DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H02-0938-21**	**Applicant:**	**GEDA Construction**
Proposal:	Water calculation details (Condition 14 of H02-0078-20)		
Location:	Land East Of Crease Drove Crowland		
Terminal Date:	1st November 2021		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

31 Climate Change and Renewable and Low Carbon Energy

National Guidance

National Planning Policy Framework 2021

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

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	1	0

CASE OFFICER ASSESSMENT

Proposal

Water calculation details (Condition 14 of H02-0078-20).

Site Description

As original application, except development has now commenced.

History

H02-0078-20 - Erection of 14 dwellings & associated works (approved August 2020)

Consultation Responses

Crowland Parish Council - The Parish Council are happy to leave this to the expertise of the officers.

Planning Considerations

The wording of Condition 14 of H02-0078-20 is:

"The water consumption of each dwelling hereby permitted should not exceed the requirement of 110 litres per person per day (as set out as the optional requirement in Part G of the Building Regulations 2010 and the South East Lincolnshire Local Plan, 2019). The person carrying out the work must inform the Building Control Body that this duty applies. A notice confirming the requirement for the water consumption has been met shall be submitted to the Building Control Body and Local Planning Authority, no later than five days after the completion of each individual dwelling."

The requirement to notify the LPA and Building Control Body that the requirement for the water consumption has been met no later than five days after the completion of each individual dwelling is somewhat onerous and therefore this single application providing the water calculation details is considered acceptable for the purposes of demonstrating that the water consumption of each of the dwellings on site will not exceed the requirement of 110 litres per person per day.

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

Taking the above into account, it is considered that Condition 14 of H02-0078-20 can be discharged.