



National Highways Planning Response (NHPR 25-01) Formal Recommendation to an Application for Planning Permission

From: Divisional Director
Operations Directorate
Highways England.
North East Region
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To: North Lincolnshire Council – Ed Senior

CC: transportplanning@dft.gov.uk
spatialplanning@nationalhighways.co.uk

Council's Reference: PA/2023/1124

Location: Lincolnshire Lakes, Land east of M181 and north of Burringham Road, Scunthorpe

Proposal: Development of 593 dwellings, 200 sqm commercial unit (use Class E) and lake, along with associated infrastructure, including landscaping, public open space and play area, pedestrian and cycle links, pumping station and sub-station.

National Highways Ref: NH/24/09085

Referring to the consultation on a planning application received December 12 2024 referenced above, in the vicinity of the M180/M181 that forms part of the Strategic Road Network, notice is hereby given that National Highways' formal recommendation is that we:

- ~~a) offer no objection (see reasons at Annex A);~~
- b) recommend that conditions should be attached to any planning permission that may be granted (see Annex A – National Highways recommended Planning Conditions & reasons);**
- ~~c) recommend that planning permission not be granted for a specified period (see reasons at Annex A);~~
- ~~d) recommend that the application be refused (see reasons at Annex A)~~

Highways Act 1980 Section 175B is **not** relevant to this application.

This represents National Highways' formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

Should the Local Planning Authority not propose to determine the application in accordance with this recommendation they are required to consult the Secretary of State for Transport, as set out in the [Town and Country Planning \(Development Affecting Trunk Roads\) Direction 2018](#), via transportplanning@dft.gov.uk and may not determine the application until the consultation process is complete.

The Local Planning Authority must also copy any consultation under the 2018 Direction to PlanningYNE@nationalhighways.co.uk

This response and all comments outlined herein are made in respect of planning matters only in National Highways' position as a statutory planning consultee and does not confer any proprietary rights nor amount to the giving or refusal of consent, assent, approval, or awareness of or by National Highways in or of any other aspects or matters (including, but not limited to, the use of property belonging to National Highways). If anyone wishes for National Highways to consider any aspects which do not relate to planning submissions, they should call our contact centre on 0300 123 5000

Signature:

Date: May 21 2025

Name: Simon GP Geoghegan

Position: Planning and Development

National Highways, 2 City Walk, Leeds LS11 9AR

Standing advice to the local planning authority

The Climate Change Committee's [2022 Report to Parliament](#) notes that for the UK to achieve net zero carbon status by 2050, action is needed to support a modal shift away from car travel. The NPPF supports this position, with paragraphs 77 and 110 prescribing that significant development should offer a genuine choice of transport modes, while paragraphs 109 and 115 advise that appropriate opportunities to promote walking, cycling and public transport should be taken up as part of a vision-led approach.

Moreover, the carbon reduction hierarchy (avoid-switch-improve) as set out in clause 4.3 of PAS2080:2023 promotes approaches and measures to minimise resource consumption and thereby reduce carbon emissions.

These considerations should be weighed alongside any relevant Local Plan policies to ensure that planning decisions are in line with the necessary transition to net zero carbon.

Annex A National Highway's assessment of the proposed development

National Highways has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Recommended Conditions

Having reviewed all relevant information, National Highways would recommend that the development is acceptable subject to suitable conditions as follows:

Boundary Treatment:

1. *Unless otherwise agreed in writing by the Local Planning Authority in consultation with National Highways, construction of the development hereby approved shall not take place unless and until evidence has been provided to demonstrate that the development complies with Paragraphs 57 and 59 of the [DfT Policy Paper](#) 'strategic road network and the delivery of sustainable development' [December 2022]." All works shall be undertaken in accordance with the agreed plan and maintained as such thereafter.*

Reason:

To ensure the safe and continued operation of the SRN.

Construction Traffic Management Plan:

2. *Unless otherwise agreed in writing by the Local Planning Authority in consultation with National Highways (or its successors), no construction shall commence unless and until a detailed Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with National Highways (or its successors). Thereafter the construction shall be undertaken in accordance with the approved plan.*

Reason:

To manage construction traffic impacts and ensure the safe and efficient operation of the SRN.

Geotechnical Risk Assessment:

3. *No development earthwork or construction hereby approved shall commence until a geotechnical risk assessment of the works adjacent to the SRN boundary has been undertaken. This should accord with the requirements of [CD622](#) of the Design Manual for Roads and Bridges (DMRB) and shall be agreed by the local authority in conjunction with National Highways.*

Reason:

to ensure the safe and continued operation of the SRN and National Highways' assets.

DevHU0202: Lincolnshire Lakes

Case ref:	DevHU0202	Document ref:	TM06	Date issued:	21/05/2025
Prepared for:	Simon Geoghegan	Prepared by:	Roxana Watson	Reviewed / approved by:	Terry Dale

Limitation: This technical memorandum [TM] has been prepared on behalf of, and for the exclusive use of National Highways, and is subject to, and issued in accordance with, the provisions of the National Spatial Planning Contract. We accept no liability or responsibility whatsoever for, or in respect of, any use of, or reliance upon, this document by any third party.

Headline Summary

Planning Outcome	Site Location¹
<p>The recommendation to National Highways is recommended conditions.</p>	

Technical Summary

The JSJV suggests that the following conditions are recommended.

- **Condition: Construction Traffic Management Plan**
 - Unless otherwise agreed in writing by the Local Planning Authority in consultation with National Highways (or its successors), no construction shall commence unless and until a detailed Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with National Highways (or its successors). Thereafter the construction shall be undertaken in accordance with the approved plan.
 - *Reason: To manage construction traffic impacts and ensure the safe and efficient operation of the SRN.*
- **Condition: Boundary Treatment**
 - Unless otherwise agreed in writing by the Local Planning Authority in consultation with National Highways, construction of the development hereby approved shall not take place unless and until evidence has been provided to demonstrate that the development complies with Paragraphs 57 and 59 of the DfT Policy Paper ‘strategic road network and the delivery of sustainable

¹ Source: Open Street Map

development' [December 2022]." All works shall be undertaken in accordance with the agreed plan and maintained as such thereafter.

- Reason: to ensure the safe and continued operation of the SRN.

- **Condition: Geotechnical Risk Assessment**

- No development earthwork or construction hereby approved shall commence until a geotechnical risk assessment of the works adjacent to the SRN boundary has been undertaken. This should accord with the requirements of CD622 of the Design Manual for Roads and Bridges (DMRB) and shall be agreed by the local authority in conjunction with National Highways.
- Reason: to ensure the safe and continued operation of the SRN and National Highways' assets.

1 Introduction and Background

- 1.1 In August 2023, Keepmoat Homes Ltd [the Applicant] submitted a full planning application (ref: PA/2023/1124) for the:

'development of 599 dwellings and lake, along with associated infrastructure, including landscaping, public open space and play area, pedestrian and cycle links, pumping station and sub-station'

at Lincolnshire Lakes, land east of M181 and north of Burringham Road, Scunthorpe.

- 1.2 The Local Planning Authority [LPA] and Local Highways Authority is North Lincolnshire Council [NLC].

- 1.3 In February 2024, the Jacobs SYSTRA Joint Venture [JSJV] / National Highways conducted a review of the Transport Assessment [TA] and Travel Plan [TP] submitted by the Applicant in support of the planning application, and recommended that the following planning conditions be applied to any granted planning permission:

1. Legislation Compliance- Boundary Treatment

- **Condition**

- Unless otherwise agreed in writing by the Local Planning Authority in consultation with National Highways, construction of the development hereby approved shall not take place unless and until evidence has been provided to demonstrate that the development complies with Paragraphs 57 and 59 of the DfT Policy Paper 'strategic road network and the delivery of sustainable development' [December 2022]." All works shall be undertaken in accordance with the agreed plan and maintained as such thereafter.
- Reason: to ensure the safe and continued operation of the SRN.

2. Construction Phase Management Plan

- **Condition**

- Unless otherwise agreed in writing by the Local Planning Authority in consultation with National Highways (or its successors), no construction shall commence unless and until a detailed Construction Phase Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with National Highways (or its successors). Thereafter the construction shall be undertaken in accordance with the approved plan.
- Reason: To manage construction traffic impacts and ensure the safe and efficient operation of the SRN.

3. Geotechnical Risk Assessment

- **Condition**

- No development earthwork or construction hereby approved shall commence until a geotechnical risk assessment of the works adjacent to the M1 boundary has been undertaken. This should accord with the requirements of CD622 of the Design Manual for Roads and Bridges (DMRB) and shall be agreed by the local authority in conjunction with National Highways.
- Reason: to ensure the safe and continued operation of the SRN and our assets.

1.4 We would note that the Geotechnical Risk Assessment Condition was recommended by National Highways in addition to the Legislation Compliance- Boundary Treatment and Construction Phase Management Plan conditions recommended by the JSJV.

1.5 In December 2024, the Applicant submitted a Transport Note [TN] prepared in relation to the revised planning application, which was proposing the *'...provision of a shop/local centre with a Gross Floor Area (GFA) of 200m², adjacent to the proposed roundabout within the site frontage. The local centre will result in a reduction of 6 dwellings within the site, with a revised total of 593 dwellings'*.

1.6 The JSJV conducted a review of the TN and recommended that the aforementioned planning conditions be applied to any grant of planning permission.

1.7 We would note that The Construction Phase Management Plan Condition was amended by NLC to request a Construction Traffic Management Plan [CTMP], as follows:

- **Condition**

- Unless otherwise agreed in writing by the Local Planning Authority in consultation with National Highways (or its successors) no construction shall commence unless and until a detailed Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing. Thereafter the construction shall be undertaken in accordance with the approved plan..
- Reason: To mitigate any adverse impact from the development on the M181 and M180 Motorways in accordance with DfT Circular 01/2022.

1.8 On 28 April 2025, NLC emailed a draft Decision Notice [DDN] to National Highways for review; we note that this has previously been sent to the Applicant.

1.9 The Applicant asked for further clarification regarding the Legislation Compliance-Boundary Treatment condition JSJV/ National Highways recommended.

1.10 The JSJV would note that the Legislation Compliance – Boundary Treatment condition has also been amended by NLC, and now states:

- **Condition:**

- Unless otherwise agreed in writing by the Local Planning Authority in consultation with National Highways, construction of the development hereby approved shall not take place unless and until evidence has been submitted to and approved in writing by the Local Planning Authority, in consultation with National Highways to demonstrate that the development complies with Paragraphs 57 and 59 [Physical Infrastructure] of the DfT Policy Paper 01/2022 'strategic road network and the delivery of sustainable development' [December 2022]."
- Reason: To ensure the safe and continued operation of the Strategic Road Network (SRN) and to accord with Policy CS25 of the North Lincolnshire Core

Strategy, T2 of the North Lincolnshire Local Plan and Paragraphs 115 and 116 of the National Planning Policy Framework.

1.11 The Applicant enquiry, which is covered later in this review, is as follows:

'An application for a s100 Departure from the Standards has already been made which addresses Para 59 reference. Reference to para 57 requires further clarification. We would query why this section of the condition is required? The development falls outside of the SRN.'

1.12 The JSJV would note that the condition mentioned above is listed as **Condition 11** in the DDN, while the condition related to the CTMP is listed as **Condition 13**, and the condition concerning the Geotechnical Risk Assessment is listed as **Condition 15**. Additionally, we note that **Condition 13** is missing from the DDN.

1.13 We would also note that **Condition 15** has been amended by NLC as follows:

15. No development earthwork specific to the formation of the lake hereby approved shall commence until a geotechnical risk assessment of the works adjacent to the M181 boundary has been submitted to and approved in writing by the Local Planning Authority in conjunction with National Highways. This geotechnical risk assessment should accord with the requirements of CD622 of the Design Manual for Roads and Bridges (DMRB). Works shall be undertaken in accordance with the Geotechnical Risk Assessment as approved.

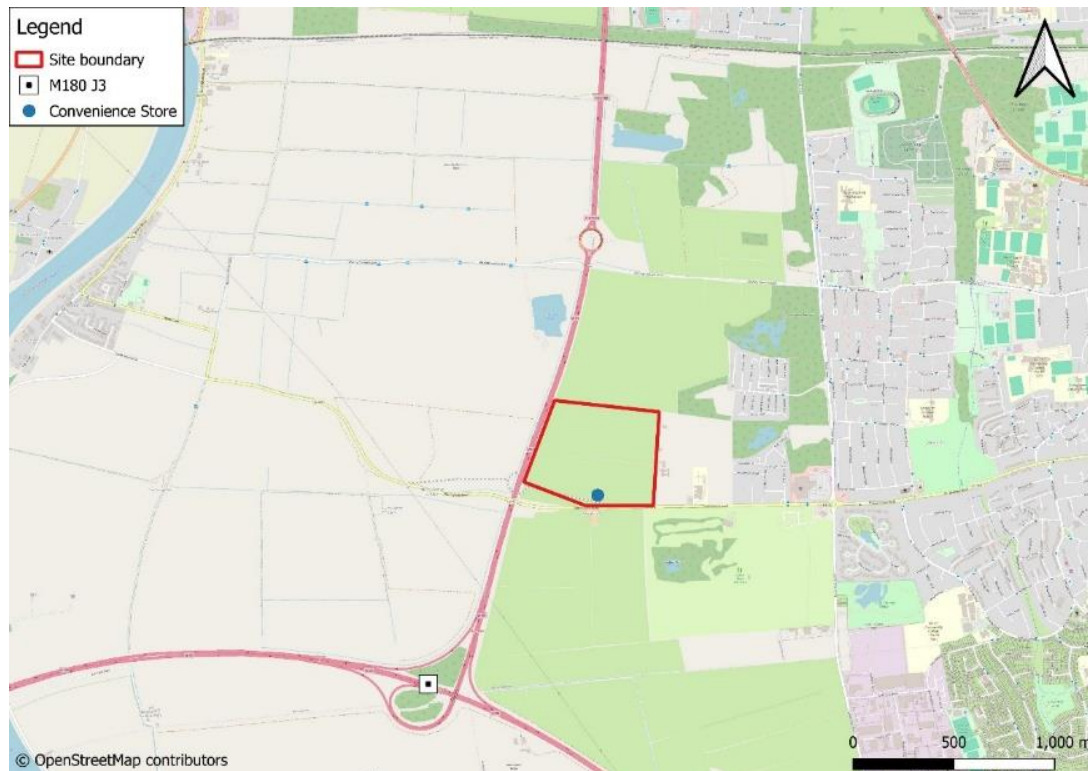
Reason: To ensure the safe and continued operation of the SRN and National Highways assets and to accord with Policy CS25 of the North Lincolnshire Core Strategy, T2 of the North Lincolnshire Local Plan and Paragraphs 115 and 116 of the National Planning Policy Framework.

1.14 On behalf of National Highways, the JSJV has reviewed the aforementioned comment and the DDN and would offer the following observations.

2 Site Location

2.1 The location of the development site, relative to the Strategic Road Network [SRN], is presented in **Figure 1**. The site is located approximately 2.4km north of the M180 / M181 junction (M180 J3), and adjacent to the M181 / Burringham Road planned Roundabout, which is in construction phase.

Figure 1. Site location in relation to the Strategic Road Network²



3 Access

- 3.1 The proposed residential development will initially be accessed through a new simple priority junction with B1450 Burringham Road. Once 250 dwellings are occupied, a further roundabout is required to be constructed to the west of the access on B1450, to also provide entry to the site.
- 3.2 Approximately 360m to the west of the access roundabout, Burringham Road will provide access to the M181 via a roundabout approved under planning application Ref: PA/2017/1386), with the M181 is to be de-trunked as part of the wider Lincolnshire Lakes scheme.
- 3.3 For context, planning application Ref. PA/2017/1386 was for 'highway works to deliver a new terminating junction to the M181 motorway comprising a new at-grade roundabout to access the B1450 Burringham Road from the M181, new B1450 side roads and realignment of the existing B1450, two new additional roundabouts on the realigned B1450, drainage ponds and outfalls, landscaping and associated re-profiling and ancillary works', and it was approved subject to Conditions in January 2019.

4 Applicant Enquiry

- 4.1 As mentioned, the Applicant made the following enquiry about **Condition 11**.

'An application for a s100 Departure from the Standards has already been made which addresses Para 59 reference. Reference to para 57 requires further clarification. We would query why this section of the condition is required? The development falls outside of the SRN.'

- 4.2 For clarity, Paragraphs 57 and 59 of the Circular 01/2022 state:

57. For reasons of safety, liability and maintenance, any physical infrastructure that is necessary to mitigate the environmental effects of or on development must

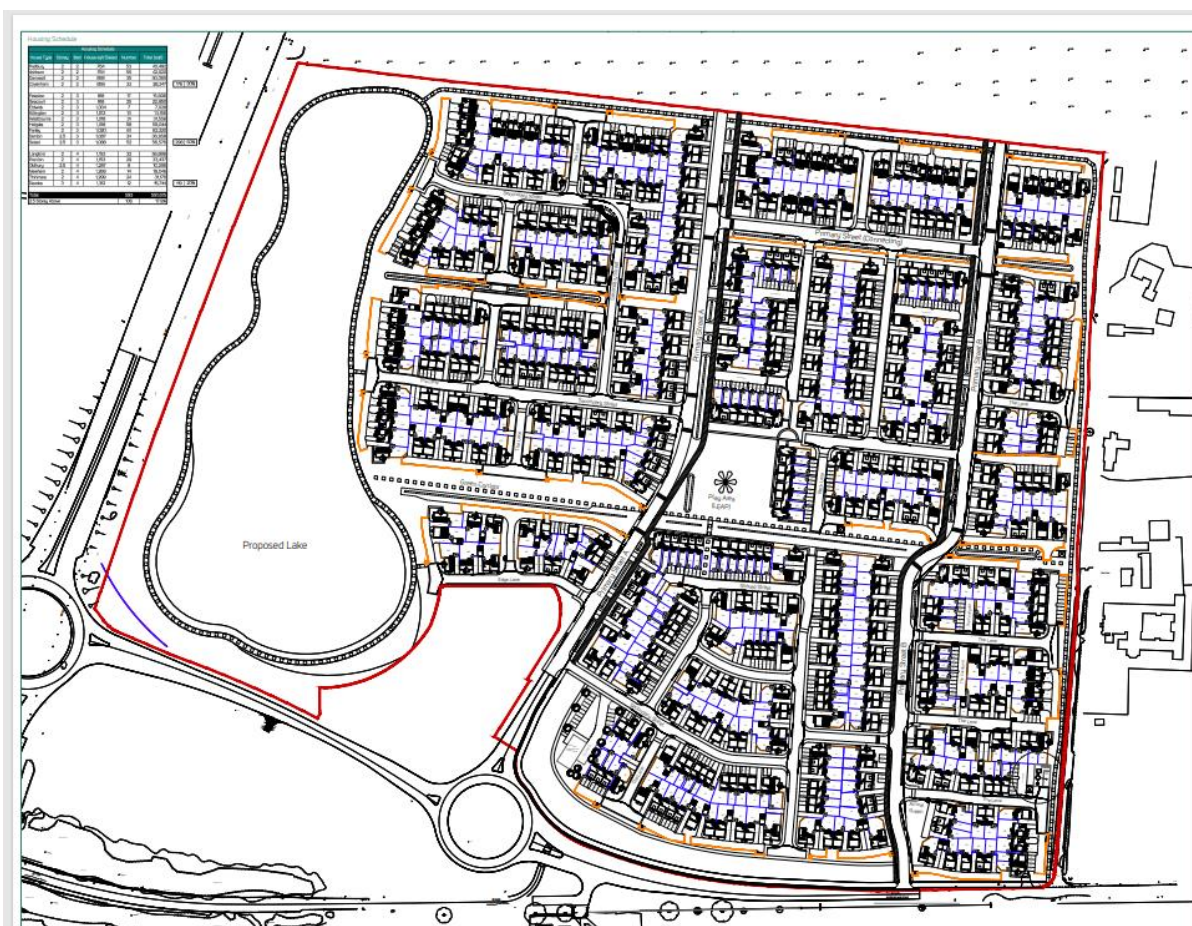
² Source: Open Street Map

be located outside of the highway boundary of the SRN. In general terms, structures should be sited sufficiently far from the highway boundary of the SRN so that they cannot topple on to the SRN or undermine its geotechnical integrity. Alternatively, an appropriate structural assessment that accords with the DMRB must be provided. A Road Restraints Risk Assessment must also be carried out where any furniture, structures or other features would be sited adjacent to the SRN.

59. To ensure the integrity of the highway drainage systems, no new connections into those systems from third party development and proposed drainage schemes will be accepted. Where there is already an existing informal or formal connection into the highway drainage system from a proposed development site, the right for a connection may be allowed to continue provided that the flow, rate and quality of the discharge into the highway drainage system remains unaltered or results in a betterment. The company may require a drainage management and maintenance agreement to be entered into to secure this requirement in perpetuity.

- 4.3 The JSJV would highlight that, although the development falls outside the SRN, its western boundary is coincidental with the SRN boundary, as shown in **Figure 2**.

Figure 2. Site boundary in relation to the Strategic Road Network³



- 4.4 Consequently, we would reiterate that the Applicant should demonstrate to National Highways that there are no drainage, structural, boundary treatments or other constructions that would have an impact on National Highways land interests. This is crucial for safety, liability, and maintenance reasons and should align with Paragraph 57 of Circular 01/2022. It should be noted, for example, that the structural stability of

³ Source: Drawing Nr. 008 Planning Layout

the highway should not be undermined, and that surface water should not drain towards or into the highway.

4.5 The JSJV would suggest therefore that further information be provided with regards to the proposed boundary treatment between the M181 and the application site; particularly, but not exclusively, the information should consider:

- The impact of earthworks on the stability and integrity of the SRN.
- The impact of earthworks on drainage, and the drainage requirements needed to ensure that surface water does not flow from the application site on to the SRN.
- Access for maintenance of the highway boundary is maintained.
- Boundary treatments are adequate and appropriate; particularly in regard to dazzle and distraction from opposing head lights.