DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H15-0760-21**	**Applicant:**	**Mrs S Sutton**
Proposal:	Details of soakaway system for disposal of surface water (Condition 7 of H15-0766-17)		
Location:	Sunnylea Barn New Road Quadring Eaudike		
Terminal Date:	7th September 2021		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

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

National Guidance

National Planning Policy Framework 2021

NPPF 2021.

Representations:

	Object	Support	No Obj.	Comments
WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Details of soakaway system for disposal of surface water (Condition 7 of H15-0766-17)

Site Description

As host consent.

History

H15-0766-17. FULL Change of use of agricultural building to dwelling. APPROVED 02-10-17.

H15-0063-19. Details of Conditions 3, 4, 5, 6, 9, 11, 12, 13 and 17 of H15-0766-17. APPROVED 27-03-19.

Consultation Responses

Welland and Deepings Internal Drainage Board

No comment to make.

Planning Considerations

Condition 7 of H15-0766-17

Before the development is commenced beyond oversite, full details of the proposed soakaway system for the disposal of surface water from the development hereby permitted, including percolation test results, shall be submitted to and approved in writing by the Local Planning Authority. Should the percolation test results be considered unacceptable by the Local Planning Authority details of an alternative means of providing for surface water drainage shall be submitted for consideration. The approved means of surface water drainage shall be implemented in full before the development hereby permitted is first brought into use.

The details submitted are considered to be acceptable and the IDB raise no objection. The scheme accords with Policies 2, 3 and 4 of the SELLP and the provisions of the NPPF 2021.

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.