

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H02-0344-24 **Applicant:** Mr L Johnson
Proposal: Details of flood doors/barriers (Condition 2 of H02-0849-23)
Location: Adjacent To 26 West Bank Crowland Peterborough
Terminal Date: 10th June 2024

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

03 Design of New Development
04 Approach to Flood Risk

National Guidance

National Planning Policy Framework 2023

Section 14 - Meeting the challenge of climate change, flooding and coastal change

Representations:

	Object	Support	No Obj.	Comments
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CASE OFFICER ASSESSMENT

Proposal

This is a discharge of conditions planning application relating to H02-0849-23. The applicant seeks to discharge condition 2 of the aforementioned planning permission. The condition relates to the following:
Condition 2- Flood doors/barriers

Site Description

The application site originally formed part of the residential curtilage of number 26 West Bank, which is located to the west. Now a dwelling is in situ. Access is gained from the Willows with a parking space to the site for residents and a visitor parking space to the front. There is a rear amenity area and some to the eastern side of the dwelling. The application site is within the settlement boundary for Crowland and located within flood zone 1 in accordance with EA Mapping systems. The area is considered to be a 'danger for most' under the depth and flood hazard maps associated with the South East Lincolnshire SFRA 2017.

Planning permission was achieved for the dwelling under H02-0849-23.

History

H02-0849-23 - Demolition of existing garage and erection of new dwelling - retrospective - re-submission following appeal decision APP/A2525/W/22/3308445. Approved 17-11-23

Consultation Responses

None carried out

Planning Considerations

Condition 2 relates to details of flood defence doors/barriers. The condition states:

Information relating to the intended flood doors/barriers and methodology of their attachment, to be installed at the property shall be submitted to and agreed in writing with the LPA. The flood defences shall be implemented within 3 months from the date of this permission and shall be maintained and retained for the lifetime of the development.

The dwelling has two entrances a principle front door and French doors to the rear. The applicant has submitted a brochure showing flood defence doors by M3 Floodtec. The applicant has stipulated that the following doors will be used:

French Defender Door and a Single Defender Door both in Anthracite

These doors are considered acceptable. This condition was imposed in accordance with Policies 3 and 4 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 14 of the National Planning Policy Framework, 2023 and is hereby discharged.

Conclusion

Condition 2 of H02-0849-23 is hereby 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.