

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H17-0127-22 **Applicant:** Seagate Homes (UK) Ltd.

Proposal: Details of surface water drainage scheme & proposed means of foul & surface water disposal (Conditions 12 & 17 of H17-0236-20)

Location: Land To West Of Coalbeach Lane South Surfleet Spalding

Terminal Date: 5th April 2022

Planning Policies**South East Lincolnshire Local Plan - Adopted: March 2019**

02 Development Management
03 Design of New Development
30 Pollution

National Guidance**National Planning Policy Framework 2021**

NPPF 2021

Representations:

	Object	Support	No Obj.	Comments
HIGHWAYS & SUDS SUPPORT	0	0	0	1
WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1
RESIDENTS	0	0	0	1

CASE OFFICER ASSESSMENT**Proposal**

Details of surface water drainage scheme & proposed means of foul & surface water disposal (Conditions 12 & 17 of H17-0236-20).

Site Description

See host application.

History

H17-0236-20. FULL Residential development of 60 dwellings. APPROVED 15-09-21

Consultation Responses

LCC Local Highway and Lead Local Flood Authority

Does not wish to restrict the grant of permission.

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 submitted details are satisfactory and therefore does not wish to object to this planning application.

Welland & Deepings Internal Drainage Board

Based on the drawings submitted, specifically: Y20082, D202, Revision 4, the proposed surface water discharge rate of 2.8 litres per second and proposed total impermeable area of 0.9947 hectares means that a development contribution of £12,180.30 is payable to the Board prior to connection into the private watercourse.

A new application for consent to discharge surface water will need to be made to the Board in advance of any works on site. This will be subject to the agreement of technical details, payment of the £50 application fee as well as the development contribution amount quoted above.

Anglian Water

Foul Water Comments: Based upon the drawing in "D200 Rev 9 Proposed Drainage Plan", the foul strategy outlined is acceptable and Anglian Water can recommend discharge of condition 17 at this time.

Surface Water Comments: The intended surface water drainage strategy outlined in the drawing "D200 Rev 9 Proposed Drainage Plan", does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the discharge of condition 12 or the suitability of the surface water management.

Third parties

One comment received (precised)

New bungalow is not shown on the plans
Eaves and ridge heights may be incorrect
Boundary fence to be installed before development.

Planning Considerations

Condition 12

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.

The 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 shall be restricted to 1.4 litres per second or as otherwise agreed by the IDB;
- 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.

No dwelling shall be occupied 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.

Reason: To ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the permitted development. This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 14 of the National Planning Policy Framework, 2021.

Given the responses of the statutory bodies set out above, it is considered that the details are acceptable.

Condition 17

Before the commencement of the development hereby granted beyond oversight, full details of the proposed means of foul and surface water disposal to separate systems shall be submitted to and approved in writing by the Local Planning Authority and the details so approved shall be implemented in full before there are any flows into the receiving systems.

Reason: To ensure that the site is adequately drained, to avoid pollution, and to prevent increased risk of flooding. This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 14 of the National Planning Policy Framework, 2021.

Given the responses of the statutory bodies set out above, it is considered that the details are acceptable.

Other Matters

The third party resident concerns are set out above. Although finished floor levels are shown within this application to inform the drainage details, the matters raised by the resident do not relate to the subject areas of this condition discharge application, but have been raised with the applicant. The applicant has confirmed that the matters raised would be addressed via conditions 4 and or 14 of the host consent, that relate to boundary treatments and the Constructions Management Plan.

A comparison with the approved plans and illustrative section has been undertaken and the existing ground level details are largely consistent across the applications.

Conclusion

Approve.

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.