



SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL

## Planning Committee

16 September 2021



### Additional Information Report

This report sets out additional information in relation to planning applications for consideration at the Planning Committee on 16 September 2021 that was received after the Agenda was published.

#### S21/0459

**Proposal:** Use of land for B8 outside storage

**Site Address:** Roseland Business Park, Roseland Way, Long Bennington

#### Additional Representations

As set out within the main report, following the submission of a Flood Risk Assessment & Drainage Strategy and Transport Statement, by the Applicant, a further 21 day re-consultation with statutory consultees and neighbours was undertaken; this formal consultation process was completed on 10 September 2021. As part of this re-consultation updated representation have been received from Lincolnshire County Council (Highways & SuDS) and Long Bennington Parish Council; a copy of these comments is set out below.

#### Lincolnshire County Council (Highways & SuDs)

*“As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to drainage on all Major applications. The Lead Local Flood Authority does not consider that the proposal would increase flood risk in the immediate vicinity of the site.*

*There is no precise definition of “severe” with regards to the NPPF Paragraph 109 [sic], which advises that “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”. Planning Inspector’s decisions regarding severity are specific to the locations of each proposal, but have common considerations:*

- *The highway network is over capacity, usually for a period extending beyond the peak hours*
- *The level of provision of alternative transport modes*
- *Whether the level of queueing on the network causes safety issues.*

*In view of these criteria, the Highways and Lead Local Flood Authority does not consider that this proposal would result in a severe impact with regard to the NPPF.*

## Note to Officer

Councillor Maughan and residents have raised concern with increased HGV movements through Long Bennington village associated with this proposal. We suggest that the LPA give consideration to the conditioning of a Routing Agreement on the grounds of residential amenity (see comments about regarding highway safety and capacity).

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development is acceptable and accordingly, does not wish to object to this planning application”.

### *Long Bennington Parish Council - Objection*

“Long Bennington Parish Council wishes to reiterate comments on the unacceptable increase in movement in vehicles, in particular transporters, to and from the site, if this application is approved. Continued expansion of Roseland Business Park without restrictions to alleviate the impact on Long Bennington residents and visitors is a cause for concern.

Since the acquisition of Smart Fleet Solutions by Cazoo in February 2021, we are now seeing Cazoo lorries travelling through the village 7 days a week, very late into the evening and early in the morning. It is clear that Cazoo (Smart Fleet Solutions) have plans to extend their site significantly (we understand from 20,000 vehicles to 70,000) so this should not be done without consideration to the residents of Long Bennington.

Roseland already creates an excessive amount of traffic and disproportionate number of HGVs for a village, the cumulative effect is not being acknowledged, and Councillors request that some consideration is given to including restrictions to prevent increasing disturbance for our residents.

I would also refer to NPPF Paragraph 113; “All developments that will generate a significant amount of movement should be required to provide a travel plan, and the application should be supported by a Transport Statement or Transport Assessment so that the likely impacts of the proposal can be assessed”. The Transport Statement provided includes limited details of vehicle movements and these are not backed-up by any support evidence, so an accurate assessment of the potential impact of the proposal is not possible in this case.

The Statement refers to compliance with Policy DE1 and the Council has the following comments to make:

- *Criteria (b) – whilst there are no properties in the vicinity, there is an indirect adverse impact in terms of noise due to the increase in vehicular movements on Main Road, Long Bennington.*
- *Criteria (l) [sic] – the proposal will not proactively enhance the District’s infrastructure, with negative implications for residents of Long Bennington.*

The Planning Statement states, “vehicles will be brought to and from the site either on vehicle transporters or individually, and travel via the main site entrance and Roseland Way to and from the A1” and “the site and proposed use can be accessed via the existing business park road network and Roseland Way” yet fails to mention that a large proportion of these vehicles travel through the village.

Recent approval of MBC 20/00491/FUL by Melton BC has facilitated the expansion of vehicle storage, with SKDC failing to fully consider the impact on Long Bennington, and not undertaking proper consideration as part of the adjacent authority consideration. The impact on Melton BC is negligible with the site lying within the District but access in Long Bennington.

*Concerns have also been raised over the significant increase in hard surfacing. The surface water drainage from Roseland currently runs to Church Street, Long Bennington and into the River Witham. It is well documented that the current drainage system in the village does not have the capacity for any further burden. Given the potential impact on the village, at the very least, the IDB should be consulted by SKDC prior to any determination.*

*I would refer to Long Bennington Neighbourhood Plan 5.3.9 Transport and Traffic. This states that whilst the community is generally supportive of controlled development at Roseland, further large-scale development will be opposed unless it is accompanied by a clear commitment to fund the construction of a new A1 slip road or other significant highway improvements. It is clear that there is the intention to expand Roseland further and Councillors request that SKDC include restrictions to protect our village as is the case in Leicestershire”.*

In addition, a further 3 letters of representation have been received from members of the public; all of which have objected to the application. These representations have raised the following relevant matters:

5. Increase in vehicle movements, in particular HGV traffic, travelling through Long Bennington.
6. Construction of new slip roads onto the A1, avoiding the need for any traffic travelling to Roseland Business Park to travel through Long Bennington, is required before any further development is permitted at the business park.
7. Highway safety concerns due to the number and speed of Heavy Goods Vehicles travelling through Long Bennington
8. Noise impacts associated with HGV traffic travelling through Long Bennington.

Subsequently, a meeting has been held with the Case Officer, Ward Member, Chair of the Parish Council, Applicant, Agent and Cazoo (Proposed Site Operator) to discuss the concerns raised in relation to vehicle movements passing through the village associated with Roseland Business Park, and opportunities to address these concerns. It was resolved during this meeting to produce a revised schedule of conditions, which is to include the requirement for the submission and approval of a Traffic Management Plan, as suggested by County Highways. The revised schedule of conditions is set out in full below.

### **Officer comments**

The updated comments received from Lincolnshire County Council (as Local Highways Authority) reiterate that the application proposals would not result in an unacceptable impact on highway safety, or a severe residual cumulative impact on the road network. Therefore, as set out in Section 7.6 of the main report, it is considered that the application proposals would be in accordance with Policy ID2 of the Local Plan, Policy LB3 of the Long Bennington Neighbourhood Development Plan and Section 9 of the National Planning Policy Framework.

In connection with the above, letters of representation received from members of the public have continued to request the provision of additional highways infrastructure prior to any further development at Roseland Business Park being permitted. In the context of the updated comments from the Local Highways Authority, officer advice remains that any condition / obligation requiring the provision of additional highways infrastructure would not be necessary to make the development acceptable in planning terms and, therefore, would not fulfil the legal tests of soundness.

The representations received have raised concerns about the impact of the development on the amenity / quality of life of residents of Long Bennington as a consequence of the noise generated by the HGV traffic travelling through the village when travelling to / from the north. In this respect, whilst Lincolnshire County Council (as Local Highways Authority) have concluded that the proposals would not give rise to any adverse highways' impacts, they have suggested that

consideration should be given to the imposition of a condition requiring the submission, approval and subsequent adherence to a Routing Agreement to address concerns of adverse impacts on residential amenity associated with the increased number of HGV movements travelling through the village.

In light of the updated technical advice, and following the meeting held with the Ward Member, Parish Council and Applicant, it is suggested to include the following condition:

*“Before any part of the development hereby permitted is occupied, a Traffic Management Plan shall be submitted to, and approved in writing by the Local Planning Authority. The Traffic Management Plan shall include details of the following:*

- f. Number of vehicle movements per day.*
- g. Vehicle Routing Plan (to include measures to reduce the number of vehicles, in particular HGVs, contracted to the site operator, travelling through Long Bennington).*
- h. Arrangements for enforcement of the Traffic Management Plan / actions to be taken in the event of any identified breaches.*
- i. Evidence of consultation with Highways England in respect of seeking additional signage on the A1, north of Long Bennington, to deter HGV traffic from travelling through the village; and*
- j. Evidence of consultation with Long Bennington Parish Council in respect of the proposed Traffic Management Plan*

*The approved Traffic Management Plan shall thereafter be implemented and maintained strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.*

*Reason: To ensure the proposed development does not give rise to unacceptable adverse impacts on residential amenity in accordance with Policy DE1 and EN4 of the South Kesteven Local Plan and Section 12 and Section 15 of the National Planning Policy Framework.*

Furthermore, the additional representations submitted by Long Bennington Parish Council have also raised concerns about any increase in hard surfacing and have requested that the Internal Drainage Board are consulted to confirm capacity for the development, prior to any determination. In this case, the Internal Drainage Board have not been consulted as part of the consideration of the application proposals. Nonetheless, consultation responses have been obtained Lincolnshire County Council (as Lead Local Flood Authority), who have a duty to provide technical advice on surface water drainage proposals on all major planning applications, and they have confirmed that they have no objections to the submitted details.

Finally, Condition 3 set out in the main report is no longer considered to be necessary, as the relevant considerations are addressed through other conditions. As such, it is proposed to remove this condition.

Consequently, the recommendation remains that the proposal should be approved, subject to the following, updated schedule of conditions:

### **Time Limit for Commencement**

6) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

*Reason: In order that the development is commenced in a timely manner, as set out in Section 91 of the Town and Country Planning Act 1990 (as amended).*

## Approved Plans

7) The development hereby permitted shall be carried out in accordance with the following list of approved plans:

- a. Site Location Plan (Drawing Ref: MSP.1733/101) received 10 March 2021
- b. Block Plan (Drawing Ref: MSP.1733/102) received 10 March 2021
- c. Flood Risk Statement (Mike Sibthorp Planning) received 10 August 2021

Unless otherwise required by another condition of this permission.

Reason: To define the permission and for the avoidance of doubt.

## Before the Development is Occupied

### Surface and Foul Water Drainage Implementation

8) Before any part of the development hereby permitted is occupied, the works to provide the surface and foul water drainage as set out in the Flood Risk Statement (Mike Sibthorp Planning) (August 2021) shall have been completed in accordance with the approved details.

Reason: To ensure the provision of satisfactory surface and foul water drainage in accordance with Policy EN5 of the adopted Local Plan.

### Traffic Management Plan

9) Before any part of the development hereby permitted is occupied, a Traffic Management Plan shall be submitted to, and approved in writing by the Local Planning Authority. The Traffic Management Plan shall include details of the following: a. Number of vehicle movements per day.

- b. Vehicle Routing Plan (to include measures to reduce the number of vehicles, in particular HGVs, contracted to the site operator, travelling through Long Bennington).
- c. Arrangements for enforcement of the Traffic Management Plan / actions to be taken in the event of any identified breaches.
- d. Evidence of consultation with Highways England in respect of seeking additional signage on the A1, north of Long Bennington, to deter HGV traffic from travelling through the village; and
- e. Evidence of consultation with Long Bennington Parish Council in respect of the proposed Traffic Management Plan

The approved Traffic Management Plan shall thereafter be implemented and maintained strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the proposed development does not give rise to unacceptable adverse impacts on residential amenity in accordance with Policy DE1 and EN4 of the South Kesteven Local Plan and Section 12 and Section 15 of the National Planning Policy Framework

## Ongoing Conditions

### Storage Height Restrictions

10) Goods / materials shall not be stacked, stored or deposited on the outside areas of the site at a height exceeding 4.0 metres from the ground level.

Reason: To appropriately protect the visual amenities of the area in accordance with Policy EN1 and DE1 of the South Kesteven Local Plan 2011-2036.