

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H04-0445-20 **Applicant:** Cook Property Holdings Ltd.

Proposal: Details of site levels, contamination ground report, materials, surface water drainage, landscaping, boundary treatment, storage of waste bins and external service boxes (Conditions 3, 7- parts i and ii only , 8, 9, 10, 11, 12, and 13 of H04-0894-17)

Location: Dave Cook Engineering Quadring Road Donington

Terminal Date: 3rd August 2020

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 2019

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
HIGHWAYS & SUDS SUPPORT	0	0	1	0
BLACK SLUICE INTERNAL DRAINAGE BOARD	0	0	0	1

SHDC INTERNAL	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a condition compliance application for details of site levels, contamination ground report, materials, surface water drainage, landscaping, boundary treatment, storage of waste bins and external service boxes (Conditions 3, 7, 8, 9, 10, 11, 12, and 13 of H04-0894-17) at Dave Cook Engineering, Quadring Road, Donington.

Site Description

The land formed part of a commercial site, with a large warehouse / industrial building to the north west corner of the site. The rear of two residential dwellings which front Crosslands can be seen to the north east, but the rear of one is partially obscured by landscaping. Tall trees to the eastern boundary obscure a pumping station and some garden land. Dwellings to the west beyond the remaining industrial site are obscured by tall trees forming a hedge. There is a medium hedge adjacent the highway and palisade gates.

History

H04-1362-88

Outline - Residential Development and demolition of existing' warehouse building - Approved - 09 November 1988.

H04-0247-92

Outline - Residential development & demolition of existing warehouse building - Approved - 24 April 1992.

H04-0196-95

Outline - Residential development and demolition of existing warehouse building - Approved - 18 April 1995.

H04-0787-97

Full - Proposed new office building & change of use of extg potato warehouse to use as storage & distribution centre - Approved - 28 August 1997.

H04-0928-98

Full - Recladding of front elevation of existing store building (Retrospective) - Approved - 30 October 1998.

H04-0600-16

Full - Erection of 4 dwellings including access, parking and landscaping - Refusal - 20 September 2016.

H04-0894-17

Full - Erection of 7 family homes - Approved - 21 November 2017.

Consultation Responses

LCC - County Highways & SUDS Officer

No objections. This is not a Major Application and therefore the surface water drainage proposals have not been checked in any detail by the Lead Local Flood Authority.

SHDC - Environmental Protection

"I have reviewed the Ground Engineering Limited report ' CONTAMINATION INVESTIGATION REPORT FOR PROPOSED RESIDENTIAL DEVELOPMENT AT DAVE COOK ENGINEERING LIMITED QUADRING ROAD DONINGTON LINCOLNSHIRE Report Reference No. C14984 February 2020' and make the following comments:

The report recommends basic remediation (in the form of picking of visible asbestos fragments from the near surface made ground) and validation, but does not clearly set out what the expectations are, nor who will provide the validation. Further, more detailed, information is therefore requested. I therefore recommend discharge of parts i & ii of condition 7 of H04-0894-17, with parts iii & iv remaining outstanding."

Black Sluice Internal Drainage Board

No objections. System needs to be adequately maintained for it to continue to function.

Planning Considerations

Condition 3 - Details of Existing and Proposed Site Levels

The proposed site levels submitted under plan 8981-113 are considered to be appropriate for the site. The levels do not lead to overlooking, overshadowing or a development that is visually prominent and out of character with the surrounding area.

Condition 7 - Contaminated Land Scheme

The Environmental Protection Officer has no objections and recommends that Part i & ii be discharged with iii & iv been outstanding. The agent has been informed and has no objection to addressing parts iii & iv at a later date.

Condition 8 - Materials Schedule

External materials of construction are to be DTS Forterra Clumber Red Mixture brick with Smooth Rustic Sandtoft Double Pantile tiles. Windows are to be white UPVC with black UPVC rainwater goods. The proposed materials are considered to be appropriate for the site. This condition can be discharged.

Condition 9 - Surface Water Disposal Details

The Black Sluice Internal Drainage Board have responded "Surface water - it would appear that the applicant intends to use soakaways/infiltration as the means of surface water disposal across the site. However, the Board can find no evidence submitted to the LPA (as the approving authority) to prove that soakaways/infiltration will be suitable for the site. Until such evidence is presented, the Board deems that the surface water scheme is unsuitable until proven otherwise. If soakaways are subsequently proved unsuitable, then the applicant must submit full details of an alternative scheme to the LPA for consideration. Discharge into any watercourse, open or piped, will require the prior written

consent of the Board." The location and efficacy of the soakways would be a matter assessed by the Building Control section. The flow of surface water and permeable pavement would appear to aid through flow and quick dispersal of water at times of heavy rainfall.

Condition 10 - Landscaping Detail - Full

The proposed landscaping is provided by grassed gardens. Other landscaping is minimal, but

considered acceptable given the layout and density of the site. This condition can be discharged.

Condition 11 - Details of Boundary Treatment

A 2 metre high stained brown closed boarded timber fence is the proposed boundary treatment and is keeping with the character of the surrounding area. The location and height is not considered to impact occupant amenity or highway safety. This condition can be discharged.

Condition 12 - Refuse Storage and Disposal

Refuse storage is provide on each property with bin stores either side of site entrance for disposal on collection days. The locations whilst visually prominent are now common amongst private road developments and are not considered to impact highway safety or visual amenity. This condition can be discharged

Condition 13 - Domestic Accoutrements

The proposed locations of service boxes are considered to be appropriate. This condition can be discharged.

Conclusion

All of the above conditions are now considered to have been satisfactorily addressed save for parts iii & iv of Condition 7 of H04-0894-17. This condition can now be partially 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.