DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H14-1027-24**	**Applicant:**	**Mrs J Cassidy**
Proposal:	Details of proposed means of foul & surface water disposal to separate systems (Condition 3 of of H14-1146-21)		
Location:	Eight Horse Barn Money Bridge Lane Pinchbeck		
Terminal Date:	30th January 2025		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

National Guidance

National Planning Policy Framework December 2024

Planning Practice Guidance Town & Country Planning (GPDO) Order 2015 (as amended)

Permitted Development Rights - Class Q

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	1	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This proposal seeks to discharge Conditions 3, of planning approval H14-1146-21, relating to details of foul and surface water disposal to separate systems.

Site Description

The site is located in open countryside on the eastern side of Money Bridge Lane. It is occupied by the existing agricultural building to be converted, with an additional corrugated steel agricultural

building 10 metres to the north. A dwelling known as Peartree House is located to the south west of the site on the opposite side of the road. Arable fields are located to the east, with dwellings located 180 metres to the north, and 205 metres to the south. The site is partially in Environment Agency Flood Zone 3, and is subject to "low hazard" with a maximum flood depth of 0.25 metres on the 2115 South Holland Strategic Flood Risk Mapping.

History

H14-1146-21 - Prior Approval - Change of use of agricultural building to a single dwelling - Approved 20.01.2022

Consultation Responses

Pinchbeck Parish Council

No comment

Anglian Water

Foul Water Comments: The foul strategy is acceptable to Anglian Water - we can recommend part discharge of condition 5

Surface Water Comments: The surface water is to soakaways which is outside of Anglian Water's jurisdiction for comment

LCC Highway and Lead Local Flood Authority

Recommendation: No objection

The details submitted to discharge condition 3 of proposed means of foul & surface water disposal to separate systems (Condition 3 of H14-1146-21) are acceptable in accordance with approved drawings and details with this application.

As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response regarding 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.

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 proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.

Public Representation

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.

Planning Considerations

Condition Details

The conditions detail:

Condition 3

Before the commencement of the development hereby granted beyond oversite, 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.

Surface Water

The relevant consultees have been consulted during the assessment of this application. LCC Highway and Lead Local Flood Authority have raised no objections, with the Drainage Board not submitting any comments.

Foul Water

The relevant consultees have been consulted during the assessment of this application. LCC Highway and Lead Local Flood Authority have raised no objections, with the Anglian Water recommending part discharge of condition 5.

In conclusion, on balance, the details are acceptable and should 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 in relation to Condition 3 are acceptable and can be discharged.