DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H02-0912-19**	**Applicant:**	**Material Change Ltd**
Proposal:	Proposed anaerobic digestion plant (combined heat and power), feedstock clamp, surface water lagoon and associated infrastructure - To vary Condition 2(b) of H2/0610/14 (H02-0610-14)		
Location:	Decoy Farm Spalding Road Crowland		
Terminal Date:	1st October 2019		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
28	The Natural Environment
30	Pollution
31	Climate Change and Renewable and Low Carbon Energy
32	Community, Health and Well-being

National Guidance

National Planning Policy Framework 2019

NPPF 2019.

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0
NORTH LEVEL INTERNAL DRAINAGE BOARD	0	0	1	0

CASE OFFICER ASSESSMENT

Proposal

Proposed anaerobic digestion plant (combined heat and power), feedstock clamp, surface water lagoon and associated infrastructure - To vary Condition 2(b) of H2/0610/14 (H02-0610-14).

The changes proposed are minor alterations to the design as a result of procurement issues with the various components of the development. All changes are located well within the red line area.

Site Description

Existing site.

History

H2/0610/14. Proposed anaerobic digestion plant (combined heat and power), feedstock clamp, surface water lagoon and associated infrastructure.

H02-1057-15. Variation of H2/0610/14.

Consultation Responses

North Level IDB - no comments.

Planning Considerations

The proposed changes are minor in nature and would not have an impact on any neighbouring residents or businesses. As this is the case, it is considered that LCC Planning Service can consider the broader matters, and no objection is raised.

Conclusion

No objection is raised.

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.