DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H18-0867-20**	**Applicant:**	**Loyd Homes Ltd**
Proposal:	Details of boundary treatment, engineering, drainage, street lighting and constructional details of roadway, surface water drainage and scheme of construction management (Conditions 6, 8, 10 and 11 of H18-1168-16)		
Location:	Land North Of Withington Street Sutton Bridge Spalding		
Terminal Date:	30th November 2020		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

National Guidance

National Planning Policy Framework 2019

Sections 12, 14 and 15

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

The application is to discharge conditions 6 (details of boundary treatment), 8 (construction details of roadway and street lighting), 10 (surface water drainage scheme) and 11 (scheme of construction management) of H18-1168-16, which was for a scheme of 2 detached dwelling and 8 semi-detached dwellings.

History

H18-1168-16 - O/A - Residential development - comprising 2 detached dwellings and 8 semi-detached dwellings - Granted 12 May 2017

H18-0692-19 - RM - Residential Development - Comprising 2 detached dwellings and 8 semi-detached dwellings (Outline Approval H18-1168-16) - Approved 15 October 2019

Consultation Responses

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

Planning Considerations

Condition 6 (details of boundary treatment) - Finished floor levels would be set at approximately 1 metre above existing average ground level. Average eye level is in the region of 1.65 metres. Boundary fencing would consist of 1.8 metre high close boarded fencing with 600mm trellis panels above. This is considered sufficient to protect the amenity of neighbouring residents.

Condition 8 (construction details of roadway and street lighting) - Full construction details have been submitted for the roadway and also the footway linking to that existing along Withington Street. LCC Highways has raised no objections to the submitted details.

Condition 10 (surface water drainage scheme) - Surface water from the development will outfall to an existing Anglian Water storm sewer via the construction of a new adoptable drainage system. Flows will be attenuated on site with the use of the subbase within the permeable block paving. The application is accompanied by a surface water drainage maintenance plan. SUDs has raised no objections to this arrangement.

Condition 11 (scheme of construction management) - The application is accompanied by a Construction Management Plan, including working hours. The agent has indicated that the development will be constructed alongside the applicant's approved development at land off Nightingale Way. As such an access road, constructed from hard materials, will be constructed into the site from Nightingale way with a site compound located within the future public open space. Construction traffic will therefore be completely removed from using Withington Street.

Conclusion

the submitted details are acceptable. it is therefore recommended that conditions 6, 8, 10 and 11 of H18-1168-16 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.