DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H04-0517-24**	**Applicant:**	**Seagate Homes**
Proposal:	Details of water supplies to the Fire Service (Condition 17 of H04-0244-16)		
Location:	Land Off Malting Lane Donington Spalding		
Terminal Date:	2nd August 2024		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development

National Guidance

National Planning Policy Framework 2023

Section 12 - Achieving Well Designed and Beautiful Places

Representations:

	Object	Support	No Obj.	Comments
HIGHWAYS & SUDS SUPPORT	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	2

CASE OFFICER ASSESSMENT

Proposal

Details of water supplies to the Fire Service (Condition 17 of H04-0244-16).

Site Description

As host consent.

History

H04-0548-24 - Details of scheme for the provision of swift nest bricks (Condition 8 of H04-1029-20). Undetermined.

H04-0556-24 - Details of noise & vibration report & boundary treatment (Conditions 14 & 19 of H04-0244-16). Undetermined.

H04-0549-24 - Details of schedule of external materials, kerbs and surfacing of roads and design & location of secure cycle storage (Conditions 4, 5 & 13 of H04-0244-16). Undetermined.

H04-0555-24 - Details of full closure report (Condition 8(ii) of H04-0244-16). Undetermined.

H04-0575-24 - Details of design & position of all external boxes for gas & electricity supplies and of any gas flues & soil vent pipes - Condition 11 (phase 2 only) of H04-0244-16. Undetermined.

H04-0582-24 - Details of design & positions of all external boxes for gas & electricity supplies & any gas flues & soil vent pipes (Condition 4 of H04-1029-20). Undetermined.

H04-0488-24 - Details of construction and traffic management scheme & precautions to prevent the deposit of mud on public highways (Conditions 12 & 15 of H04- 0244-16). Approved 22 July 2024.

H04-0359-24 - Details of surface water drainage scheme, existing & proposed site levels & proposed floor levels and means of foul water disposal (Conditions 9, 16 & 18 of H04-0244-16). Approved 28 May 2024.

H04-0038-24 - Details of estate road & associated footways (Condition 7 of H04-0244-16). Approved 13 March 2024.

H04-0728-22 - Details of remediation method statement, surface water drainage scheme, construction and traffic management scheme, noise and vibration report, deposit of mud precautions, existing and proposed site levels/floor levels and foul water disposal (Conditions 8 (Part i), 9, 12, 14, 15, 16 and 18 of H04-0244- 16). Approved 27 October 2023.

H04-1117-22 - Details of external materials, roads and/or footways, external gas and electricity boxes, cycle storage and proposed boundary treatment (Conditions 4, 5, 11, 13 and 19 of H04-0244-16). Approved 27 October 2023.

H04-1139-22 - Details of boundary treatments, gas and electricity external boxes, landscape management and maintenance and swift nest bricks. (Conditions 2, 4, 7 and 8 of H04-0268-20). Approved 27 October 2023.

H04-0015-05 - Re-development of industrial Site for Residential. Refused 12 January 2005.

H04-0244-16 - Outline planning application for a residential development of approximately 73 dwellings (Class C3), all matters are reserved, except for access. Approved 30th November 2017.

Consultation Responses

Lincs Fire and Rescue

Letter dated 26 June 2024:

Objects to the proposals due to access and water supplies as follows:

ACCESS Access to buildings for fire appliances and fire fighters must meet with the requirements specified in Building Regulations 2010 (As Amended) Part B5. These requirements may be satisfied with other equivalent standards relating to access for firefighting, in which case those standards should be quoted in correspondence. Particular attention should be given to the central turning points. Reference should be given to Table 13.1. Lincolnshire Fire and Rescue also requires a minimum carrying capacity for hard standing for pumping appliances of 18 tonnes, not 12.5 tonnes as detailed in the Building Regulations 2010 (As Amended) Part B5.
WATER SUPPLY Lincolnshire Fire and Rescue recommends the installation of two additional fire hydrants in accordance with the Building Regulations 2010 (As Amended) Part B5 "Provision of private hydrants" in respect of this planning application to be provided at the developer's expense as an integral part of the water mains scheme to support the long-term fire safety of residents. Developers completing their applications to Anglian Water Services for a new water mains scheme shall inform the water undertakers that two additional fire hydrants are required by the Fire Service.

The Anglian Water Main-laying Design Team will send consultation drawings to the Fire Service Water Officer to confirm the required hydrant locations. All fire hydrants should conform to BS750-2012 and BS9990: 2015. Further guidance is also provided in BS9999:2017 Section 22 'Water supplies for fire and rescue service use'. The additional fire hydrants are required as the currently proposed hydrant locations would not reach the majority of the proposed plots in the centre region of the development site. Acceptance testing will be carried out by a Hydrant Inspector on completion. Following adoption, the Fire Service will be responsible for the ongoing maintenance and repairs for the lifetime of the fire hydrant(s). The Hydrant Inspector will fix a standard yellow "H" hydrant marker plate nearby.

Letter dated 18 July from Technical Support Manager - Lincolnshire Fire and Rescue

I have reviewed the drawings again and fire hydrant provision for this site have been sufficiently met and achieved by the following :- Caution: This message originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe. If you believe it is suspicious please forward to Suspicious.Emails@pspsl.co.uk and delete the email. 2 FH 19677 at Point A FH 19844 at Point G It is noted there are two Washouts installed at Points B and E that could be adopted as additional fire hydrants, but this would be an over provision for Fire Service requirements and unnecessary. I have no concerns in terms of fire hydrant provisions for this residential development which are satisfactory. Fire Safety colleagues have raised the objection on planning reference H04-0517-24 so I have cc for them to consider approval to discharge this objection with SHDC planning.

Letter dated 29.07.2024

Regarding the planning application on the subject - reference number H04-0517-24, we remove our objection based on the information provided by the Water Officer.

Anglian Water

Application not relevant to Anglian Water - no comments.

Local Highway Authority and Lead Local Flood Authority

No objection.
The details are considered acceptable in accordance with approved drawing 209855/1/0201189-B dated 04-06-24.

Planning Considerations

Condition 17 Wording

"No development shall commence until a scheme for the provision of infrastructure to ensure the availability of water supplies to the Fire Service in the event of an emergency, have been submitted to and approved in writing by the Local Planning Authority. The details as approved including timings shall be fully implemented before the development is first brought into use and shall be retained thereafter.
Reason: In the interests of fire safety."

Condition Detail

Lincs Fire and Rescue initially objected to the details on the grounds of water supply and access.

Detailed discussions took place between the developer and Lincs Fire and Rescue and matters were clarified.

Lincs Fire and Rescue clarified that they reviewed the drawings and fire hydrant provision for the site G and noted there are two Washouts installed at Points B and E that could be adopted as additional fire hydrants, but this would be an over provision for Fire Service requirements and unnecessary. They stated they have no concerns in terms of fire hydrant provisions for this residential development which are satisfactory.

The objection from them was lifted on the 29 July.

Since the proposals are satisfactory from the perspective of Lincs Fire and Rescue it is considered that the details are satisfactory and the condition can be discharged.

Conclusion

The details are considered satisfactory and as a result the condition 17 can 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.