

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H03-1119-19 **Applicant:** Mr & Mrs N Watts

Proposal: Details of surface water drainage, external materials, doors and windows and landscaping (Conditions 4, 6, 7 and 10 of H03-1291-16 New farm shop, tea room, car parking and access)

Location: Vine House Farm Bird Foods Vine House Farm Main Road

Terminal Date: 13th January 2020

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02 Development Management
03 Design of New Development
04 Approach to Flood Risk

National Guidance

National Planning Policy Framework 2019

NPPF 2019

Representations:

	Object	Support	No Obj.	Comments
HIGHWAYS & SUDS SUPPORT	0	0	0	1
WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Details pursuant to the conditions set out below.

Site Description

The associated site is an agricultural site comprising large agricultural buildings and a two storey brick built building which houses a farm shop to the ground floor and offices above. The proposed development would be on an adjacent field to the main site and which is separated from the by a tall conifer hedge.

The field is currently empty, and has open space to the rear of the site with wind turbines visible in the distance. Tall hedges surround the site except to the south west corner where there are two storey houses with side and rear windows facing into the site. The site fronts Littleworth Drove.

History

H03-1291-16 New farm shop, tea room, car parking and access. Approved 15-02-17

Consultation Responses

LCC SUDS

No observations.

Internal Drainage Board

No objections.

Anglian Water

No observations.

Planning Considerations

Condition 4

No development shall take place until a surface water drainage scheme for the site, based on sustainable urban drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority.

The surface water drainage proposals are considered to be acceptable and no objections have been received.

Condition 6

Before the commencement of the development hereby permitted beyond oversite a schedule of external materials of construction of buildings and hard surfaced areas, to include the colour scheme and finish to be applied, 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.

The materials set out in the information document accompanying this application are considered to be acceptable.

Condition 7

Details of the design of all external doors and the door and 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), threshold, cill and lintol detailing, and means of opening. The doors and the door and window frames shall be installed in accordance with the approved details and thereafter so maintained.

The window and door details submitted indicate a standard black, powder coated PPC aluminium system. This is considered to be acceptable.

Condition 10

Before the commencement of the development hereby permitted beyond oversight, the approval of the Local Planning Authority is required to a scheme of landscaping and tree planting for the site 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 in its entirety within a period of twelve months beginning with the date on which development is commenced. 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.

The landscaping scheme submitted retains the majority of the hedging to the frontage, except where is cut back for sight lines.

The landscaping scheme proposes additional planting within and around the parking area to soften impact.

The scheme is considered to be acceptable.

Conclusion

The submitted details are acceptable and the conditions 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.