a field edge footpath and not a cross field path route and therefore be in the interests of both the public and landowner. During the construction of the scheme, the applicant states that the PRoW would be temporarily closed to allow for the construction works to take place but the new route would then be used so as to maintain access in the longer-term.
45. The Public Rights of Way Officer has been consulted on the proposals and confirmed that the proposed diversion is acceptable and advised that this should be carried out under the Highways Act 1980 s.119 to enable safe

passage of pedestrians once the roundabout project has been completed. No comments or responses have been received from any of the other non-statutory bodies/organisations that have an interest in footpaths and public rights of way.

46. Having taken into account the above, I am satisfied that the alternative route proposed for the PRow, and the improved crossing arrangements secured as part of the scheme, would lead to an improved and safer route for users and thus enhance their experience when compared to the existing. These benefits therefore outweigh any impacts that would be incurred as a result of the diversion and consequently the scheme is supported.

Human Rights Implications

47. The proposed development has been considered against Human Rights implications especially with regard to Article 8 – right to respect for private and family life and Protocol 1, Article 1 – protection of property and balancing the public interest and well – being of the community within these rights and the Council has had due regard to its public sector equality duty under Section 149 of the Equality Act 2010.

Final Conclusions

48. The proposed works would help to improve the safety and function of the highway network by improving traffic flow, reducing congestion and help to reduce traffic accident rates and known highway safety issues. Subject to the implementation of the mitigation measures identified within the application and suitable planning conditions, I am satisfied that the development could be undertaken in a manner where the level of impact would be acceptable and would not significantly conflict with the wider objectives or development control policies contained within the Development Plan.

RECOMMENDATIONS

That planning permission be granted subject to the following conditions:

Commencement

1. The development hereby permitted shall be commenced within seven years of the date of this permission. Written notification of the date of commencement of development shall be sent to the County Planning Authority (CPA) within seven days of commencement.

Reason: Due to the importance of this scheme and given the complexities of funding and land assembly, an extended period of time to implement the planning permission is considered acceptable.

Approved Documents

2. The development hereby permitted shall only be carried out in accordance with the following documents and plans unless otherwise modified by the conditions attached to this planning permission or by details subsequently approved pursuant to those conditions. The approved plans and documents are as follows:

Documents & Drawings (date stamped 19 & 20 September 2017)

Planning Application Form, Planning Statement, Design & Access Statement, Flood Risk Assessment, Drainage Strategy, Transport Assessment, Preliminary Ecological Assessment, Arboricultural Impact Assessment and Environmental Desk Study and the following drawings:

HCAPR0024/01/9002 – Welton Junction Planning GA

HCAPR0024/01/9003 – Welton Junction Planning X-Section

HCAPR0024/01/6500 – Welton Junction Landscaping

Reason: To ensure that the development is carried out in accordance with the details as contained in the application.

Environmental Controls

3. No development shall take place until a Construction Management Plan (CMP) has been submitted to and approved in writing by the County Planning Authority. The CMP shall include details of measures to be adopted during all works to minimise noise and dust emissions and the impacts of vibration arising from the construction works on the nearest dwellings to the development. The approved plan shall thereafter be implemented and carried out in full accordance with the approved details.
4. All vehicles, plant and machinery shall be maintained in accordance with the manufacturer's specification at all times, and shall be fitted with and use effective silencers. Any breakdown or malfunction of silencing equipment or screening shall be treated as an emergency and should be dealt with immediately. Where a repair cannot be undertaken within a reasonable period, the equipment affected should be taken out of service.
5. All floodlighting and external site lighting associated with the construction of the development hereby permitted shall be positioned and operated to minimise the potential nuisance of light spillage from the site.

Reason: To minimise the impacts of the construction operations and impacts such as noise, dust and light pollution on the local landscape and nearby dwellings.

Nature Conservation

6. No earthworks, site clearance or ground disturbance works shall take place between March and September, inclusive unless otherwise agreed in writing

with the County Planning Authority. If these works cannot be undertaken outside this time, they should be evaluated and checked for breeding birds by an appropriately qualified ecologist and if appropriate, an exclusion zone set up. No work shall be undertaken within the exclusion zone until birds and any dependent young have vacated the area.

7. No development shall take place until an updated survey for badgers has been undertaken to ensure that no new setts are present and the findings of the survey and any additional mitigation measures proposed shall be submitted to and approved in writing by the County Planning Authority.

Reason: To reflect the recommendations contained within the Ecological Assessment supporting the application and to identify and ensure the survival and protection of important species and those protected by legislation that could be adversely affected by the development.

Archaeology

8. A copy of the final report will be submitted within three months of the work to the County Planning Authority for approval (or according to an agreed programme). The material and paper archive required as part of the written scheme of investigation shall be deposited with an appropriate archive in accordance with guidelines published in The Lincolnshire Archaeological Handbook

Reason: To ensure that satisfactory arrangements are made for the investigation, retrieval and recording of archaeological deposits within the site.

Landscaping

9. All trees and shrubs to be retained as part of the development (as identified within Section 7 of the approved Arboricultural Impact Assessment) shall be protected during the construction phase of the development. Tree and ground protection fencing, barriers and measures should reflect the practices and measures as contained within BS5837:2012. All protection fencing, barriers and measures implemented shall be maintained during the course of the construction works on site and removed following their completion.

In the event that any trees or shrubs not identified to be removed become damaged or otherwise defective during the construction works, the County Planning Authority shall be notified as soon as reasonably practicable and remedial action agreed and implemented.

10. In the first available planting season following the completion of the construction of the development hereby permitted, soft landscape planting shall be carried out within the development footprint in accordance with a scheme and details that have first been submitted to and approved in writing by the County Planning Authority. The soft landscape planting scheme shall contain details including the species, size, number, spacing and positions of

any plants and trees and include details of the measures to be adopted for their future maintenance and five year aftercare. Once implemented all soft landscaping shall be managed in accordance with the approved scheme.

Reason: To ensure that trees and shrubs to be retained are adequately protected from damage throughout the construction period and to secure compensatory soft landscape planting to replace that which would be lost as a consequence of the development.

Contaminated Land

11. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the County Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the County Planning Authority detailing how this unsuspected contamination will be dealt with and obtained written approval from the County Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that appropriate remediation measures can be secured to protect controlled waters for any contaminated land which may be present within the site.

Appendix

These are listed below and attached at the back of the report	
Appendix A	Committee Plan

Background Papers

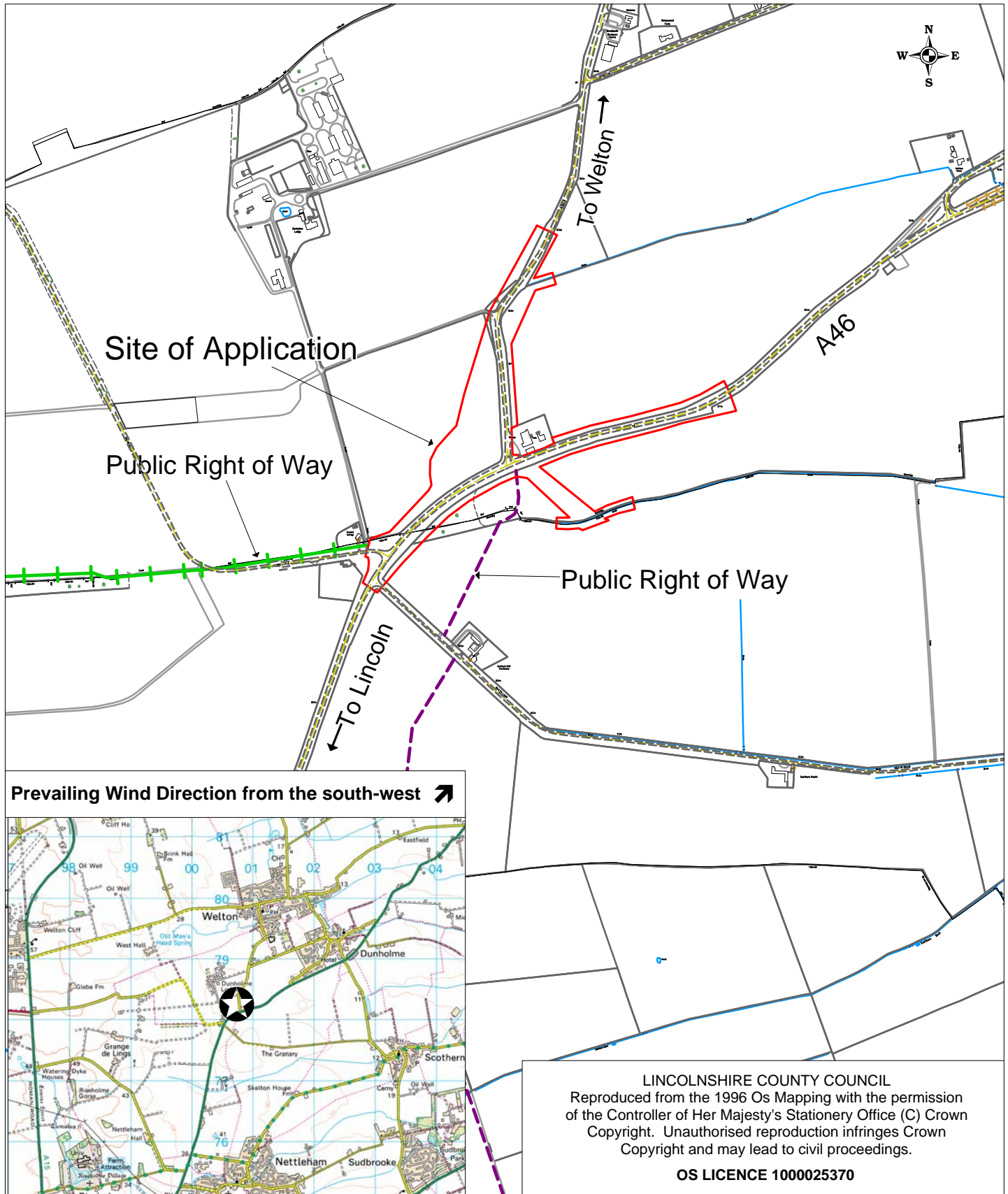
The following background papers as defined in the Local Government Act 1972 were relied upon in the writing of this report.

Document title	Where the document can be viewed
Planning Application File 137007	Lincolnshire County Council, Lancaster House, 36 Orchard Street, Lincoln
National Planning Policy Framework (2012)	The Government's website www.gov.uk
Central Lincolnshire Local Plan (2017)	Lincolnshire County Council website www.lincolnshire.gov.uk
Lincolnshire Minerals & Waste Local Plan: Core Strategy Development Policies (2016)	Lincolnshire County Council website www.lincolnshire.gov.uk

This report was written by Marc Willis, who can be contacted on 01522 782070 or dev_planningsupport@lincolnshire.gov.uk

LINCOLNSHIRE COUNTY COUNCIL

PLANNING AND REGULATION COMMITTEE 5 FEBRUARY 2018

**Location:**

Land at the junction of the A46
 and Lincoln Road
 Dunholme

Application No: 137007

Scale: 1:10 000

Description:

Construction of a 60m diameter roundabout along with associated
 realignment and improvement works to the existing A46 Dunholme/
 Welton junction including new landscaping, drainage and lighting
 proposals and the stopping up of part of Lincoln Road and
 diversion of a Public Right of Way

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