

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H18-0445-25 **Applicant:** Boud Minerals Ltd

Proposal: Details of soakaway system for the disposal of surface water (Condition 10 of H18-0310-23)

Location: Boud Minerals And Polymers Warehouse West Bank Road Sutton Bridge

Terminal Date: 4th July 2025

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

National Guidance

National Planning Policy Framework December 2024

Section 14: Meeting the Challenges of Climate Change, Flooding and Coastal Change.

Representations:

	Object	Support	No Obj.	Comments
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

The application seeks approval of Condition 10 of planning permission reference H18-0310-23.

Condition 10 requires the submission of full details of the proposed soakaway system for the disposal of surface water to be submitted to and approved in writing by the local planning authority.

Site Description

The application site comprises part of an established commercial development, West Bank Industrial Estate, an employment site located in Sutton Bridge. Planning permission was granted in January 2024 under application reference H18-0310-23 for the construction of an open storage building, including concrete yard and access.

History

H18-0310-23: Proposed Open Storage Buildings, Concrete Yard and Access. Approved 16.01.2024

Consultation Responses

Anglian Water: Response Received 14th May 20205

The discharge of the condition is outside of Anglian Water jurisdiction for comment.

South Holland Internal Drainage Board: Response Received 21st May 2025

No consent is currently required from the Board.

Highway and Lead Local Flood Authority

No objections.

Planning Considerations

Condition 10 Wording

Before the development is commenced beyond oversight, full details of the proposed soakaway system for the disposal of surface water from the development hereby permitted, including percolation test results, shall be submitted to and approved in writing by the Local Planning Authority. This shall include the calculations undertaken to determine the volume of storage required. Should the percolation test results be considered unacceptable by the Local Planning Authority details of an alternative means of providing for surface water drainage shall be submitted for consideration. The approved means of surface water drainage shall be implemented in full before the development hereby permitted is first brought into use.

The reason for the condition is:

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 Section 14 of the National Planning Policy Framework, December 2023.

Condition 10 Detail

The Highway and Lead Local Flood Authority advise the details of the soakaway system for the disposal of surface water are acceptable in accordance with the details submitted. South Holland IDB advise that having studied the submitted documents, the Board's consent is not required for the proposed works.

Other Matters

Two plans have been submitted as part of the application which do not appear relevant to the discharge of Condition 10, these are:

SW23-115-105- Proposed Vehicles Tracking Arrangement Articulated Lorry
SW23-115-110-Proposed External Works

Clarification was requested from the agent, who confirmed they are not relevant to the discharge of

Condition 10. These plans do therefore not form part of the application.

Conclusion

The submitted details are considered acceptable.

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.

Recommendation

Condition 10 of planning permission H18-0310-23 is discharged.