

## DECISION DELEGATED TO HEAD OF PLANNING

**Application No:** H02-0628-25      **Applicant:** Mr S Jaffer

**Proposal:** Details of construction management, scheme of landscaping and tree planting, proposed boundary treatments, piping and enclosure of the existing open ditch forming the boundary to Hereward Way, external materials, hard surfaced areas, external doors, door frames, window frames, roof lights, gas and electricity external boxes, gas flues and soil vent pipes, and water consumption (Conditions 3, 5, 6, 7, 8, 9, 10, 11, 12, and 16 of H02-0714-22)

**Location:** Hereward Way Crowland

**Terminal Date:** 26th August 2025

### Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

National Guidance

National Planning Policy Framework December 2024

### Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1
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

#### Description of Proposal

This application seeks to discharge Conditions 3, 5, 6, 7, 8, 9, 10, 11, 12, and 16 of H02-0714-22, relating to construction management, scheme of landscaping and tree planting, proposed boundary

treatments, piping and enclosure of the existing open ditch forming the boundary to Hereward Way, external materials, hard surfaced areas, external doors, door frames, window frames, roof lights, gas and electricity external boxes, gas flues and soil vent pipes, and water consumption.

## **Site Description**

The site is inside Crowland Settlement Limit as defined in the South East Lincolnshire Local Plan, 2019. The site also adjoins Crowland Conservation Area. The site is accessed from Hereward Way, which is a single track, kerb less, tarmac-surfaced lane.

The site of the new building is currently overgrown with vegetation, has an outworn timber summerhouse and an unused greenhouse, both of which are to be removed.

There is currently a ditch at the boundary of the site, which it is proposed to pipe as has been carried out along the rest of Hereward Way, to both sides of the plot.

## **History**

H02-1292-21 - Full. Erection of detached chalet bungalow and three bay garage - Approved 3rd March 2022.

H02-0714-22 - Full. Construction of new detached chalet bungalow & single garage - Approved 8th September 2022.

## **Consultation Responses**

The responses received from consultees during the initial consultation exercises, which can be viewed in their entirety through the South Holland website, can be summarised as follows:

### Highway and lead Local Flood Authority

"No objection The Details of construction management, Flood Risk Assessment, scheme of landscaping and tree planting, proposed boundary treatments, piping and enclosure of the existing open ditch forming the boundary to Hereward Way, external materials, hard surfaced areas, external doors, door frames, window frames, roof lights, gas and electricity external boxes, gas flues and soil vent pipes, further developments, tree or shrub felling, tree lopping or clearance, swift nest bricks and water consumption (Conditions 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 of H02-0714-22) are acceptable in accordance with approved drawings and details submitted with this application."

### Crowland Parish Council

"CPC will rely on the expertise of the planning officer dealing."

### Environmental Protection

No observations

### Public Representations

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, no letters of representation have been received.

## **Key Planning Considerations**

### Condition 3 - Construction Management Plan

#### *Wording*

"A detailed scheme of construction management to minimise disturbance during the construction process through noise, dust, vibration and smoke shall be submitted to and approved in writing by the Local Planning Authority before the development commences beyond over site, and the construction process shall be carried out in accordance with the scheme so approved. It shall also

include a method statement, detailing how construction traffic, site personnel vehicles, materials deliveries and site accommodation will be managed to safeguard highway safety, free passage along Hereward Way and residential amenity."

#### *Assessment*

Submitted here is a brief management plan outlining where vehicles will be stored, information on the delivery and removal of site materials, and how noise, dust, vibrations and smoke will be controlled. While brief, the submitted scheme is proportionate to the scale of the development, and suitably covers all points required within Condition 3.

As such, Condition 3 can be discharged.

#### Condition 5 - Landscaping

##### *Wording*

"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 (including screening of bin collection points) 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."

#### *Assessment*

The submitted scheme involves the planting of 39 shrubs and trees throughout the site, although primarily within the rear garden. Most species selected are native, and those which are not (such as *Berberis darwinii*) are not invasive and have been well naturalised to their setting.

Proposed to screen the bin store, as well as a low wall, is an area of *Hydrangea macrophylla* (which is a non-native species). This will provide suitable screening and is considered appropriate.

The submitted maintenance plan is brief; however, considering the scale of development and the planting's nature as part of a domestic garden, the scheme is considered appropriate.

Condition 5 referenced the need for a Biodiversity Net Gain Metric. However, the proposal was submitted prior to the implementation of Schedule 7A of the Town and Country Planning Act, 1990. The provisions of Policy 28 of the Local Plan are such that proposals simply need to display a net gain, regardless of scale of gain. The level of planting is so significant as to clearly demonstrate net gain, and it would be overly onerous to require the additional metric to demonstrate this.

As such, the details submitted are considered acceptable and Condition 5 can be discharged.

#### Condition 6 - Boundary Treatments

##### *Wording*

"Prior to its installation, details of the proposed boundary treatments, including a schedule of fencing levels, heights and 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 and retained thereafter."

#### *Assessment*

Proposed is a 0.6m high brick wall along Hereward Way. This is considered acceptable, clearly delineating the residential curtilage without causing harm to highway safety or the character of the area.

It is proposed that the existing 2m high boundary fences which go along the north, south and west boundaries would be retained. Given that finished floor level would be raised by 750mm, to be

3.8mAOD, these boundary treatments would likely not be suitable to fully obscure views into neighbouring dwellings from first or ground floor windows. From the submitted drawings, the top of the fences would be approximately halfway up the window or approximately 1.5m from finished floor levels. However, amenity impacts must be balanced with character implications, and to raise fence height significantly above 2m, where their effectiveness would be increased, would have a greater detrimental character impact. Furthermore, a distance of 10m to the rear boundary from the dwellinghouse has been maintained, which should reduce the severity of overlooking. Therefore, on balance, the proposed treatments are considered acceptable.

#### Condition 7 - Piping

##### *Wording*

Notwithstanding the details submitted, before the commencement of the development hereby granted beyond oversite, full details of the piping and enclosure of the existing open ditch forming the boundary to Hereward Way shall be submitted to and approved in writing by the Local Planning Authority and the details so approved shall be implemented in full before there are any flows into the receiving systems.

##### *Assessment*

The proposed method shown on the submitted documents is considered acceptable. As such, Condition 7 can be discharged.

#### Condition 8 - Materials

##### *Wording*

"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."

##### *Assessment*

The following materials are proposed:

- Walls - Forterra Village Golden Thatch Facing Brick
- Roof - Sandtoft Double Pantiles - slate grey.
- Windows - uPVC double glazed - beige.
- Fascias & Rainwater Goods - black.

These materials are considered appropriate given the existing material palette in the wider area.

#### Condition 9 - details of doors

##### *Wording*

Details of the design of all external doors and door frames to be utilised in the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. Such details shall indicate, at a scale of not less than 1:10, the longitudinal and cross-sectional detailing (including reveals), threshold and lintol detailing, and means of opening. The doors and door frames shall be installed in accordance with the approved details and thereafter so maintained.

##### *Assessment*

The relevant details have been provided and are acceptable. The proposed selected would have no significant detrimental impact upon the character of the area or the Conservation Area, and would be consistent with the design philosophy of the development.

#### Condition 10 - Details of Windows

##### *Wording*

Details of the window frames to be utilised in the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. Such details shall indicate, at a scale of not less than 1:10, the longitudinal and cross-sectional detailing (including reveals), sill and lintol detailing, and means of opening. The window frames shall be installed in accordance with the approved details and thereafter so maintained.

#### *Assessment*

The relevant details have been provided and appear acceptable. The proposed selected would have no significant detrimental impact upon the character of the area or the Conservation Area, and would be consistent with the design philosophy of the development.

#### Condition 11 - Roof Lights

##### *Wording*

Prior to their installation full details of the proposed roof lights shall be submitted to and approved in writing by the Local Planning Authority. The roof lights shall be installed in accordance with the approved details and thereafter so maintained.

Note: The applicant is advised that a flush fitting rooflight of traditional design, having a slim metal frame and central vertical glazing bar, would be appropriate.

#### *Assessment*

The proposed roof lights are considered appropriate, being consistent with the materials and design philosophy chosen for the dwelling as a whole. Conservation style rooflights are proposed, which are considered appropriate given the proximity to the Conservation Area.

#### Condition 12 - Domestic Accoutrements

##### *Wording*

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.

#### *Assessment*

The submitted details show a beige meter box to the front of the dwelling. Meter boxes to the front of dwellings are not uncommon in the immediate area, which would help to naturalise the proposal. The choice of colour is consistent with fittings throughout the dwelling, creating a consistency in approach. Therefore, while the arrangement is not ideal, it is considered to be acceptable.

#### Condition 16

##### *Wording*

The water consumption of the dwelling hereby permitted should not exceed the requirement of 110 litres per person per day (as set out as the optional requirement in Part G of the Building Regulations 2010 and the South East Lincolnshire Local Plan, 2019). The person carrying out the work must inform the Building Control Body that this duty applies. A notice confirming the requirement for the water consumption has been met shall be submitted to the Building Control Body and Local Planning Authority, no later than five days after the completion of the dwelling.

#### *Assessment*

The wording of condition 16 is such that it cannot be formally discharged like a conventional condition. However, the LPA acknowledge the details provided and confirm that they meet the requirements of the condition.

#### **Conclusion**

The submitted details are considered acceptable. As such, Conditions 3, 5, 6, 7, 8, 9, 10, 11, and 12 can be discharged. The details of condition 16 are acknowledged and considered acceptable.

## 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.