



LINCOLNSHIRE COUNTY COUNCIL'S RESPONSE TO CONSULTATION ON THE FOLLOWING DEVELOPMENT PROPOSAL

District: South Holland District Council

Application number: H16-1028-24

Application Type: Full - Major

Proposal: Use of site for the erection of industrial units

Location: Clay Lake, Spalding, PE12 6BL

Response Date: 17 March 2025

This report includes the Substantive response of the Local Highway and Lead Local Flood Authority to a planning consultation received under the Development Management Order and includes details of any planning conditions or informatives that should be attached in the event that permission is granted and any obligations to be secured by way of a S106 agreement.

General Information and Advice

Please note that although the Definitive Map and Statement proves the existence of any recorded rights of way, there may be further or higher rights that are not shown on this document that the County Council is not currently aware of. This would be especially relevant where the public has had informal access to the site or where there are references to routes across this in maps or other historic documents. As the County Council has received no application to recognise further rights of way affecting the site, no more informed guidance can be offered at this stage.

Application number: H16-1028-24
Application Type: Full - Major
Location: Clay Lake, Spalding, PE12 6BL

Highway and Lead Local Flood Authority Report

Substantive Response provided in accordance with article 22(5) of The Town and Country Planning (Development Management Procedure) (England) Order 2015:

Recommendation:
Acceptable subject to the following condition

Introduction/Site Location

The proposal is for the Use of site for the erection of industrial units. The former use was for the storage of liquified gas and distribution depot. It was granted permission in 2023 to clear the site and demolish the existing buildings. There are no access proposals just the installation of an electric gate. The existing footway network links the site into Spalding.

Existing Conditions

The site is accessed from Spalding Drove, Clay Lake in Spalding within the 30mph limit. The access and security fencing will be retained. The proposed units will be located where the previously demolished buildings were. The applicant has confirmed that the access width at the narrowest point is 5.2m which is of adequate width to allow two-way traffic.

Highway safety

There are no recorded personal injury accidents in the vicinity of the site.

Highway capacity

There is no precise definition of "severe" with regards to NPPF Paragraph 115, which advises that "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe." Planning Inspector's decisions regarding severity are specific to the locations of each proposal, but have common considerations:

- The highway network is over-capacity, usually for period extending beyond the peak hours
- The level of provision of alternative transport modes
- Whether the level of queuing on the network causes safety issues

In view of these criteria, the Highways and Lead Local Flood Authority does not consider that this proposal would result in a severe impact with regard to NPPF.

Site Layout

This is a private site – a security cabin will be located at the front of the site for 24hr security. The applicant has purchased the land and would like to move his landscaping business to the yard. His unit and office will be located to the rear of the site with the erection of 14 small starter units to be offered for rent to local businesses and trades. The parking demonstrated in acceptable for the scale of the proposal and there is space for calling vehicles to turn within the site.

Flood Risk and Drainage

The site is located in flood zone 3. The site is in South Holland IDB District. Surface water drains through a local network to the IDB system. There is a riparian drain approximately 100m to the south of the site and an EDB high priority watercourse 600m east of the site. There is an extensive local drainage network managed by South Holland IDB. The site and surrounding land drain into the Wisemans's catchment and drain by gravity to Wiseman's pumping station. The pumped water enters the South Holland Main Drain that discharges to the tidal river Nene at the Sutton Bridge Outfall Sluice.

The site is likely to be underlain by Oxford Clay formation mudstone, but no formal Ground Investigation has been submitted.

The site is at low risk of surface water flooding and the proposed development increases the impermeable area so therefore there will be an increased volume of surface water that has the potential to increase flood risk. Surface water run off will be managed so that stormwater from the development will not affect any adjoining properties or increase flood risk elsewhere.

The existing drainage consists of areas of hardstanding, areas of gravel and also grassed areas. Surface water landing on the gravel and landscaped areas will infiltrate into the ground. The impermeable area is 2640m² – the majority of the site runs off as sheet run off to surrounding areas of gravel or landscaped areas. The majority of the eastern part of the site has a formal drainage system – a series of gullies, surface water is discharged to a sump close to the northern boundary of the site. The sump is emptied as required. It is understood that this arrangement was in place to manage the risk of pollutants within the run off from this part of the site. There is a soakaway in the southwest corner of the site. They are proposing three soakaways - A detailed drainage design will be conditioned along with a Ground Investigation report complete with infiltration testing.

Planning Conditions:

In the event that permission is to be given, the following planning conditions should be attached:

Highway Condition 33

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 the results of evidenced groundwater levels and seasonal variations (e.g. via relevant groundwater records or on-site monitoring in wells, ideally over a 12-month period);
- be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development;
- provide flood exceedance routing for storm event greater than 1 in 100 year;
- 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 XXX litres per second;
- 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/ no part of the development 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, or upstream of, the permitted development.

Informatives

Officer's Name: Samantha Legg
Officer's Title: Principal Development Management Officer
Date: 17 March 2025