

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H23-0858-25 **Applicant:** VMM Properties Ltd

Proposal: Details of proposed means of foul and surface water disposal (Condition 3 of H23-0471-23)

Location: Bleu Raye Farm Millgate Whaplode

Terminal Date: 4th November 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 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 application providing details of proposed means of foul and surface water disposal (Condition 3 of H23-0471-23). Condition 3 relates to both a surface water and foul water strategy.

Site Description

The application site is identified by Inset 72 of the policies map as Whaplode Fen. The site is allocated for Accommodation for Gypsies, Travellers and Travelling Showpeople. It is located within the open countryside. It has also achieved planning permission on the site for the same use (H23-0848-19).

The application site lies within Flood Zones 1 and 2 and is identified as being at low to medium risk for tidal and fluvial flooding on the Environment Agency's flood mapping. The South East Lincolnshire Strategic Flood Risk Assessment (March 2017), indicates that the application site is shown to have no hazard rating on both the South Holland District present day and 2115 flood maps.

The application site is accessed from Millgate close to the junction of Hurdletree Bank and Broadwater Lane. The application site is mainly laid to grass with trees and shrubs around the perimeter. Either side of the field are arable fields, to the west Holme Farm is located. The village of Whaplode lies approximately 3km to the north and Whaplode St Catherine lies approximately 3.2km to the east.

Planning permission exists to erect 19 holiday lodges on site including managers accommodation.

History

H23-0471-23 - Erection of 19 holiday lodges, reception building, facility managers accommodation & maintenance shed, 2 fishing lakes and associated hard and soft landscaping. Approved 17-04-24

H23-0222-10 - Proposed stable block. Appeal dismissed.

H23-0880-16 - Change of use of stable to dwelling (retrospective). Appeal dismissed.

H23-0848-19 - Proposed residential gypsy/traveller site. Approved 26-06-20.

Consultation Responses

Highways & Suds

No objection - The Details of proposed means of foul and surface water disposal (Condition 3 of H23-0471- 23) are acceptable in accordance with approved drawings and details submitted with this application

IDB

Surface Water - I note that the applicant intends to discharge surface water from the site into the Board arterial watercourse known as F54 Picks New Road (DRN197P5401). The applicant has approached the Board to make an application for consent under Byelaw 3, which is currently under determination. The Board recommend that any discharge is in line with the National standards for sustainable drainage systems (SuDS) published in June 2025. Further to the National Standards for SuDS, the Board's policy is to restrict discharges to 2l/s/ha or annual average flood flow rate (QBar or QMed), whichever is higher. Please note that any consent granted for the discharge of surface water is likely to be subject to a Surface Water Development Contribution fee (SWDC) as outlined within our Development Control Charges and Fee

Foul Treated Water - I note that the applicant intends to discharge treated foul water from the site into the Board arterial watercourse known as F54 Picks New Road (DRN197P5401). The applicant has approached the Board to make an application for consent under Byelaw 3, which is currently under determination.

Planning Considerations

Condition 3 - Foul and Surface Water

The condition requires:

Notwithstanding the submitted drainage plans and 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:

Greenfield Runoff Rate Estimate Tool - Greenfield Runoff Rate Estimate Tool
SW Calculations
Detailed Drainage
Lagoon Detail and Cross-Section
Water Management Alliance

The IDB and LLFA have both reviewed the information and consider it to be acceptable. Surface water and treated foul water are to be directed from the site into the IDBs arterial watercourse known as F54 Picks New Road. The IDB have confirmed that they are dealing with a pending consent application.

On this basis the proposal is considered acceptable and condition 3 is recommended for discharge.

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

Condition 3 of H23-0471-23 is hereby discharged.