

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H15-0821-19 **Applicant:** Broadgate Homes
Proposal: Details of surface water drainage (Condition 10 of H15-0563-18)
Location: Casswell Drive Quadring Spalding
Terminal Date: 10th October 2019

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 2019

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 water drainage (Condition 10 of H15-0563-18).

A swale is proposed along the western boundary of the site and gullies along the side of the road to take run off from the adoptable highway. All shared private surfaces are to drain via fully permeable paving and all remaining private driveways to individual plots are to drain via informal gravel surfacing. All dwelling and garage roof areas will drain via soakaways. The swale will be used as an attenuation system with an outfall along the southern boundary of the site.

Site Description

The site is currently agricultural land situated to the rear of properties fronting onto Casswell Drive and Town Drove.

The majority of the western boundary comprises of tall hedging and trees with close boarded fencing towards the north. There is short chain link fencing along the northern boundary. The eastern and southern boundaries are open.

Existing dwellings on Casswell Drive and Town Drove which adjoin the site are all detached, but there is a mixture of bungalows and two-storey properties.

There is a small burial ground within the north eastern corner of the site.

Electricity cables run diagonally on the northern part of the site.

History

H15-0742-19 - Details of existing and proposed site levels and proposed floor levels, finished surface levels, estate road phasing, maintenance and management plan and design and position of external boxes, gas flues and soil vent pipes (Conditions 7, 8, 9, 11 and 12 of H15-0563-18) (approved September 2019)

H15-0617-19 - Details relating to contamination and written scheme of investigation for archaeological works (Conditions 3 and 4 of H15-0563-18) (approved July 2019)

H15-0563-18 - Full application for residential development - 9 dwellings (approved May 2019)

Consultation Responses

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

Planning Considerations

Given the consultation response from Lincolnshire County Council as Lead Local Flood Authority it is considered that the submitted information in respect of Condition 10 is 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

The details submitted in respect of Condition 10 of H15-0563-18 are considered to be acceptable and the condition can therefore be discharged.