DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H02-0471-19**	**Applicant:**	**Mr S Fradley**
Proposal:	Details of drainage works for foul and surface water (Condition 6 of H02-0536-17 - allowed on appeal)		
Location:	Rear: 10 Peterborough Road Crowland		
Terminal Date:	3rd July 2019		

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 2019

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

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1
HIGHWAYS & SUDS SUPPORT	0	0	1	0
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is an application to discharge Condition 6 of H02-0536-17 (residential development - two detached houses to the rear of 10 Peterborough Road, Crowland). Condition 6 relates to the submission of details of foul and surface water drainage works.

It is proposed that surface water be disposed of via soakaway and foul water via mains drain.

Site Description

The application site is to the rear of an existing dwelling known as number 10 which is a detached two storey house. There is a bungalow to the south side of number 10, and a two storey detached dwelling to the north known as 8a. The site did formerly comprise part of the rear garden of number 10, however it has since been separated off with closeboard fencing. There are the remnants of conifer trees along the southern boundary. There are currently no properties to the rear of the application site, however, permission has recently been granted for 1 dwelling on the land immediately to the rear (H02-0774-18).

History

H02-0332-19 - Reserved matters application for erection of two dwellings - Outline application H02-0536-17 refused - Allowed on Appeal (ref. APP/A2525/W/18/3197601) (approved 20th May 2019)

H02-1192-17 - Outline application for proposed residential development of two detached houses - re-submission of H02-0536-17 (refused 8th June 2018)

H02-0536-17 - Outline application for residential development - two detached houses (allowed on appeal 20th August 2018)

Consultation Responses

Crowland Parish Council - No comments.

Anglian Water - Recommend discharge of condition.

LCC Highways/SUDS - Does not wish to restrict the grant of permission.

Planning Considerations

Given the consultation responses received from Anglian Water and Lincolnshire County Council as Lead Local Flood Authority it is considered that the submitted information in respect of Condition 6 is acceptable.

Conclusion

Overall, it is considered that the information submitted to satisfy Condition 6 is adequate for discharge of this condition.

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 to grant permission 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 to grant permission 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 to grant permission is considered to be a proportionate response to the submitted application based on the considerations set out in this report.