DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H02-0519-23**	**Applicant:**	**Postland Developments Ltd.**
Proposal:	Details of conditions external materials, meter boxes, flues etc, landscaping, boundary treatment, surface water and foul water disposal, lighting and refuse collection points (Conditions 3, 4, 5, 6, 9, 10, 11 & 12 of H02-0758-19)		
Location:	65 Peterborough Road Crowland Peterborough		
Terminal Date:	31st October 2023		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
04	Approach to Flood Risk
10	Meeting Assessed Housing Requirements
11	Distribution of New Housing
17	Providing a Mix of Housing

National Guidance

National Planning Policy Framework 2023

5 - Delivering a sufficient supply of homes
12 - Achieving well-designed places
14 - Meeting the challenge of climate change, flooding and coastal change

Representations:

	Object	Support	No Obj.	Comments
HIGHWAYS & SUDS SUPPORT	0	0	0	1
NORTH LEVEL INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	1	0

CASE OFFICER ASSESSMENT

PROPOSAL

This is an application at 65 Peterborough Road for details of conditions external materials, meter boxes, flues etc, landscaping, boundary treatment, surface water and foul water disposal, lighting and refuse collection points (Conditions 3, 4, 5, 6, 9, 10, 11 & 12 of H02-0758-19)

A commencement certificate for the site was issued by the Building Control department under B02-0148-20 on the 7th of April 2020.

SITE DESCRIPTION

The proposal is within defined settlement limits and the surrounding area is characterised by dwellings of varying ages and design. The site is in Environment Agency in Flood Zone 3, with a maximum hazard level of "Danger for All" and maximum predicted flood depth of 2 metres on the 2115 South Holland Strategic Flood Risk Mapping.

RELEVANT HISTORY

H02-0760-01

Full - Extension to bungalow - Approved - 14 August 2001

H02-1525-07

Full - Residential development - erection of detached bungalow - Approved - 21 January 2008

H02-0018-09

Full - Proposed 3 bed dwelling - Approved - 13 February 2009

H02-0702-09

Outline - Residential development - 4 dwellings - Approved - 11 February 2010

H02-0394-11

Full - Erection of detached double garage - Approved - 20 July 2011

H02-1027-12

Permission Renewal - Residential development - 4 dwellings (Renewal of H02-0702-09) - Approved 11 February 2013

H02-0577-13

Full - Proposed single storey front extension to form new garage, bedroom, shower room and extended entrance hall, single storey rear extension to form garden room, new pitched roof over existing rear extension, internal and external alterations and new rear canopy to provide covered patio area - Approved - 30 August 2013

H02-0835-14

Full - External render to parts of existing brickwork (in relation to previously approved extension H02-0577-13) - 26 November 2014

H02-0082-17

Full - Erection of 3 dwellings and garages - Approved - 05 May 2017

H02-1037-17

Condition Compliance - Details of Conditions 3, 4, 5, 6, 9, 10, 11 and 12 of H02-0082-17 - Approved - 18 October 2018

H02-0758-19

Section 73 Modification - Erection of 3 dwellings and garages - approved under H02-0082-17. Modification of Condition 2 to allow amendments to previously approved plans - Approved - 02 October 2019.

CONSULTATION RESPONSES

Lincolnshire County Council - County Highways & SUDS

No objection:
"The matters covered by Conditions 3, 4, 5, 6, 9, 10, 11, and 12 fall outside of the jurisdiction of the highway authority and lead local flood authority and therefore Lincolnshire County Council does not wish to raise any objection to the discharge of those conditions. As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to drainage and surface water flood risk on all Major applications. This application is classified as a Minor Application and it is therefore the duty of the Local Planning Authority to consider the surface water flood risk and drainage proposals for this planning application."

South Holland District Council - Environmental Protection

No comments.

North Level Internal Drainage Board

"I note that in the original planning application for the above site, surface water was to be dealt with via soakaways. It is now evident in the condition compliance application that surface water is to be pumped to the existing Anglian Water surface water sewer in Peterborough Road which ultimately discharges into my Boards Riddingtons Drain."

"A development levy in accordance with the enclosed will now be payable to my Board dealing with this additional run-off assuming an impervious area of 345m2. My Board will also require evidence of the Anglian Water approval to accept the 5l/s from the proposed pumping station."

EVALUATION

Compliance with Condition 3 of H02-0758-19 - Materials Schedule

Condition 3 states:

"Before the commencement of the development hereby permitted beyond oversite a schedule of external materials of construction of buildings and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the materials so approved.

Reason: To ensure that the Local Planning Authority retains control over the external materials of construction of the development in the interests of the character and appearance of the development and the visual amenity of the area in which it is set.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019."

The submitted materials schedule show that the dwellings and garage will be constructed from a proposed brick of Shelford Cream by Traditional Brick & Stone, detailing brick of Old Henley by BEA Products, and tiling of Redland Mini Stonewold - Slate Grey. Doors and windows are to be grey, with the porch constructed from oak timber.

The proposed materials are in keeping with other buildings in the vicinity of the site, and do not impact the character and amenity of the surrounding area.

Condition 3 is considered to have been addressed.

Compliance with Condition 4 of H02-0758-19 - Domestic Accoutrements

Condition 4 states:

"Details of the design and positions of all external boxes for gas and electricity supplies and of any gas flues and soil vent pipes shall be submitted to and approved in writing by the Local Planning Authority prior to their installation and there shall be no variation from the details so approved.

Reason: To ensure that the Local Planning Authority retains control over these details of the development in the interests of the character and appearance of the development and the visual amenity of the area in which it is set.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019."

The service boxes for Plot 1 are located on the south facing rear elevation wall and can be easily accessed. The services boxes for Plot 2 are located on the west facing side elevation wall adjacent to the kitchen and can be easily accessed. The service boxes for Plot 3 are located on the east facing side elevation wall of the garage and can be easily accessed. The boxes for all plots are discretely located and do not impact the character of the dwellings.

Condition 4 is considered to have been addressed.

Compliance with Condition 5 of H02-0758-19 - Landscaping Detail - Full

Condition 5 states:

"Before the commencement of the development hereby permitted beyond oversite, the approval of the Local Planning Authority is required to a scheme of landscaping and tree planting for the site indicating, inter alia, the number, species, heights on planting and positions of all the trees, together with details of post-planting maintenance. Such scheme as is approved by the Local Planning Authority shall be carried out and completed in its entirety during the first planting season following practical completion of the development. All trees, shrubs and bushes shall be maintained by the owner or owners of the land on which they are situated for the period of five years beginning with the date of completion of the scheme and during that period all losses shall be made good as and when necessary.

Note: The applicant is recommended to employ a qualified and experienced landscape designer to produce a landscaping scheme for the development.

Reason: To ensure that the development is adequately landscaped, in the interests of its visual amenity and that of the area in which it is set.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019."

The submitted landscaping detail shows a grassed western side garden for Plot 1 with an existing tree retained and an L shaped hedge in the north western corner of the plot. Plot 2 has a grassed rear garden with three specimen trees, as well as low level shrubberies to the frontage. Plot 3 has a grassed rear garden with two specimen trees and three trees to be retained. Low level shrubberies will be sited at the frontage of the building. This level of planting is considered to be acceptable for the site and will not impact the amenity of neighbouring properties. A five year landscaping maintenance plan. The plan details how planting will be implemented, maintained and the clearance of levels from the site. Details of pruning of the hedging and trees is also included.

Condition 5 is considered to have been addressed.

Compliance with Condition 6 of H02-0758-19 - Details of Boundary Treatment

Condition 6 states:

"Prior to its installation, details of the proposed boundary treatment, including a schedule of materials, and details of the size and species of any hedging, shall be submitted to and approved in

writing by the Local Planning Authority, and the details so approved shall be implemented in full before the development is first brought into use.

Reason: In the interests of the character and appearance of the development and the visual amenity of the area in which it is set.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019."

The northern, eastern and western boundaries will have 1.8 metre high close boarded fencing. The southern boundary will also have 1.8 metre high close boarded fencing dropping to 600mm in height adjacent to the site entrance. The frontage of Plot 3 and the boundary between Plot 1 and Plot 2 will be bordered by a 1.8 metre high wall with piers. The siting of the fencing and walls is such that there will not be an overshadowing or overbearing impact on the plots. The site boundary fencing is no higher or lower than existing, therefore there is not considered to be an impact on neighbouring properties.

Condition 6 is considered to have been addressed.

Compliance with Condition 9 of H02-0758-19 - Surface Water Disposal Details

Condition 9 states:

"Before the commencement of the development hereby granted beyond oversite, full details of the means of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The details so approved shall be implemented in full before the development hereby permitted is first brought into use.

Reason: To ensure that the site is adequately drained, to avoid pollution, and to prevent increased risk of flooding.
This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 14 of the National Planning Policy Framework, 2019."

The submitted details show polystorm crates to the front of the Plot 3 parking spaces with two pumping stations adjacent. The North Level Internal Drainage Board have stated: *"I note that in the original planning application for the above site, surface water was to be dealt with via soakaways. It is now evident in the condition compliance application that surface water is to be pumped to the existing Anglian Water surface water sewer in Peterborough Road which ultimately discharges into my Boards Riddingtons Drain."*

"A development levy in accordance with the enclosed will now be payable to my Board dealing with this additional run-off assuming an impervious area of 345m2. My Board will also require evidence of the Anglian Water approval to accept the 5l/s from the proposed pumping station." An informative will be placed on the decision notice to this effect.

Condition 9 is considered to have been addressed.

Compliance with Condition 10 of H02-0758-19 - Foul Drainage Details

Condition 10 states:

"Before the commencement of the development hereby granted, details of the means of foul water disposal shall be submitted to and approved in writing by the Local Planning Authority. The details so approved shall be implemented in full before the development hereby permitted is first brought into use.

Reason: To ensure that the site is adequately drained and to avoid pollution.
This Condition is imposed in accordance with Policy 30 of the South East Lincolnshire Local Plan, 2019."

Foul drainage will connect to the existing foul sewers on Peterborough Road. This is the standard means of addressing foul water drainage in the settlement boundaries of Crowland.

Condition 10 is considered to have been addressed.

Compliance with Condition 11 of H02-0758-19 - Lighting

Condition 11 states:

"Before the commencement of the development hereby permitted beyond oversite, the detailed design and location of all lighting to be provided to the access road within the development shall be submitted to and approved in writing by the Local Planning Authority and all lighting utilised in the development shall conform to the details so approved.

Reason: To ensure that the Local Planning Authority retains control over these matters, in the interests of the visual amenity of the overall development, to prevent light pollution and to ensure that the development is adequately lit.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019."

No additional lighting is to be provided for the site, save for low level lighting on the access road adjacent to 65 Peterborough Road. This is not considered to impact the amenity of the existing property or any other dwellings in the vicinity of the site.

Condition 11 is considered to have been addressed.

Compliance with Condition 12 of H02-0758-19 - Refuse Collection Point

Condition 12 states:

"Prior to the commencement of the development hereby permitted beyond oversite, details shall be submitted to and approved in writing by the Local Planning Authority for the provision of a refuse collection point adjacent to Peterborough Road. The refuse collection point as approved shall be completed in accordance with the approved details prior to the occupation of any dwelling on the site and shall thereafter be retained.

Reason: To ensure that adequate facilities are made available for refuse collection in the interests of the appearance of the site and the area in which it is set.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019."

A refuse collection point will be sited adjacent to the vehicular access entrance. Refuse collection bags will be placed on Kandla Grey Indian Sandstone Paving Slabs. Waste Services have not responded to the consultation request. The collection point is in a standard location and construction for bin bags, adjacent to the pavement for ease of collection. The proposed location will not impact highway safety nor the amenity of the existing property at 65 Peterborough Road.

Condition 12 is considered to have been addressed.

CONCLUSION

The submitted details are considered to have addressed Conditions 3, 4, 5, 6, 9, 10, 11 & 12 of H02-0758-19 and is in accordance with Policies 1, 2, 3, 4, 10, 11 and 17 of the South East Lincolnshire Local Plan, 2019, as well as Sections 5, 12 and 14 of the National Planning Policy Framework, 2023.

RECOMMENDATION

Based on the assessment detailed above, it is recommended that the proposal should be approved under Delegated Authority.

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.