DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H02-0852-20**	**Applicant:**	**Postland Developments Ltd.**
Proposal:	Details of external materials, design & position of external boxes etc, foul and surface water disposal, requirement for water consumption and scheme to deal with contamination (Conditions 3, 4, 6, 7 & 8 of H02-0455-20)		
Location:	44 Postland Road Crowland Spalding		
Terminal Date:	13th July 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
30	Pollution
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

Sections 5, 12 & 14 of the National Planning Policy Framework (2019)

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
NORTH LEVEL INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	0	2

OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

PROPOSAL

This is a condition compliance application for details of external materials, design & position of external boxes etc, foul and surface water disposal, requirement for water consumption and scheme to deal with contamination (Conditions 3, 4, 6, 7 & 8 of H02-0455-20)

SITE DESCRIPTION

The site is within defined settlement limits and the surrounding area is characterised by dwellings of varying ages and design. Seven chalet bungalows approved under H02-0438-18 to the north (rear) are currently under construction.

HISTORY

H02-0438-18 - To rear of site

Full - Erection of seven chalet bungalows, associated garages and car parking - Approved - 18 September 2018.

H02-1015-18

Full - Two chalet bungalows, car parking and gardens - Refused - 17 December 2018.

H02-1202-19

Full - Proposed chalet bungalow with double garage - Approved - 07 February 2020.

H02-0455-20

Full - Proposed chalet bungalow with double garage - re-submission of H02-1202-19 - Approved - 01 September 2020.

CONSULTATION RESPONSES

South Holland District Council - Environmental Protection

"I have reviewed the Terragen Environmental Consultants report 'Phase 1 Preliminary Risk Assessment at Plot 8, 40 Postland Road Crowland Spalding Peterborough PE6 0JG (ref.TJ3647AR1v1.1)' dated 05/04/2022 and am in general agreement with the findings. The report recommends that imported soil (350mm in garden areas) is subjected to chemical laboratory analysis to ensure its suitability for use, and that the results are forwarded to the LPA for approval. I therefore recommend discharge of condition 8i-8iii of H02-0455-20 with 8iv remaining outstanding. In the absence of a remediation method statement (which would clearly set out the sampling rate for imported soil) I refer the applicant to the sampling rate sin the YALPAG Guidance-verification cover which can be downloaded from our website here https://www.sholland.gov.uk/article/11653/Planning-application-consultations
Please pass my comments to the applicant."

North Level Internal Drainage Board

No comments.

PLANNING CONSIDERATIONS

Compliance with Condition 3 of H02-0455-20 - External Materials

Brick is to be Hurstwood Multi with Traditional English Red detailing brick. Tiles are to be Russels Anthracite Grey-Slate. The proposed materials are considered to be appropriate for the site.

Condition 3 of H02-0455-20 has now been addressed.

Compliance with Condition 4 of H02-0455-20 - Domestic Accoutrements

The proposed gas and electricity boxes are located either side of the window that serves the utility room. The proposed location is considered to be appropriate for the dwelling and does not impact visual amenity.

Condition 4 of H02-0455-20 has now been addressed.

Compliance with Condition 6 of H02-0455-20 - Full Details of Drainage

A large soakaway is to be sited to the rear of the dwelling, with foul water be connected to the existing Anglian Water foul sewer system. The proposed drainage methods are considered to be appropriate for the site and North Level Internal Drainage Board have no comments to make on the proposal.

Condition 6 of H02-0455-20 has now been addressed.

Compliance with Condition 7 of H02-0455-20 - Water Consumption

Water consumption is to be set at a requirement of 110 litres per person per day. 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.

Condition 7 of H02-0455-20 has now been addressed.

Compliance with Condition 8 of H02-0455-20 - Contaminated Land

The Environmental Protection Officer is content with the submitted details and recommends sign off Parts i to iii of Condition 8 of H02-0455-20 with Part iv outstanding.

CONCLUSION

Conditions 3, 4, 6, 7 and Parts i to iii of Condition 8 are recommended for approval.

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.