DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H02-0540-23**	**Applicant:**	**Morriss Developments**
Proposal:	Details of existing & proposed site levels, landscaping & tree planting, boundary treatments, design & position of external meter boxes etc, finished floor levels and ecological biodiversity measures (Conditions 3, 4, 5, 6, 8 & 9 of H02-0160-23)		
Location:	Land Rear Of 44 South Street Crowland Peterborough		
Terminal Date:	4th August 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
28	The Natural Environment
29	The Historic Environment
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

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

Representations:

	Object	Support	No Obj.	Comments
NORTH LEVEL INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a condition compliance application for conditions 3, 4, 5, 6, 8, and 9 of H02-0160-23. This relates to details of site levels, landscaping, boundary treatments, external meter boxes, finished floor levels and biodiversity measures.

Site Description

The application site sits between frontage residential development on both Thorney Road and South Street and extends the full length between the two. There are existing vehicular accesses on both sides. The Snowden Playing Field is on the opposite side of Thorney Road. Existing dwellings in the vicinity are varied in terms of age and design, with a mixture of single-storey and two-storey dwellings in the locality.
The plot falls within the Crowland Conservation Area. The area is characterised by residential properties of varying designs and ages.

Relevant History

H02-0753-21 - Full. Proposed new dwelling with off street parking. Approved 22/10/21.

H02-0160-23 - Full. Proposed new dwelling with off street parking. Approved 04/04/23.

Consultation Responses

North Level Internal Drainage Board

No observations.

Planning Considerations

Condition 3

Condition 3 requires full details of proposed site levels. Condition 8 of the same decision requires floor levels to be set at a minimum of 300mm above average ground levels.

A topographic map as well as a cross section showing levels has been submitted to support this application.

It is proposed that site levels are set at an average of 300mm above mean ground levels. The submitted cross sections show that this is comparable to the adjacent plots. As such no overshadowing or overlooking would occur as a result of the raised floor levels. Furthermore, the raised levels would not make the property appear incongruous.

Therefore, the submitted details are acceptable and the condition can be discharged.

Condition 4

Condition 4 requires a scheme of landscaping to be submitted and approved, including the location of refuse storage areas. A limited scheme of planting is proposed, showing areas of shrub planting to the west and east of the dwelling. While small, this scheme is considered sufficient given the restricted plot size.

It is proposed that the refuse is to be stored to the rear of the property. This would enable the bins to be screened from view by the proposed 1.8 metre close boarded fence and the proposed shrubs.

The submitted details are considered acceptable and condition 4 can be discharged.

Condition 5

Condition 5 relates to boundary treatments. It proposed that a 1.8-metre-high, close-board fence is installed around the northern and southern perimeter of the property. A 0.9 metre close-boarded fence is proposed at the western access. A 0.9-metre-high picket fence is proposed at the eastern

entrance.

The submitted details are acceptable and therefore condition 5 can be discharged.

Condition 6

Condition 6 relates to the position of all external gas and electrical boxes, as well as any flues and pipes. No pipes, flues or boxes are proposed.

The proposed details are considered acceptable, and the condition can be discharged.

Condition 8

Condition 8 requires floor levels to be set at 300mm above average ground levels. The submitted details confirm that this has been conformed to. Condition 8 can be discharged.

Condition 9

Condition 9 relates to ecological and biodiversity measures. The proposal shows the removal of an existing hedgerow. However, the potential biodiversity loss here is off set by the proposed shrubbery planting. Furthermore, a swift box is proposed. A swift box on a single storey property would ordinarily be unacceptable due to the height being insufficient to ensure its uptake; however, due to the additional height gained by the pitch of the roof, the installation is acceptable in this case. The ridge line is proposed to be set at 8.4 metres, making it comparable to the eave's height of a two-storey dwelling.

The existing plot has little to no biodiversity on it. As such, any additional planting, or measures such as swift bricks would have a substantial impact. Therefore, the proposal is considered acceptable and would lead to an increase in onsite biodiversity.

Conclusion

Conditions 3, 4, 5, 6, 8, and 9 can 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.