

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H09-0632-21 **Applicant:** LNT Care Developments

Proposal: Details of construction management plan & method statement, materials schedule & biodiversity management plan (Conditions 3, 5 & 7 of H09-1172-20)

Location: Daisy Road Holbeach Meadows Holbeach

Terminal Date: 4th August 2021

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
04	Approach to Flood Risk
28	The Natural Environment

National Guidance

National Planning Policy Framework 2019

National Planning Policy Framework, 2012/1.

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

Details of construction management plan & method statement, materials schedule & biodiversity management plan (Conditions 3, 5 & 6 of H09-1172-20)

Site Description

As host consent.

History

H09-1172-20. FULL. Erection of a 66 bed two storey care home for the elderly with access, car parking and associated works.. APPROVED. 28-04-21.

H09-0521-14. OUTLINE. Residential development of up to 900 dwellings, with access off Hall Gate and Fen Road, including public open space, drainage infrastructure, landscaping, including demolition of two dwellings and agricultural buildings (but not listed Manor Farm and adjacent outbuildings). APPROVED. 07-12-16.

H09-0331-17. RESERVED MATTERS. Access, appearance, landscaping, layout and scale for highways infrastructure (new link road, roundabout, junctions and modifications to Hall Gate and Fen Road (Phase 1A)), and two phases of residential development totalling 330 dwellings (Phases 1B & 2). Development Brief and Masterplan for phased development of remainder of site (Outline permission H09-0521-14). APPROVED 09-11-17. Under completion.

H09-1131-18. NON MAT AMENDMENT. Access, appearance, landscaping, layout and scale for highways infrastructure, new link road, roundabout, junctions and modifications to Hall Gate and Fen Road (Phase 1A), and two phases of residential development totalling 330 dwellings (Phases 1B & 2). Development Brief and Masterplan for phased development of remainder of site - approved under H09-0331-17. Amendments to site layout, plots and house types. APPROVED 05-12-18.

H09-0105-20. NON MAT AMENDMENT. Access, appearance, landscaping, layout and scale for highways infrastructure (new link road, roundabout, junctions and modifications to Hall Gate and Fen Road (Phase 1A)), and two phases of residential development totalling 330 dwellings (Phases 1B & 2). Development Brief and Masterplan for phased development of remainder of site (Outline permission H09-0521-14) - approved under H09-0331-17 - Amendment to include sub-stations to layout. APPROVED 04-03-20.

Consultation Responses

SHDC Environmental Health

No objection.

LCC Local Highway and Lead Local Flood Authority

Does not wish to restrict the grant of permission.

Planning Considerations

Condition 3 - Construction Management Plan and Method Statement

The details submitted are considered to be acceptable.

Condition 5 - Materials Schedule

The details submitted are considered to be acceptable.

Condition 6- Biodiversity Management Plan

The details submitted are considered to be acceptable.

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 3, 5 & 6 of H09-1172-20 can be discharged.

Conclusion

Approve.