

Comments for Planning Application 21/02839/PLF

Application Summary

Application Number: 21/02839/PLF

Address: Manor Farm Low Field Lane Haisthorpe East Riding Of Yorkshire YO25 4NX

Proposal: Erection of a lean-to extension to be used for agricultural machinery storage and repair

Case Officer: Mrs Amy Barrett

Customer Details

Name: Joanne Dickinson

Address: Linton Manor, Low Field Lane, Haisthorpe Drifffield, East Riding Of Yorkshire YO25 4NX

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I strongly object and dispute the contents of the recently added Flood Risk Assessment. I note this was received on 20th September and I would like to highlight that this did not appear on this portal until 26th October, a delay of 5 weeks? I assume there is a minimum time this will be available for comment based on the date it was visible to the public to allow time for others to comment, not everybody checks your portal daily and the official closing date of this planning application closed before this document was visible.

It seems this report covers this application + 18/01364/PL approved over 3 years ago. This report only covers the risk to the commercial site + it's visitors. Given this business is 2m above the level of the neighbouring properties the risk to the houses is greater given the increase in non permeable covering to the previously grass land of that site.

The drainage seems to focus solely on channeling water to a pond which does not belong to this commercial venture but to the neighbouring property who own this pond. I will leave it to the owners of that property to comment if they and their household insurance are happy with the increased flood risk to their property but these pond plans will also impact our property. I note that the overflow is across the land on the neighbour and moat (in existence 500 years ago and currently classed as a garden?) this flooding could extend to our property via our joint lane access and I have no wish to install a drawbridge to have to reach my home. I also do not want my land flooding due to a business intentionally routing their surface water to my land be it via a neighbours property even if they are happy for theirs to be flood.

I think there is a common belief in the report of the natural flow of water and the right for it to flow down land but I will remind those professionals of the facts of law regarding this.

Who is responsible for water runoff?

In its simplest form, the civil law rule says that landowners are strictly liable for altering the natural drainage of surface water. Landowners have no right to alter drainage, and they have the right not to be injured by others altering the drainage. Altering in this instance would be defined when previous grass land is covered by hardcore, sheds or non permeable covering (concrete) or routing surface water away from point A by means of underground pipes or surface channels to point B this differs greatly from the flow of water naturally being absorbed in to the land and naturally passing downwards, a professional would be aware of this difference

This proposed plan therefore cannot be seen as the natural flow of water.

The storage unit already built (and subject to the condition of satisfactory drainage installed prior to the building being brought into use) was built on additional land outside that of the boundary of the existing site. The land was part of an adjacent field, rain water falling on this land would previously flow naturally down the sloping land to the drainage ditch at the end of the same field and did not enter the current commercial premises .The Unit is in operation and would appear from the Risk assessment that underground drainage is already installed (clearly altering the natural flow of the water) Figure 18 is in fact not an image of the last shed built but an older one. There are no images to suggest the drainage shown in fig 20 is in operation/built.

I recently made a FOI request that advised a Planning Enforcement Officer has submitted a Discharge of Condition application to remove the condition requiring the implementation of the drainage from the application approved over 3 years ago (18/01364/PL) This condition was to protect the residential properties from the increase risk of flooding & adverse effects of increased surface water from the new unit, especially since this water is routed from a neighbouring field. Why request this when the Risk Assessment fig 18 and 20 states this it is already in operation!?! That I am aware the request to discharge planning conditions should be applied for before they are enforceable which in this case is before it was built and not 2 years after. It should also be applied for by the person who has something to gain not the Enforcement Officer who should be enforcing the condition.

A full risk assessment on the risk to neighbouring properties from by the commercial venture must be submitted as damage to property is a statutory nuisance, the Enforcement Officer should not be seeking to discharge the overdue conditions already in place and designed to protect from such nuisance. A FULL and factual drainage report referencing the risk to residential properties is therefore still outstanding from these applications. The one submitted show a clear increase in risk to the properties through the design. Please confirm when this will be provided rather than looking to discharge the condition 2 years after it was enforceable.