

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H03-0681-21 **Applicant:** Poplar Farm Estates Ltd.

Proposal: Details of external materials, landscaping and surface water drainage (Conditions 3, 5 & 8 of H03-1153-18)

Location: The Former Plough P H Main Road Deeping St Nicholas

Terminal Date: 28th January 2022

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
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

Section 5, 12 and 14 of the National Planning Policy Framework (2021)

- 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
WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

PROPOSAL

This is a condition compliance application for details of external materials, landscaping and surface water drainage (Conditions 3, 5 & 8 of H03-1153-18) at The Former Plough Public House, Main Road, Deeping St Nicholas.

The proposed dwellings are to be finished with chalk white render, with blue engineering bricks at the base and Ibstock Staffordshire Smooth for banding and feature bricks. Tiling is to be Marley Eternit Smooth Grey Riven Edgemere Interlocking Concrete Slate.

The landscaping plan shows the existing hawthorn hedge on the north eastern boundary. Trees are to be planted close to the rear boundaries of the plots, with trees around the drainage field to the south eastern rear of the proposal site.

The proposed drainage field will be located to the rear of the proposal site with the drain beyond to be cleared of vegetation. Soakaways will be sited in the rear gardens of all 8 plots as well as permeable paving.

SITE DESCRIPTION

The site is within the defined settlement limits of Deeping St Nicholas and the surrounding area is characterised by linear development of varying ages and designs. The site is in Environment Agency Flood Zone 2 and is not subject to increase flood risk or flood depth on the 2115 1% South Holland Strategic Flood Risk Mapping.

RELEVANT HISTORY

H03-1153-18

Full - Residential Development comprising 8 dwellings and private drive - Approved - 23 May 2019.

CONSULTATION RESPONSES

LCC - County Highways & SUDS Officer

"The agent has included an additional factor of safety by increasing the thickness of the sub-base stone and has commented that the ground investigation testing revealed no presence of groundwater. The long term surface water extent of flooding maps do not show this site to have an existing issue. You might therefore conclude that the potential for the proposed development to increase surface water flood risk is not significant."

Welland & Deepings Internal Drainage Board

"The proposals require the submission of an application for consent to discharge surface water to be made to the Board in advance of site works. The application is subject to the agreement of technical details and payment of the application fee."

"The Board should be informed of the total flow discharge to be pumped into the Board's system. Discussions have taken place between the developer and the landowner affected by the pipeline installation prior to the recent condition compliance documents being submitted. I advise the landowner should be provided with a plan detailing where the proposed pipeline will lie inside their land."

Following this communication the applicant confirmed that surface water will discharge solely with infiltration from soakaways and permeable paving.

PLANNING CONSIDERATIONS

Assessment against Condition 3 of H03-1153-18 - Materials schedule

The proposed dwellings are to be constructed from chalk white render, with blue engineering bricks at the base and Ibstock Staffordshire Smooth for banding and feature bricks. Tiling is to be Marley Eternit Smooth Grey Riven Edgemere Interlocking Concrete Slate. The proposal materials are considered to be appropriate for the site and will not impact the character or amenity of the surrounding area.

Condition 3 can now be discharged.

Assessment against Condition 5 of H03-1153-18 - Landscaping Detail - Full

The landscaping plan shows the existing hawthorn hedge on the north eastern boundary being retained. Low level planting is proposed to the front of dwellings and climbing ivy is proposed to screen fencing in public facing spaces. The remaining areas of soft landscaping involve grass, including wildflower grass. Overall, the proposed landscaping is considered to be appropriate for the density and layout of the site.

Condition 5 can now be discharged.

Assessment against Condition 8 of H03-1153-18 - Surface Water Disposal Details

Following a request from County Highways & SUDS Officer, further details were submitted for the specification of the subbase of permeable roads as well the infiltration drainage rates, the Officer is now satisfied with the proposed surface water drainage method. The Welland & Deepings Internal Drainage Board has requested the submission of an application for consent to discharge surface water to be made to the Board in advance of site works. The agent has been made aware of this and pre-application discussion have already taken place between the agent and the Board. Following this discussion the agent has confirmed that no surface water is to discharge to drains. All surface will be dealt with by infiltration from soakaways and permeable paving.

Condition 8 can now be discharged.

PLANNING BALANCE

It is considered that all relevant details have now been provided to discharge conditions 3, 5 and 8 of H03-1153-18 relating to external materials, landscaping and surface water disposal respectively. This application is considered to accord with Policies 1, 2, 3, 4, 10, 11, 17, 36 and Appendix 6 of the South East Lincolnshire Local Plan, 2019, as well as Sections 5, 12 and 14 of the National Planning Policy Framework, 2021.

CONCLUSION

This condition compliance application is 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.