DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H05-1033-19**	**Applicant:**	**Larkfleet Homes**
Proposal:	Details of surface and foul water, proposed levels, external materials and storage and disposal of refuse (Conditions 4, 6, 9 and 10 of H05-0773-17)		
Location:	Land At Lowgate Fleet Bank Fleet		
Terminal Date:	23rd December 2019		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
04	Approach to Flood Risk
30	Pollution

National Guidance

National Planning Policy Framework 2019

Section 12 - Achieving well-designed places
Section 14 - Meeting the challenge of climate change, flooding and coastal change

Representations:

	Object	Support	No Obj.	Comments
HIGHWAYS & SUDS SUPPORT	0	0	1	0

CASE OFFICER ASSESSMENT

Proposal

Details of surface and foul water, proposed levels, external materials and storage and disposal of refuse (Conditions 4, 6, 9 & 10 of H05-0773-17)

Site Description

The site is situated to the south-west of the junction between Lowgate and Roman Bank, to the north of the A17 at Fleet Bank. It's southern boundary abuts existing frontage properties along Lowgate. To the east and west there are arable fields. To the north is Roman Bank and beyond Hovenden House which is a Victorian Built, Grade ll listed small country house now used as a

Leonard Cheshire Residential Care Home. It is set within mature park land and landscaped gardens which are now used as a Golf Course (Hovenden Golf Club) with associated buildings including a club house.

Historically, the site has been used for agriculture and was granted permission for two fishing lakes prior to 2011 and a third in October 2011 under H05-0623-11, in accordance with Class D2 (Assembly and Leisure) for solely recreational fishing. The land is no longer used for agriculture and the fishing lakes, as well as new landscaping, are now in existence.

The eastern and northern boundaries are generally open but there are newly planted trees scattered along these boundaries. The southern boundary is more heavily treed, particularly where it adjoins the frontage properties on the west side of Lowgate.

History

H05-0773-17 - Erection of 24 (in total) log cabins for holiday/leisure use including 6 No. additional log cabins; 6 No. cabins granted under planning permission reference H05-0699-16 and 12 No. cabins granted permission under H05-0114-15. Approved July 2018.

H04-0114-15 - Construction of 12 log cabins for holiday/leisure use. Approved September 2015.

H05-0699-16 - Construct 6 log cabins for holiday/leisure use. Approved September 2016.

Consultation Responses

LCC Highways/SUDS - Does not wish to restrict the grant of permission.

Anglian Water - No objections.

Planning Considerations

Condition 4 - Foul water disposal is proposed to be via septic tanks. This is acceptable given the nature of the development. Surface water is proposed to be disposed of via filter drains, which LCC as Lead Local Flood Authority have not objected to.

Condition 6 - Finished floor levels are in accordance with the approved flood risk assessment. The site levels appear acceptable.

Condition 9 - A mixture of materials are proposed for the cabins. These offer variety and are considered suitable.

Condition 10 - Refuse/recycling collection to be by private collection company (Biffa) and will be collected every week. There will be a total of three waste storage points within the site. This is considered appropriate.

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 Conditions 4, 6, 9 & 10 of H05-0773-17 can be discharged.