

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H22-0149-23 **Applicant:** Persimmon Homes East Midlands

Proposal: Details of water consumption - (Condition 19 of H22-1249-21)

Location: Land North Of High Road Weston Spalding

Terminal Date: 12th April 2023

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

31 Climate Change and Renewable and Low Carbon Energy

National Guidance

National Planning Policy Framework 2021

Section 14 - Meeting the challenge of climate change, flooding and coastal change

Representations:

	Object	Support	No Obj.	Comments
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CASE OFFICER ASSESSMENT

Proposal

This application is to discharge condition 19 of H22-1249-21 (details of water consumption).

Site Description

The site lies to the north-west of Moulton. It lies between High Road to the south and the A151 to the north. It is within the settlement boundaries outlined in the South-East Lincolnshire Local Plan, 2019. The site is accessed via High Road.

The site is approximately 6.13 hectares in size and is currently agricultural land. There is further agricultural land to the north, beyond which lies the A151. The land to the south, past High Road, is characterised by residential developments. A small number of dwellings are sited along High Road to the east. There is a single bungalow to the west, again along High Road.

Relevant History

H22-0101-16 - Outline. Residential development. Approved 23/07/18.

H22-1135-20 - Full. Residential development for the erection of 150 dwellings and associated open

space and infrastructure. Refused 10/09/21.

H22-1249-21 - Full. Residential development for the erection of 150 dwellings and associated open space and infrastructure (re-submission of H22-1135-20). Approved 24/03/22.

H22-0422-22 - Condition Compliance. Details of landscaping & tree planting (Condition 11 of H22-1249-21). Approved 06/06/22.

H22-0325-22 - Condition Compliance. Details of Construction Management Plan & Method Statement (Condition 4 of H22-1249-21). Approved 10/06/22.

H22-0324-22 - Condition Compliance. Details of engineering drawings for alterations & highway improvements to High Road in the vicinity of the proposed entrance to permitted development (Condition 3 of H22-1249-21). Approved 14/06/22.

H22-0326-22 - Condition Compliance. Details of finished surface levels in relation to estate road & associated footways that forms the junction with the main road (Condition 7 of H22-1249-21). Approved 11/07/22.

H22-0792-22 - Non material amendment. Non material amendment to add condition for removal of Permitted Development Rights for detached garages. Approved 18/08/22.

H22-0755-22 - Condition Compliance. Details of fencing to the edge lanes, final copy of maintenance schedule for areas of publicly accessible open space, Local Equipped Area for Play, landscaping & drainage features and design & position of external boxes, gas flues & soil vent pipes (Conditions 12, 13 & 17 of H22-1249-21). Approved 20/09/22.

H22-0330-22 - Condition Compliance. Details of scheme to deal with contamination of land or pollution of controlled waters (Condition 9 of H22-1249-21). Approved 23/11/22.

H22-1042-22 - Condition Compliance. Details of landscaping and tree planting (Condition 11 of H22-1249-21). Approved 25/11/22.

H22-0328-22 - Condition Compliance. Details of surface water drainage scheme (Condition 8 of H22-1249-21). Approved 19/12/22.

H22-1072-22 - Section 106 Modification. Modification of 106 Agreement for the inclusion of 10 dwellings as First Homes (in addition to the existing affordable housing requirements set out in the S106) - planning approval H22-1249-21. Undecided.

H22-0107-23 - Full. Illuminated Signage for Show Home - Retrospective. Undecided.

Consultation Responses

N/A

Planning Considerations

Planning Balance

Condition 19 stipulated that a maximum usage of 110 litres per person per day. The submitted details show that usage for all households is below 110 litres, with the highest figure reaching 104.32 litres per person per day.

The submitted details therefore are sufficient to meet the requirements of condition 19.

Conclusion

Condition 19 has been appropriately met.

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.