DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H16-0119-20**	**Applicant:**	**Mr De Savary**
Proposal:	Proposed improvements to existing car park		
Location:	Car Park And Premises Drapers Place Spalding		
Terminal Date:	1st June 2020		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
25	Supporting the Vitality and Viability of Boston and Spalding Town Centres
29	The Historic Environment
36	Vehicle and Cycle Parking

National Guidance

National Planning Policy Framework 2019

Section 12 - Achieving well-designed places
Section 16 - Conserving and Enhancing the Historic Environment

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
IAN MARSHMAN, HISTORIC ENVIRONMENT OFFICER	0	0	0	1
SPALDING & DISTRICT CIVIC SOCIETY	0	0	0	1
WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	0	1

RESIDENTS	1	1	0	0

CASE OFFICER ASSESSMENT

Proposal

This full planning application is for proposed improvements to the existing car park at Draper's Place, Spalding.

The proposed works include;

-Demolish vacant and dilapidated buildings currently on the site.
-Resurface the site with tarmac
-Installation of new lighting
-Installation of bollard boundaries on the perimeter
-Installation of a CCTV system
-Repairs to existing walls

Site Description

The proposal site is within the Spalding Conservation Area (SCA) and The site is currently already used as a Car Park, However, it is currently a gravel surface with metal rails separating portions of parking spaces. The extant buildings on site are vacant and are an eyesore alongside the car park itself of which the gravelled surface is in a poor condition and is arguably on of the most significant draws upon the character of the SCA within the Town centre. The site is currently entirely unilluminated and the boundary between this site and neighbouring properties is poorly defined.

Additionally, the current, undefined nature of the parking allocation makes the site inefficient as a car park

History

H16-0929-80

Change of use form residential to staff vehicle parking facilities with new vehicular access at Crescent Gardens. APPROVED on 07/10/1980

H16-1197-93

Continuation of use of land fro car parking. APPROVED on 15/03/1994

H16-1184-98

Continuation of use of land for car parking. APPROVED on 26/02/1999

H16-0582-99

Details of parking control. Condition 2 of H16-1184-98. APPROVED on 09/07/1999

H16-0480-03

Construction of new office, use of dwelling as office and provision of car parking. APPLICATION WITHDRAWN on 25/07/2005

H16-0888-17

Demolition of disused buildings and construction of a residential development for over 55s including

associated external works and access. APPROVED on 19/06/2018

Consultation Responses

Local Residents - Objections

A local resident has lodged an objection to this application on the grounds that the access to the site is not suitable for the proposed number of parking spaces (and therefore vehicles entering and exiting the site). The objector also raises concerns over the risk to pedestrian safety on Francis Street and the Crescent as Francis Street is small and considered by many to be pedestrianised given its link to Hole In The Wall Passage. They suggest that an additional exit point via Gore Lane should be included.

Local Residents - Support

A local resident has lodged a statement of support for the application on the grounds that cleaning the site up will aesthetically improve the area and the introduction of Lighting and CCTV will increase security in the area. Additionally, they believe that additional/improved parking near to the market place would be supportive to the economic viability of the town centre and its businesses.

Welland and Deepings Internal Drainage Board

If infiltration tests show that the land would not support soakaways, the applicant should be aware that the IDB do not possess any drains in this location, although Anglian Water may do. In this eventuality, the drainage details should be clarified.

Lincolnshire County Council as Lead Local Highways and Flood Authority

SuDS have submitted 2 consultation responses to this application;

1) The applicant should be required to submit drainage proposals alongside sufficient ground investigation information to evidence that the proposed system soakaways would work on this site, given that the application proposes to replace the permeable gravel surface with impermeable macadam.

Following this, the applicant submitted the drainage statement, at such a time, SuDS submitted this follow-up response;

2) The Local Planning Authority, should it chose to approve this application should be required to apply a condition to the consent which is to the effect of the following;

"The permitted development shall be undertaken in accordance with a surface water drainage scheme which shall first have been approved in writing by the Local Planning Authority.

This scheme shall:

-Be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development;

-Provide details of how run-off will be safely conveyed and attenuated during storms up to and including the 1 in 100 year critical storm event, with an allowance for climate change, from all hard surfaced areas within the development into the existing local drainage infrastructure and watercourse system without exceeding the run-off rate for the undeveloped site;

-Provide attenuation details and discharge rates which, unless agreed otherwise with the surface water receiving body, shall be restricted to the pumped catchment area greenfield run-of rate of 1.4 litres per hectare;

-Provide details of the timetable for and any phasing of implementation for the drainage scheme; and

-Provide details of how the scheme shall be maintained and managed over the lifetime of the development, including any arrangements for adoption by any public body or Statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its

lifetime.

The development as approved shall not be operated until the approved scheme has been completed or provided on the site in accordance with the approved phasing. The approved scheme shall be retained and maintained in full,. in accordance with the approved plans.

Reason: To ensure the at the permitted development is adequately drained without creating of increasing flood risk to land or property adjacent to, or downstream of, the permitted development."

The Highways authority raised no concerns relating to road safety or access to and from the site.

Lincolnshire County Council Historic Environment Officer

No archaeological input required.

Spalding and District Civic Society

wishes to raise concerns that improvements could lead to increased usage of the site and therefore decrease pedestrian safety along Francis Street.

Planning Considerations

Flood risk and Drainage

Whilst the proposals are within flood zone 3, a flood risk assessment has been carried out In conjunction with this application. The attached FRA finds that although the site, much like most of Spalding Town Centre is in Flood Zone 3, the nature of the development is considered to be within the 'less vulnerable' classification. Furthermore, as nearly the entirety of the Spalding town centre sits within the same 'high possibility' flood risk zone, it is not felt that it would have been possible to find an alternative, lesser risk site. Finally, Lincolnshire County Council as the Lead Local Flood Authority have determined that from a flood risk perspective provided that satisfactory details of surface water drainage are obtained prior to commencement beyond oversite by means of condition.

Road Safety

Several commenters have raised concern over the impact that this proposal will have upon road and pedestrian safety, particularly along Francis Street and The Crescent. The proposed new layout of the proposal will provide 74 clearly defined spaces. In its current format, it is suggested that the car park has a capacity of roughly 80 spaces, albeit undefined which should translate into traffic load not being heavily changed over the current load generated. In addition, whilst the Local Authority does recognise the potential for adjusted traffic levels created by the development, Lincolnshire County Council as the Highways Authority for the area have been consulted and raised no objections based on road safety grounds.

Vitality and Viability of Spalding Town Centre

Paragraph 6.3.5 of that South East Lincolnshire Local Plan states " the Policy **aims to bring about improvements to the public realm; the use and enhancement of public spaces, car parks, access routes and signage." This application proposes that improvements be made to the existing car park and, therefore, it must be considered that this application is in accordance with that Policy and does indeed support the Vitality and Viability of Spalding Town Centre.**

Design and Layout

The Local Planning Authority seeks no amendment to either the design or layout of the proposals. From a design perspective, the paving of the existing car park will vastly improve the visual qualities of the site as it currently stands. At present the car park is in a rather unsightly state, being surfaced with loose gravel. The proposed new layout is also deemed to be appropriate as the space created by demolition of the old dilapidated will create ample space for the newly proposed layout.

Heritage Impact

The Local Planning Authority does not deem there to be any risk presented by this application to the

character of the Spalding Conservation Area (SCA). The buildings which it is proposed will be demolished are not of any historic or architectural interest or value. Resurfacing the area, and therefore, acting to 'tidy up' this particular portion of the SCA should, in fact, contribute to enhancing the overall presentation of the SCA, in line with the requirements of Section 16 of the National Planning Policy Framework (2019).

Conclusion

For the reasons listed above, this application is found to be in accordance with policies 1, 2, 3, 25, 29 and 36 of the South East Lincolnshire Local Plan (2019) in addition to Sections 12 and 16 of the National Planning Policy Framework (2019). Therefore, this application is recommended for APPROVAL.

Additional Considerations

Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:
A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).
C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.

It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

Human Rights

In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.