

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H14-0806-25 **Applicant:** Melbourne Properties Limited

Proposal: Details of surface water disposal & foul water disposal (Conditions 12 & 13 of H14-0042-24)

Location: Land Off Crossgate Lane Pinchbeck Spalding

Terminal Date: 4th November 2025

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

National Guidance

National Planning Policy Framework December 2024

Representations:

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

CASE OFFICER ASSESSMENT

Description of Proposal

This application seeks to discharge conditions 12 and 13 of H14-0042-24, which relate to surface and foul water disposal.

Site Description

The site is a former greenfield site measuring approximately 1.45 hectares in size. To the east the site is bordered by Crossgate Lane and Surfleet Road, with properties opposite and a footpath/area of verge. To the south are properties on Captains Beck. To the west is Gallery Walk pedestrian footpath and agricultural fields beyond. To the north are properties on Flaxmill Lane and Crossgate Lane.

The site is outside the settlement boundary of Pinchbeck and is considered to be countryside for

policy purposes.

The application site lies within Environment Agency Flood Zone 3 and the vast majority of the site is identified within the SFRA as a mixture of 'Low Hazard', 'Danger for Some' and 'Danger to Most' (the majority of the site being the first two of these designations) in terms of flood hazard and in the main are 1.25 - 2.0 metres in terms of predicted flood depth.

History

H14-0138-25 -Section 73 - Erection of 9 detached bungalows - approved under H14-0042-24. Modification of Condition 2 to allow amendments to previously approved plans - Approved 17.07.2025

H14-0189-24 - Details of external materials, archaeological investigation, site levels/finished floor levels and proposed boundary treatments (Conditions 3, 4, 10 and 11 of H14-0348-23). Discharged

H14-0042-24 - Section 73 - Erection of 9 detached bungalows - approved under H14-0348-23. Modification of wording of Condition 14, including details relating to the arrangements for private refuse/recycling collection and Modification of Condition 2 to allow amendments to previously approved plans. - Approved 28.06.2024

H14-0348-23 - Full - Erection of 9 detached bungalows - 21.12.2023

H14-1032-21 - Reserved Matters - Residential development - Approved 23.02.2022

H14-0912-17- Outline - Residential development - Approved - 27.11.2018

Consultation Responses

The responses received from consultees during the initial consultation exercises, which can be viewed in their entirety through the South Holland website, can be summarised as follows:

Welland and Deepings Internal Drainage Board

"Further to receipt of the above, I confirm that Welland & Deepings IDB have no comment to make with regard to this application at this stage."

Highway and Lead Local Flood Authority

"This is a 9-dwelling development off a private drive. As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to drainage and surface water flood risk on all Major applications. This application is classified as a Minor Application and it is therefore the duty of the Local Planning Authority to consider the surface water flood risk and drainage proposals for this planning application"

Public Representations

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, no letters of representation have been received.

Key Planning Considerations

Condition 12 - Surface Water

Wording

"Notwithstanding any submitted details, before the commencement of the development hereby granted beyond oversight, full details of the means of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The details so approved shall be implemented in full before the development hereby permitted is first brought into use."

Assessment

The submitted scheme, based around the positioning of attenuation crates throughout the site and the eventual discharge into an IDB asset, is considered to be acceptable. The details are proportionate and appropriate given the size and nature of the development.

Condition 12 can be discharged.

Condition 13 - Foul Water

Wording

"Notwithstanding any submitted details, before the commencement of the development hereby granted, details of the means of foul water disposal shall be submitted to and approved in writing by the Local Planning Authority. The details so approved shall be implemented in full before the development hereby permitted is first brought into use."

Assessment

Individual drains from each dwelling connect converge to the rear of Plot 8, before connecting onto the wider system under Flaxmill Lane. The details provided are acceptable and proportionate to the scale of development proposed.

Condition 13 can 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

The details provided are considered to be acceptable and Conditions 12 and 13 can be discharged.

Recommendation

Based on the assessment detailed above, it is recommended that the proposal should be approved under Delegated Authority.