DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H21-0542-25**	**Applicant:**	**Mr S Necker**
Proposal:	Details of hard surfaced vehicular crossover strip & surface water disposal (Conditions 6 & 7 of H21-0442-21)		
Location:	29 Station Road Tydd Gote Wisbech		
Terminal Date:	25th August 2025		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
04	Approach to Flood Risk
30	Pollution

National Guidance

National Planning Policy Framework December 2024

Section 2 - Achieving sustainable development
Section 4 - Decision-making
Section 14 - Meeting the challenge of climate change, flooding and coastal change

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

This application seeks to discharge conditions 6 and 7 of permission H21-0442-21.

Permission H21-0442-21 granted consent for the erection of a 4-bay garage with storage above to serve dwellings on plots 3 and 4, 29 Station Road, Tydd Gote, approved under permission H21-0489-20.

Site Description

The site comprises land at 29 Station Road, Tydd Gote. There are semi-detached houses located to the east and equestrian related development to the rear of these properties. There is a row of bungalows to the west of the site and open land to the north of the site.

The site is within Flood Zone 1, as identified by the Environment Agency's flood risk maps.

Relevant Planning History

H21-0489-20: (Full Application) Demolition of existing bungalow and erection of 2 pairs of semi-detached houses - approved 12 October 2020

H21-1090-20: (Discharge of Conditions) Details of external materials, landscaping, site & floor levels, screening along eastern and western boundaries and means of foul & surface water disposal (Conditions 3, 4, 5, 6 & 11 of H21-0489-20) - approved 4 February 2021

H21-0442-21: (Full Application) Erection of a 4-bay garage with storage above to serve dwellings on plots 3 and 4, 29 Station Road, Tydd Gote, approved under H21-0489-20 - approved 14 July 2021

Consultation Responses

National Grid: No observations.

Lincolnshire County Council - Highways and SUDS: No objections. The details of hard surfaced vehicular crossover strip & surface water disposal to discharge (Conditions 6 & 7 of H21-0442-21) are acceptable in accordance with approved drawings and details submitted with this application

Key Planning Considerations

Condition 6 reads as follows:

"Prior to the garage being brought into use a hard surfaced vehicular crossover strip at least 2 metres wide shall be formed at the junction of the driveway with Station Road in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure the provision of a satisfactory access and to prevent material from transgressing onto the highway, in the interest of highway safety.
This condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019."

The submission is accompanied by a photograph of the access of the site with Station Road. This photograph shows that a tarmac surface has been installed over the footpath that connects the site with Station Road. Although the details should have been submitted and agreed prior to the installation of the footpath, Lincolnshire County Council's highways team have confirmed that the details are acceptable.

Condition 7 reads as follows:

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

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, 2019."

The application is accompanied by a drainage plan, a management and maintenance plan for the proposed drainage system, and construction details for the drainage infrastructure. The drainage plan has been amended during the determination of the application as previously the layout was not consistent with the approved layout from permission H21-0442-21. The layout within the amended plan aligns with the approved layout. A soakaway crate with a storage capacity of 9.5 cubic metres is proposed to the west of the building. A silt trap is proposed to the north of the crate. It is proposed for surface water to be treated via Silt Traps, removing silt and debris, before entering the Rainwater Harvesting Unit. Any excess water would flow to the soakaway crates. Generally, 1 cubic meter of soakaway crates can drain up to 50sqm of roof area. The building in this case is 110sqm, thereby typically requiring 2.2 cubic metres of soakaway crates. Soil types and rainfall intensity can affect the effectiveness of soakaways. In this instance, it is considered that the proposed silt trap, rainwater harvesting unit and soakaway crates would provide a suitable drainage scheme for the site. The management and maintenance measures are also considered to be suitable and proportionate for the development.

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 address the requirements of conditions 6 and 7 of permission H21-0442-21.

Recommendation

Discharge conditions 6 and 7.