

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H16-0876-20 **Applicant:** Lincolnshire Trading & Management

Proposal: Details of surface water drainage scheme (Condition 3 of H16-0119-20)

Location: Car Park And Premises Drapers Place Spalding

Terminal Date: 3rd December 2020

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02 Development Management
03 Design of New Development
04 Approach to Flood Risk

National Guidance

National Planning Policy Framework 2019

Sections 14 of the National Planning Policy Framework (2019)

Representations:

	Object	Support	No Obj.	Comments
HIGHWAYS & SUDS SUPPORT	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This condition compliance application is for the discharging of condition 3 of H16-0119-20, which imposed a requirement for the submission of details of the proposed surface water drainage scheme prior to commencement beyond oversite. The application proposes to collect the surface water run-off from the impermeable tarmac surface via a combination of drainage channel and gullies. The surface water will be conveyed through an underground pipe network to a bypass separator to remove any oil contamination. Downstream of this at the final proposed chamber will be a HydroBrake flow control device to restrict flows to 5 litres / second. This reduced flow will then discharge into the existing Anglian Water foul sewer.

Attenuation is to be incorporated into the upstream pipe network in the form of online attenuation crates. These will be located either side of a perforated diffuser pipe. These have been designed to

store surface water run-off up to and including the 1 in 100 plus climate change allowance event.

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 one of the most significant draws upon the character of the SCA within the Town centre.

History

H16-0929-80

Change of use from 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 for 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

H16-0119-20

Proposed improvements to existing car park. Approved on 02/06/2020

Consultation Responses

Lincolnshire County Council Lead Local Highways and Flood Authority

No Objections.

Planning Considerations

Condition 3 of H16-0119-20

Prior to commencement of the development beyond oversight, a surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall:

Be based on sustainable drainage principles and an assessment of the hydrological 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 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-off rate of 1.4 litres per second 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 arrangement 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 details.

The Lincolnshire County Council Lead Local Highways and Flood Authority have raised no objections and therefore are happy for this condition to be discharged.

Conclusion

For the reasons listed above, this application is considered to be in accordance with Policy 4 of the South East Lincolnshire Local Plan (2019) as well as Section 14 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.