DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H06-1267-25**	**Applicant:**	**Mr M Kerry**
Proposal:	Details of guttering to be placed on rear elevation roof slope (Condition 3 of H06-0680-24)		
Location:	Fen House Farm Bungalow Broadgate Gedney		
Terminal Date:	3rd March 2026		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
04	Approach to Flood Risk
28	The Natural Environment

National Guidance

National Planning Policy Framework December 2024

Section 12 - Achieving well designed and beautiful places

Representations:

	Object	Support	No Obj.	Comments

CASE OFFICER ASSESSMENT

Proposal

This is a condition compliance application seeking permission to discharge Condition 3 of H06-0680-24.

Site Description

The site is located outside any defined settlement boundary and is therefore classed as being in the open countryside as outlined in the South East Lincolnshire Local Plan, 2019 (SELLP). The dwelling is set back from the highway by around 135m and is predominantly surrounded by large agricultural fields due to the rural setting of the area.

History

H06-0271-13 - Side extension with brick plinth and render to whole bungalow - Approved

H06-0680-24 - Detached storage building - Retrospective - Approved

Consultation Responses

No consultation responses received.

Planning Considerations

Positioning of Guttering

Condition 3 of H06-0680-24 states that:

Within 3 months of the date of this permission, guttering shall be placed on the rear elevation roof slope taking waste water away from the neighbouring property and drain within the site named as 'Fen House Farm Bungalow' in accordance with details that shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure waste water is satisfactorily directed away from neighbouring properties. This Condition is imposed in accordance with Condition 30 of the South East Lincolnshire Local Plan, 2019.

The plans provided within this submission outlines the rainwater discharge from the building outlets, with the outlets being directed away from the boundary and into permeable ground. The rainwater downpipe would be discharged into this permeable garden area. This would therefore ensure that the rainwater is drained away from the neighbouring property which is the reason the condition was attached to the decision notice.

Condition 3 of H06-0680-24 can therefore be discharged.

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.

Conclusion

Condition 3 of H06-0680-24 can therefore be discharged.