

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H02-0961-23 **Applicant:** Wheatley Group Developments

Proposal: Details of fire hydrant (Condition 6 of H02-0062-19)

Location: Land At Harvester Way Crowland Peterborough

Terminal Date: 26th December 2023

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
04	Approach to Flood Risk
32	Community, Health and Well-being

National Guidance

National Planning Policy Framework 2023

Section 8 - Promoting healthy and safe communities
Section 11 - Making effective use of land.

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Details of fire hydrant (Condition 6 of H02-0062-19).

Site Description

As per host consent.

History

H02-0062-19 :Modification of Condition 5 relating to affordable housing for Residential Development - outline. Application for the erection of up to 100 dwellings with associated landscaping and ancillary works (all matters reserved) - approved under appeal decision H02-1087-14.

H02-1087-14 Residential development - Outline application for the erection of up to 100 dwellings with associated landscaping and ancillary works. Allowed on appeal.

H02-0659-18 Reserved Matters for H02-1087-14. Approved 16-11-18.

Consultation Responses

Crowland Parish Council

No objections.

Lincolnshire Fire and Rescue

Details being submitted for approval Cover letter ref:17239/B1/OUTCond6 with appendix showing email correspondence between Wheatley Homes Site Manager and Technical Support Manager Operational Support, Lincolnshire Fire and Rescue, confirming fire hydrant ref: FH19189 is an operational fire hydrant which has been commissioned on Fire Service records.

I confirm that Condition 6 in the matter of fire hydrant(s) for this Residential Development has been met and is therefore discharged.

Planning Considerations

Condition 6 Wording

"Within 4 months of the completion of the development hereby permitted a fire hydrant shall be installed and operational, in accordance with details to be submitted and approved by the Local Planning Authority.

Reason: In the interests of the amenity and safety of local residents.
This Condition is imposed in accordance with Policy 2 of the South East Lincolnshire Local Plan 2019."

Condition Detail

The application is supported by a covering letter dated 30th October 2023 which details the installation and operation of a fire hydrant ref: FJ 19189 which has been installed to the satisfaction of the Lincolnshire Fire and Rescue Service.

The submitted correspondence shows the fire hydrant on the corner of Harvester Way adjacent to Plot 39 on the plan enclosed with the covering letter.

Lincolnshire Fire and Rescue Service confirmed that the fire hydrant is operational and confirm that this is enough information to discharge condition 6.

Conclusion

It is recommended that condition 6 be 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.