

# PA/SCR/2022/1 and PA/SCR/2022/2 - Lincolnshire Lakes

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Tue 05/04/2022 15:49

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📎 1 attachment

NLC - PA-SCR-2022-1 and 2022-2 - Scoping for Lincolnshire Lakes - TM (002).pdf;

Tanya

We have been reviewing the EIA screening request relating to the erection of 599 dwellings including public open space, drainage attenuation, a lake with recreational routes and landscaping land off Burringham Road. And also the EIA screening request relating to the reduction of the permitted red line boundary in relation to PA/2015/0396.

Our report is attached, but at the core of our recommendations is that:

- we welcome the decision to submit a Transport Assessment and a Travel Plan alongside the planning application.

As always, we are happy to work directly with the applicants on this application.

Best Wishes

During the Coronavirus Pandemic in common with many of my colleagues I am working from home, and communications are best sent by email. The Telephone number given below works via the internet and might not have voice mail.

**Simon GP Geoghegan, Planning and Development**

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## AA.21.13.39 Lincolnshire Lakes

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Date:	31 <sup>st</sup> March 2022
Case Reference:	DevHU0097
Document Reference:	AA.21.13.39 Technical Memorandum
Reviewed/approved by:	Terence Dale (SYSTRA)

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### Introduction

In March 2022, under Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, Keepmoat Homes Ltd. submitted a request to North Lincolnshire Council for a screening opinion concerning the erection of 599 dwellings (planning reference: PA/SCR/2022/1) and the reduction of the permitted red line boundary concerning PA/2015/0396 (planning reference: PA/SCR/2022/2) on land north of Burringham Road. The developer's Planning Consultant is nineteen47, the Local Planning Authority [LPA] is North Lincolnshire Council [NLC].

Jacobs SYSTRA Joint Venture [JSJV] has reviewed the request and, on behalf of National Highways, comments as follows.

### Background

#### Lincolnshire Lakes Area Action Plan

The Lincolnshire Lakes Area Action Plan [AAP] sets out the planning policy framework within which the development will be delivered. The proposed development comprises a series of new village settlements, including the provision of up to 6,000 new homes.

#### Lincolnshire Lakes Outline Permission (ref: PA/2015/0396)

The application site sits within the extant outline planning permission ref: PA/2015/0396, which comprises 2,500 new homes, including a village centre, a health care facility, community facilities, a three-form entry primary school, new roads and footpaths, informal areas of open space, play spaces and wildlife habitats, water bodies and wetlands, with all matters reserved for subsequent approval. JSJV understands that permission was granted in August 2021 and that the application was accompanied by an Environmental Statement.

nineteen47 note that:

*“The proposed development for 599 homes is subject to a Full Application on part of the site subject to the Outline Permission. The application will supersede the element of the Outline Permission already approved.”*

In April 2016, National Highways offered “No Objection” to the planning application (Ref. PA/2015/0396).

## M181 highways and infrastructure works (ref PA/2015/0628 and PA/2015/0627)

nineteen47 state that:

*“the delivery of development within the site will also be supported by highways and infrastructure works covered by permissions ref: PA/2015/0628 and PA/2015/0627”*

With regards to the above, JSJV understands that, in terms of the highway infrastructure, ref: PA/2015/0627 is superseded by ref: PA/2017/1386.

JSJV would refer nineteen47 to the National Highways’ (formerly Highways England) responses from June 2019 to planning applications ref: PA/2015/0627, PA/2015/0628 and PA/2015/0396:

*“Highways England has previously reviewed all three planning applications, and it is noted that both PA/2015/0627 and PA/2015/0396 have been superseded by PA/2017/1386, which Highways England also reviewed in the autumn of 2017.”*

Planning reference PA/2017/1386 relates to the planning consent for highway works to deliver a new terminating junction to the M181 motorway. National Highways reviewed the Transport Assessment and Construction Environmental Management Plan [CEMP] produced by AECOM and recommended that the CEMP be secured through planning conditions and be approved by National Highways before construction work begins.

JSJV would also note, in April 2016, National Highways offered ‘No Objection’ to ref: PA/2015/0628; however, this application relates only to the hybrid application for a new road and footpaths, informal areas of open space, parklands, play areas and wildlife habitats, attenuation ponds, recreational lakes and wetlands community.

## Existing situation

The location of the development site, relative to the Strategic Road Network [SRN], is presented in **Figure 1**. The site is located approximately:

- 1.2km north of the M180 / M181 junction (M180 J3);
- 7.8km east of the M180 / A161 junction (M180 J2);
- 9.7km west of M180 / A15 junction (M180 J4); and
- 2.6km south of the A1077 / A18 junction.

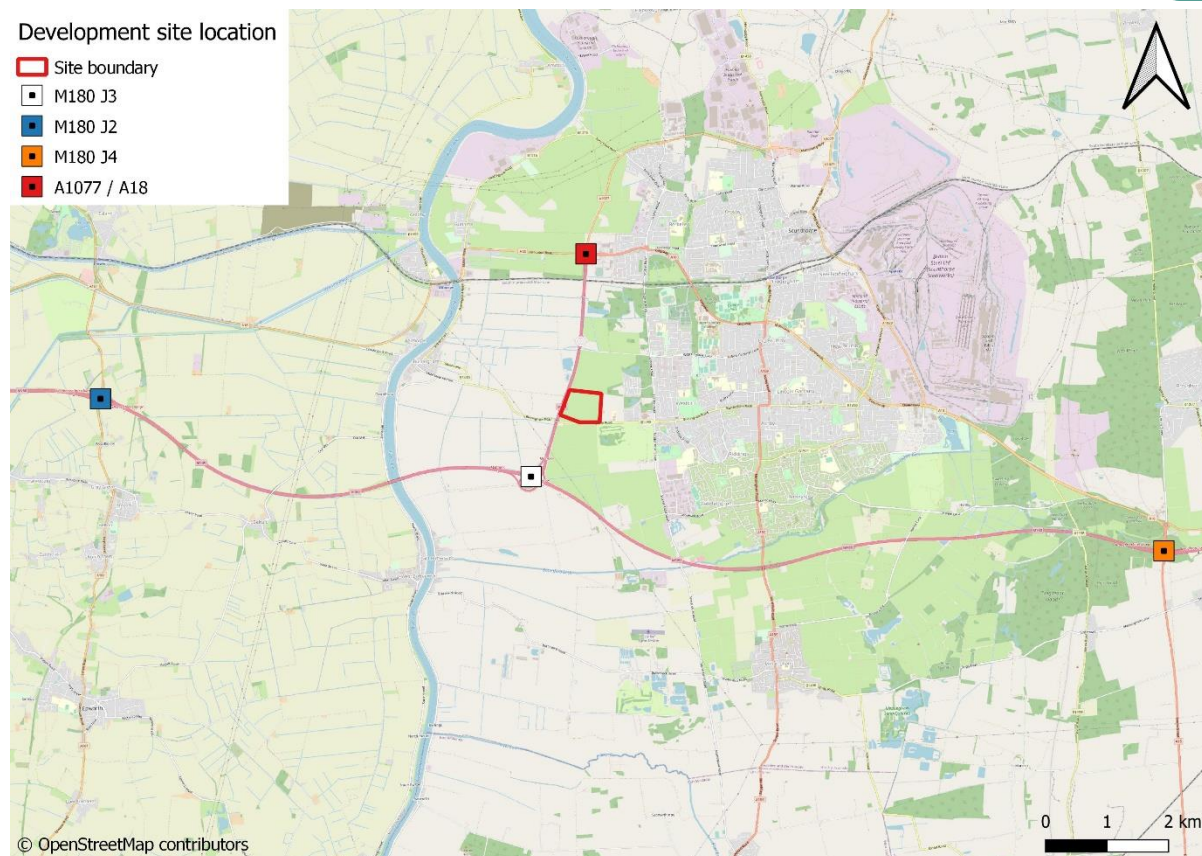


Figure 1. Site location in relation to the Strategic Road Network

## EIA Screening Opinion

nineteen47, on behalf of Keepmoat Homes Ltd., has submitted a request to NLC for an Environmental Impact Assessment [EIA] screening opinion.

Screening is the process by which the planning authority decides whether the development of the types listed in Schedule 2 of the EIA Regulations needs to undergo EIA before a planning application is made. Several circumstances can prompt a planning authority to prepare and adopt an EIA screening opinion:

- Under Regulation 6 of the EIA Regulations a developer can ask the planning authority to give an EIA screening opinion before any application for planning permission is made. The planning authority must respond to such requests within three weeks unless an extension is agreed. Once the screening opinion has been adopted it will be made available for public inspection at the place where the Planning Register is held (the relevant borough or district council) for a period of 2 years;
- Under Regulation 8 of the EIA Regulations where a planning application has been made without an environmental statement and the planning authority has no record of having previously adopted a screening opinion for the proposal, the planning authority can adopt an EIA screening opinion. This will determine whether the scheme requires an EIA. This must be done within three weeks of the planning application being deemed valid (can be extended if the developer agrees). Once the screening opinion has been adopted it will be placed on the Planning Register (held by the relevant borough or district council) under the record for the submitted application.

The request from nineteen47 for a screening opinion is submitted pursuant to Regulation 6 of the EIA Regulations.

JSJV would note that, based upon the information presented by the developer, it is for the planning authority to adopt a screening opinion.

Nonetheless, with reference to 'The Strategic Road Network - Planning for the future' (pg. 13, para. 50), National Highways will assist and willingly participate in the screening and scoping processes to help identify any significant transport-related environmental impacts of proposals.

In this regard, JSJV would agree that the proposal does not comprise Schedule 1 development and, therefore, is not a type of development for which Environmental Impact Assessment is mandatory. nineteen47 does state, however, that the scheme falls within Schedule 2 under category 10(b) 'Urban Development Projects' and would:

*“exceed the applicable Exclusion Thresholds and Criteria under 10(b)(ii) as the application proposes more than 150 dwellings, as well as exceeding 10(b)(iii) as the Site exceeds 5 hectares”*

With regards to the Indicative Criteria and Thresholds set out within Planning Practice Guidance and screening criteria set out in Schedule 3 of the EIA Regulations, nineteen47 concludes that any impacts would not be so significant as to warrant the submission of a formal EIA.

Furthermore, nineteen47 note that an Environmental Statement was prepared for the outline planning application (ref: PA/2015/0396) and conclude, therefore, that:

*“it is not considered necessary to repeat this work for this smaller portion of the site, as the LPA is in full knowledge of the likely significant effects and can therefore take these into account in the decision-making process.”*

Concerning Traffic and Transport, nineteen47 note that the potentially significant effects resulting from the traffic generated as a result of the proposal have been considered within the Environmental Statement submitted with the outline application ref PA/2015/0396.

JSJV would reiterate that it is for the planning authority to adopt a screening opinion on whether or not a formal EIA is required.

However, JSJV would note that in the absence of an assessment, it would be difficult to identify the mitigation required for the delivery of 599 new homes and differentiate this from the requirements for the delivery of 2,500. We note, however, that a Transport Assessment and a Travel Plan will accompany the planning application; this is welcomed.

Again, *The Strategic Road Network - Planning for the future* requires the applicant to provide information to satisfy the LPA, and any other consenting authorities, that all environmental implications have been appropriately considered.

National Highways will also expect measures to be implemented to mitigate the environmental impacts which arise from the development and relate to its interaction with the SRN. There are three aspects to this:

- The environmental impacts arising from the temporary construction works;
- The environmental impacts of the permanent transport solution associated with the development; and
- The environmental impact of the road network upon the development itself.

Therefore, any assessment undertaken by the applicant should be sufficiently comprehensive to establish the likely transport-related environmental impacts, including air quality, light pollution and noise, and identify the measures to mitigate these impacts.

Furthermore, to avoid potential delay or challenge, the Transport Assessment/Statement and Environmental Statements/Impact Assessments, as may be required, should be mutually consistent and pay due regard to each other.

Without prejudice to the planning authority's screening opinion, JSJV welcomes the decision to submit a Transport Assessment and a Travel Plan alongside the planning application.

## Transport Assessment

The proposed Full Application seeks consent for 599 residential dwellings. Given the nature and scale of proposals, JSJV would agree with nineteen47 that the planning application should be accompanied by a TA.

Fundamentally, the TA should be prepared with due regard to Circular 02/2013 – *The Strategic Road Network and The Delivery of Sustainable Development* (DfT 2013); National Planning Policy Framework [NPPF] (2021); and National Highways' guidance document '*The Strategic Road Network: Planning for The Future*'.

JSJV would encourage and welcome pre-application discussions with the applicant to determine and agree the scope of the Transport Assessment. JSJV would note that the following paragraphs from '*The Strategic Road Network: Planning for The Future*' are particularly relevant to the scoping stage:

- Paragraph 37. "Transport assessments should generally be carried out in line with prevailing government guidance in agreement with us, through pre-application and scoping, such as a road safety audit (Stage 1)".
- Paragraphs 87 and 88. "If the development is in an approved local plan and has had an appropriate level of assessment of the impact of the development undertaken, we do not anticipate the need to repeat the full assessment process at the planning application stage. If, however, the development proposed has not been subject to an appropriate level of assessment or is not included or consistent with an approved local plan, then we would anticipate agreeing the scope of work required to make a full assessment. For those sites that have been considered at local plan stage, we will take into account any assessment already undertaken."
- Paragraph 94. "Formal pre-application discussions are an effective means of gaining a good, early understanding of the development, its benefits, its likely impacts and its infrastructure needs. By consulting with us pre-application, you will ensure that the transport assessment you prepare is appropriately scoped and is based on the most relevant and up-to-date data. It will also ensure that you are made aware of, and can take account of, any SRN issues that might have a bearing on the way in which the development is planned and/or delivered. This, in turn, helps avoid delays and difficulties further into the application process".
- Paragraph 98. If a transport scoping report is to be prepared, we would advise this includes:

- details of the development, such as location, access arrangements, use class, size or number of units, likely phasing, maximum number of parking spaces and any other relevant information;
- proposed methodology for estimating the vehicular trip generation and distribution on the SRN, and resulting trip generation figures; and
- proposed methodology for assessing the impact of this trip generation on the SRN.

## Travel Plan

JSJV notes that National Highways supports and requires the preparation and implementation of Travel Plans to limit the volume of private vehicle trips to and from developments and to promote sustainable modes of travel.

## Summary and Conclusions

This review has considered the screening request submitted by nineteen47 pursuant to Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 in relation to the erection of 599 dwellings (planning reference: PA/SCR/2022/1) and the reduction of the permitted red line boundary in relation to PA/2015/0396 (planning reference: PA/SCR/2022/2) on land north of Burringham Road.

nineteen47 state that the potential for environmental effects has already been considered for the Outline Application (ref: PA/2015/0396), for which an Environmental Statement was produced. JSJV would note, nonetheless, that in the absence of an assessment, it would be difficult to identify the mitigation required for the delivery of 599 new homes and differentiate this from the requirements for the delivery of 2,500 homes.

JSJV acknowledge that it is for the Planning Authority to adopt a screening opinion. However, without prejudice to that opinion, we welcome the decision to submit a Transport Assessment and a Travel Plan alongside the planning application.

A summary of our comments is set out below:

- The forthcoming planning application should be accompanied by a full TA;
- With regards to the operation of the SRN, it is important that the potential impact of the development be established at the M180 J2, J3 and J4 and elsewhere on the SRN where traffic generation is considered to result in the material impact;
- Due regard should be given to relevant regional and national planning policies. In terms of the impact on the SRN, the Transport Assessment should make specific reference to the following policies:
  - The DfT Circular 02/2013;
  - National Planning Policy Framework [NPPF] (2021);
  - National Highways' guidance document 'The Strategic Road Network: Planning for The Future'
- National Highways supports and requires the preparation and implementation of Travel Plans to limit the volume of private vehicle trips to and from developments and to promote sustainable modes of travel.