

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H23-0620-25 **Applicant:** Mr S Steward

Proposal: Details of foul and surface water disposal and external materials (Conditions 4 and 7 of H23-0267-24)

Location: Rear Of Springway Stockwell Gate Whaplode

Terminal Date: 29th September 2025

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

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

National Guidance

National Planning Policy Framework December 2024

Section 12 - Achieving well-designed places
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
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a discharge of condition planning application providing details of foul and surface water disposal and external materials (Conditions 4 and 7 of H23-0267-24). Condition 4 which relates to drainage, is a pre-commencement condition, given the progression of works on site this condition is currently in breach.

Drainage

The applicant shows that surface water will be disposed via soakaways, the solution also includes an underground rainwater harvesting tank. Foul water is shown to be directed to the main foul sewer that serves the dwellings on Stockwell Gate.

External Materials

The main facing brick proposed is 'Terca' Hathaway Brindled, dormer walls are cladded in dark grey. The roof is proposed to be dressed in a fibre cement tile, 'Rivendale' by Marley, windows and doors dark aluminium grey and rainwater goods dark grey UPVC.

Site Description

The application site is located outside the defined settlement for Whaplode and located within the open countryside for planning purposes. The application site is also located within Flood Zone 3 in accordance with the Environment Agencies Mapping System. The flood hazard and depth maps show that the site is located in an area at low risk of flooding.

Planning permission was achieved to erect a dwelling in this site. From site visit it is clear the permission is extant, and walls and first floor were already constructed at the time of site visit.

History

H23-0267-24 - Erection of dwelling, garage and swimming pool - Re-submission of H23-0905-23. Approved 29-07-24.

Consultation Responses

South Holland IDB

The Board's Officers have reviewed the documents submitted in support of the above planning application. Although no consent is currently required from the Board, officers have noted a potential for conflict between the planning process and the Board's regulatory regime. The potential conflict is detailed below and overleaf

Surface Water Drainage

If infiltration is not feasible at this site, following the drainage hierarchy we would expect the applicant to propose to discharge surface water to a watercourse. In this case, consent would be required under Byelaw 3.

Foul Treated Water

I note that the applicant intends to dispose of foul water to a main sewer. Should the applicants proposals change to include the discharge of treated foul water to a watercourse, consent would be required under Byelaw 3.

Highways & Suds

The details of foul and surface water disposal and external materials (Conditions 4 and 7 of H23-0267-24 are acceptable in accordance with approved drawings and details submitted with this application.

Planning Considerations

Condition 4 - Drainage

The condition requires:

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

The applicant has submitted a drainage strategy that shows surface water will be directed to

soakaways. The applicant has not provided any information relating to infiltration and the IDB have therefore raised some concerns that the flows will ultimately end in a watercourse.

That said, the applicant will need to show percolation testing as part of the building regulation phase, should this not be feasible then a consent would need to be granted from the IDB for any discharge to watercourse, as well as the requirement for the applicant to discharge the new drainage solution. This matter is therefore mitigated and for the purposes of planning the proposed scheme is therefore acceptable. The Foul water disposal strategy is also acceptable. Suds have no objections.

On this basis the proposal is considered acceptable and condition 4 discharged.

Condition 7 - External Materials

The condition Requires:

Notwithstanding the approved plans and before the commencement of the development hereby permitted beyond oversite a schedule of external materials of construction of buildings and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the materials so approved.

The external materials which are described within the proposed plans (and above within the proposal section) are considered acceptable. On this basis condition 7 is 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

Conditions 4 and 7 of H23-0267-24 are hereby discharged.