DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H02-1052-23**	**Applicant:**	**Ashwood Homes Ltd**
Proposal:	Details of surface water drainage, construction management plan & method statement, site & floor levels, management & maintenance schedule, landscaping & tree planting, boundary treatments, external boxes for gas and electricity supplies, preliminary ecological appraisal, swift nest bricks & water consumption details (Conditions 4, 5, 6, 8, 9, 10, 11, 12, 13, 14 of H02-0167-22)		
Location:	Land Off Peterborough Road And Harrington Drive Crowland Peterborough		
Terminal Date:	23rd January 2024		

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
05	Meeting Physical Infrastructure and Service Needs
11	Distribution of New Housing
30	Pollution
36	Vehicle and Cycle Parking

National Guidance

National Planning Policy Framework 2023

Section 2 - Achieving sustainable development
Section 4 - Decision-Making
Section 5 - Delivering a sufficient supply of homes
Section 9 - Promoting sustainable transport
Section 12 - Achieving well-designed places
Section 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
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a discharge of conditions 4, 5, 6, 8, 9, 10, 11, 12, 13, 14 applications attached to planning application H02-0167-22. The conditions relate to:

-Condition 4 - Surface Water Drainage Strategy
-Condition 5 - Construction Management Plan and Method Statement
-Condition 6 - Site Levels
-Condition 8 - Management and Maintenance Schedule
-Condition 9 - Landscaping
-Condition 10 - Boundary Treatments
-Condition 11 - External Boxes

The following conditions are applied for discharge but are compliance in nature:
-Condition 12 - Ecology Appraisal
-Condition 13 - Swift Nest Bricks
-Condition 14 - Water Consumption

Site Description

This application relates to 5 number dwellings described as phase 3 of the development.
The application site is located on the south eastern end of Harrington Drive and James Road. Harrington Drive is part of a residential development that was constructed around the 1980s and comprises of a mix of single storey and two storey dwellings.

The application site is located within the settlement limits for Crowland, located within flood zone 3 in accordance with the EA Flood Maps for planning.

History

H02-0167-22- The erection of 5 dwellings with associated garages and external works. Approved 03-10-23

Consultation Responses

North Level IDB:
No objections

Highways and SuDS Support:
No Objections

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.

Environmental Protection:
No comments

Crowlands Parish Council:
Due to the complexity of the conditions the parish council do not feel confident to comment on each individual technical detail.

Planning Considerations

Condition 4 - Surface Water Drainage Strategy

Condition 4 relates to the attachment of a surface water drainage strategy. It requires the applicant to provide:
Notwithstanding the submitted details contained within the application, the permitted development shall be undertaken in accordance with a surface water drainage scheme which shall first have been approved in writing by the Local Planning Authority.

The applicant has submitted information in relation to the section 104 requirements, including general arrangements, layout, catchment areas, benching details etc. The IDB have been consulted and have no objections finding the submitted details acceptable.

The condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 14 of the National Planning Policy Framework, 2023 and is hereby Ã?¢?¦.
Condition 5 - Construction Management Plan and Method Statement
Condition 5 relates to the attachment of a Construction Management Plan and Method Statement. It requires the applicant to provide:

measures to protect residential amenity, mitigate against the adverse impacts of vehicle activity and the means to manage the drainage of the site during the construction stage of the permitted development
The applicant has submitted the following information:
-Construction and Traffic Management Plan

The plan includes notes relating to the control of dust, noise management, site phasing, Parking and deliveries and site working hours. The Highway authority have been consulted and have no objections.
This Condition was imposed in accordance with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan, 2019 and is hereby discharged

Condition 6 - Site Levels

Condition 6 relates to the site levels. It requires the applicant to provide:

Notwithstanding the submitted details contained within the application, before the commencement of the development hereby permitted, full details of the existing and proposed site levels and proposed floor levels of the buildings, hard surfaced areas and garden/amenity areas, including any mitigation measures arising as a consequence (for example increased height of boundary treatment), shall be submitted to and approved in writing by the Local Planning Authority.

The applicant has provided the following attached drawings:
-External Works Sheet 1 & 2
-Site Sections

This discharge application relates to 5 dwellings located to the east of properties on Harrington Drive. The development is accessed from Harrington Drive into a private drive, this part of the development forms part of a cul-de-sac of 5 dwellings.

The nearest properties on Harrington Drive are set at 1.51m AOD (FFLS) and the dwellings that make up this development are proposed to be at 2.1m AOD; this is in line with the requirements of condition 7 attached to H02-0167-22. Notwithstanding the height discrepancy the applicant has designed the closest dwellings to the existing homes (fronting Harrington Drive) in a manner that

would offset residential amenity impacts. Both dwellings slope down towards the existing dwellings with a lean to over the lounge and kitchen, resulting in single storey form being positioned close to neighbouring properties. Potential impacts relating to land discrepancy have therefore been designed out.

This condition was imposed in accordance with Policies 3 and 4 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 14 of the National Planning Policy Framework, 2023 and is hereby discharged.

Condition 8 - Management and Maintenance Schedule

Condition 8 relates to the Estate Road Phasing and Completion Plan. It requires the applicant to provide:

Before the commencement of development hereby permitted, details of the management and maintenance schedule for the areas of landscaping, incidental open space, refuse/recycling collection points and parking courts/private drives shall be submitted to and approved in writing by the Local Planning Authority

The applicant has provided a document entitled 'Harrington Drive Maintenance Schedules.' This document shows the ongoing management of landscaping, incidental open space, refuse/recycling collection points and parking courts/private drives and is considered acceptable.

This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019 and is hereby discharged.

Condition 9 - Landscaping

Condition 9 relates to the landscaping of the site. It requires the applicant to provide:
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)

The applicant has provided the following information:
-Landscaping Plan
-Drive Schedules
-Drive Maintenance

The level of information and well as the landscaping strategy is considered acceptable.
This Condition is imposed in accordance with Policies 2, 3 and 28 of the South East Lincolnshire Local Plan, 2019 and the Environment Act 2021 and is hereby discharged.

Condition 10 - Boundary Treatments

Condition 10 relates to Boundary Treatments`. It requires the applicant to provide:

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

The applicant has submitted the following information:
-Boundary Treatment Plan Phase 3

The plans shows that 2.3m fencing is proposed along the eastern boundary (along James Road) is softened by a landscaping scheme between James Road and plots 3 & 4. The remining 2.3m high treatment runs along the rear of plots 1.2 & 3 on the opposite side is another phase of this development scheme and the fencing sits along the side of dwellings. The remaining fencing is 1.8m high and located in between properties top give the rear amenity privacy, hedging is proposed between the application site and existing dwellings. This scheme is considered acceptable.

This condition was imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 and is hereby discharged

Condition 11 - External Boxes

Condition 11 relates to the attachment of external boxed on dwellings. It requires the applicant to provide:

Details of the design and positions of all external boxes for gas and electricity supplies and of any gas flues and soil vent pipes

The applicant has provided elevational drawings as well as a combined services layout. The position of all external boxes for gas and electricity supplies and of any gas flues and soil vent pipes are considered acceptable.
This condition was imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 and is hereby discharged.

Conclusion

Conditions 4, 5, 6, 8, 9, 10 & 11 attached to planning application H02-0167-22 are hereby discharged. Conditions 12, 13, 14 which are compliance in nature remain in effect.

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.