

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H22-0306-19 **Applicant:** Seagate Homes Ltd
Proposal: Proposed Pumping Station
Location: Land Off Dean Close/Small Drove Weston Spalding
Terminal Date: 14th May 2019

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02 Development Management
30 Pollution

National Guidance

National Planning Policy Framework 2019

Section 12 - Achieving well-designed places
Section 15 - Conserving and enhancing the natural environment

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	1	0
WARD MEMBER	0	0	0	0
ENVIRONMENT AGENCY	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a full planning application for a proposed pumping station on land off Dean Close/Small Drove, Weston.

The pumping station would be associated with the previously approved development for 60

dwelling (H22-0202-16) and would fall within the existing site boundary on the eastern side of the site.

Permission has already been granted for the re-positioning of Plots 37 and 38 and the garage to Plot 38 (H22-0305-19) in order to move these outside of the 15m buffer zone around the proposed pumping station.

Site Description

The site is greenfield and currently in agricultural use. It forms part of a wider agricultural field that lies to the east of properties on Dean Close/Small Drove and to the north of properties on Delgate Avenue. To the north is the A151 and to the east is open agricultural land.

History

H22-0305-19 - Amendments to include re-positioning of Plots 37 and 38, garage to Plot 38 and parking to Plot 39 (approved 16th April 2019)

H22-0202-16 - Residential development of sixty 1, 2, 3 and 4 bedroom houses and bungalows (approved 21st August 2017)

Consultation Responses

Weston Parish Council - As the proposed pumping station will be an integral part of the infrastructure of the housing development on this site, Weston Parish Council have no objections, comments or observations to make regarding this application.

Anglian Water - No objection. Foul water drainage design has been developed in consultation with Anglian Water and fully complies with our recommended foul water drainage strategy for this development.

Environment Agency - No objection.

South Holland Drainage Board - No comments.

Planning Considerations

The proposed pumping station is necessary for the adequate disposal of foul water from the proposed development. All dwellings and garages would be located outside of the 15m exclusion zone for a pumping station and so would be acceptable in terms of residential amenity.

Anglian Water, the Environment Agency and South Holland Drainage Board have no objections to the proposal.

Conclusion

Taking the above into account, the proposal is considered to be in accordance with Policies 2 and 30 of the South East Lincolnshire Local Plan (2019) and Sections 12 and 15 of the National Planning Policy Framework (2019).

The recommendation therefore is for a delegated approval.

Additional Considerations

Public Sector Equality Duty

In making your decision you 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 is only one factor that needs to be considered, and may be balance 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 your decision, you 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.

You are referred specifically to Article 8 (right to respect for private and family life), 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 interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.