DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H22-0372-19**	**Applicant:**	**Broadgate Homes Ltd**
Proposal:	Details relating to archaeology, construction management plan and boundary treatment (Conditions 4, 5, 6, 7 and 9 of H22-0218-16)		
Location:	Pinfold Lane Weston Spalding		
Terminal Date:	29th May 2019		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

National Guidance

National Planning Policy Framework 2019

NPPF 2019

Representations:

	Object	Support	No Obj.	Comments
HIGHWAYS & SUDS SUPPORT	0	0	0	1
IAN MARSHMAN - HISTORIC ENVIRONMENT OFFICER	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Details relating to archaeology, construction management plan and boundary treatment (Conditions 4, 5, 6, 7 and 9 of H22-0218-16)

Site Description

Site is paddock housing reindeer at the time of the planning application.

The site is adjacent to open fields off narrow lane and curently served a by dirt track.

Several detached houses sit behind the site with some screening by vegetation in place. The A151 runs behind the site.

History

No other relevant site history.

Consultation Responses

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

LCC Archaeology - no further works required.

Planning Considerations

The conditions required information to be submitted relating to:

Construction Management

The County Council as Highways Authority have no objections to the details provided.

Archaeology

The County Council's HER Officer confirms that no more archaeological work is required.

Boundary treatments

The proposed boundary treatments are appropriate and acceptable in design, materials and heights.

Conclusion

It is considered that the submitted information is acceptable and that the conditions can be discharged in this instance.

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.