DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H04-0103-20**	**Applicant:**	**Mr & Mrs Keen**
Proposal:	Details of surface water disposal (Condition 4 of H04-1143-19)		
Location:	The Yews Quadring Road Donington		
Terminal Date:	2nd April 2020		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development

National Guidance

National Planning Policy Framework 2019

Section 12 of the National Planning Policy Framework (2019) - Achieving Well Designed Places

Representations:

	Object	Support	No Obj.	Comments
HIGHWAYS & SUDS SUPPORT	0	0	1	0
BLACK SLUICE INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is an application for compliance of condition 4 of H04-1143-19 relating to an approved domestic stables and hay storage at The Yews, Quadring Road, Donington. This application seeks to provide details of surface water disposal.

Site Description

The proposal is outside of defined settlement limits and the surrounding area is semi-rural,

characterised by dwellings of varying ages and designs.

History

H04-0669-02

Outline - Demolish existing dwelling and rebuild plus alteration of vehicle access - Approved - 05 March 2003

H04-1172-05

Full - Erection of replacement house - Refused - 18 October 2005

H04-0392-06

Full - Erection of replacement house - Refused - 09 May 2006

H04-0817-06

Full - Erection of replacement house - Refused - 27 July 2006

H04-1143-19

Full - Proposed stables and hay storage - 03 February 2020.

Consultation Responses

Black Sluice Internal Drainage Board

States that the applicant has provided insufficient details for them to provide a formal response. Following discussions with the SHDC Building Control Manager they are happy for these details to be provided to them prior to the construction phase.

LCC - County Highways & SUDS Officer

No objections.

Planning Considerations

The proposed surface water drainage details are considered to be acceptable and will be assessed at the application stage by Building Control.

Conclusion

Approve

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.