DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H02-0457-26**	**Applicant:**	**Ashwood Homes Limited**
Proposal:	Details of public highway and finished surface levels (Conditions 6 and 7 of H02-1006-21)		
Location:	Harrington Drive Crowland Peterborough		
Terminal Date:	8th July 2026		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development

National Guidance

National Planning Policy Framework December 2024

Section 9 - Promoting sustainable transport
Section 12 - Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1
HIGHWAYS & SUDS SUPPORT	0	0	0	1
NORTH LEVEL INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a discharge of conditions application providing details of public highway and finished surface levels (Conditions 6 and 7 of H02-1006-21).

Site Description

The site is located on the southern extent of Crowland between Peterborough Road, Harrington Drive and James Road. The site measures some 1.239ha and is predominantly open paddock land, forming part of a wider land holding.
There are a range of house types and sizes in the area, most being either single or two storey. The site formerly accommodated agricultural type buildings to the rear of 14 Harrington Drive.

Planning permission was achieved for the erection of 42 dwellings with associated parking, garages, roads and sewers.

History

H02-1006-21 - Erection of 42 dwellings with associated parking, garages, roads and sewers. 03-10-23

Consultation Responses

Highways & Suds Support

In respect of Condition 6, the uncontrolled tactile crossing point on Peterborough Road has been constructed and is considered to be complete and satisfactory for its intended purpose. The Local Highway Authority can confirm that the Minor Works associated with the development at Crowland (Peterborough Road), including footway works, vehicle access and tactile crossing, are now complete and will enter a one-year maintenance period. The maintenance period will run until 16/01/2027, at which point an end of maintenance inspection will be scheduled. The Local Highway Authority therefore raises no objection to the discharge of this condition. In respect of Condition 7, the estate road and associated footways at the junction with the main road have been constructed to an appropriate stage, with the carriageway currently laid to binder course. Whilst the final surface course has not yet been applied, the junction arrangement, including footway provision, is in place and considered safe for all users, including vulnerable road users. On this basis, the Local Highway Authority raises no objection to the discharge of this condition.

Crowland Parish Council

No comments to make

North Level IDB

Please note that North Level District Internal Drainage Board have no comments to make regarding the above planning application.

Planning Considerations

Both conditions applied for a Highways related conditions. In support of this discharged of condition application the applicant has provided:

·Section 38 General Arrangement
·Section 38 Cross Sections
·Section 38 Construction Details
·Section 38 Longitudinal Sections
·Section 38 Longitudinal Sections
·Section 38 Kerbing and Surfacing
·Section 38 Drainage Layout
·Section 38 Cross Sections
·Section 278 Minor Works Arrangement
·Section 278 Minor Works Construction Details

Condition 6 - Public Highway Improvements

The condition requires:

No part of the development hereby permitted shall be occupied (unless otherwise specified with another condition hereby attached) before the works to improve the public highway (by means of an

uncontrolled Tactile Crossing Point on Peterborough Road) have been certified complete by the Local Planning Authority.

Highways have been consulted and confirmed that the tactile crossing point on Peterborough Road has been constructed and is considered to be complete and satisfactory for its intended purpose. The Local Highway Authority can confirm that the Minor Works associated with the development at Crowland (Peterborough Road), including footway works, vehicle access and tactile crossing, are now complete and will enter a one-year maintenance period.
This is supported by the information proved by the applicant. The condition is therefore discharged.

Condition 7 - Estate Road and Associated Footways

The condition requires:

Before any dwelling is occupied, all of that part of the estate road and associated footways that forms the junction with the main road and which will be constructed within the limits of the existing highway, shall be laid out and constructed to finished surface levels in accordance with details to be submitted and approved in writing by the local planning authority

Highways have been consulted and confirmed the estate road and associated footways at the junction with the main road have been constructed to an appropriate stage, with the carriageway currently laid to binder course. The submitted information also shows the finished surface levels, and whilst these works are not complete Highways have no objection to the detail.

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 6 and 7 of H02-1006-21 are hereby discharged.