DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H05-0242-23**	**Applicant:**	**Seagate Homes**
Proposal:	Details of external materials, landscaping & tree planting, proposed boundary treatments, external gas & electricity boxes, proposed floor levels and existing / proposed site levels. (Conditions 3, 4, 5, 6 and 8 of H05-1070-21)		
Location:	Land North Of Holbeach Manor Fleet Road Fleet		
Terminal Date:	8th May 2023		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development

National Guidance

National Planning Policy Framework 2021

Section 12 - Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments

CASE OFFICER ASSESSMENT

Proposal

The application proposes to discharge the following conditions of application H05-0242-23:

Condition 3 - Materials schedule
Condition 4 - Landscaping
Condition 5 - Boundary treatments
Condition 6 - Domestic Accoutrements
Condition 8 - Existing and proposed site levels

Site Description

As original application.

History

H05-1070-21 - Proposed development comprising 2 houses (including new vehicular access off Fleet Road) - Approved

H05-0664-21 - Full - Residential development comprising 5 detached dwellings off private drive including retaining and converting existing water tower (approved September 2021)

H05-0898-17 - Works to Fleet and Holbeach TPO No. 01, 1987 (approved October 2017)

TPO-05B-01-1987 - Holbeach Manor, Fleet Road, Fleet

Consultation Responses

No representations received.

Planning Considerations

Condition 3 - Materials schedule

External walls - Facing Bricks - Terca Heritage Blend (White cement) to inlcude Brick arches, brick cills & detailing in same brick
Roof - Sandtoft Shire Pantile Rustic tiles
Windows - Grey UPVC (Including french/patio doors)
Doors - Grey Composite
Rainwater pipes - Black plastic
Front door canopy - Timber frame with roof tiles to match main roof and anthracite fascias, soffits & bargeboards

The proposed materials are considered acceptable given the wide variety of materials present in the street therefore condition 3 can be discharged.

Condition 4 - Landscaping

In terms of hard landscaping the driveway would be constructed from plasmor brunello paving slabs with granite edging and the small footpaths along part of the front and rear of the dwellings would be Indian sandstone. The rest of the front and rear gardens would be laid to lawn.

Soft landscaping would comprise 3 new trees (blue spruce, blue atlas cedar and montery cypress), 50no mixed Lavandula 'Munstead' along the front of the dwellings and mixed thorn bushes/hedging specimens (3 Native - Prunus spinosa, Prunus padus and Acer Campestre). The majority of the existing hedge along the front boundary would be retained as would the majority of the existing trees with the exception of one tree removal which was approved under the original planning permission for the development.

The proposed landscaping for the site is considered acceptable therefore condition 4 can be discharged.

Condition 5 - Boundary treatments

The northern boundary existing hedge would be retained. The two plots would be divided by a 1.8 metre high close boarded fence with a 1.2 metre high post and rail fence towards the front of the site, beyond the proposed dwelling frontages as well as part of the eastern and western boundaries. The existing wall along the rear boundary would be retained. A new hedge is proposed along part of the eastern boundary. These boundary treatments are considered standard of this type of development therefore they are acceptable and in keeping with the street therefore condition 5 can be discharged.

Condition 6 - Domestic Accoutrements

The locations of the proposed gas and electric metres, svp tile vents/flues and air source heat pumps are considered acceptable as they do not appear overly prominent. As such condition 6 can be discharged.

Condition 8 - Existing and proposed site levels

The site levels shown on drawing FRH-SH-DEW-AR-1002 are considered acceptable as they would only be marginally higher than Fleet Road therefore no unacceptable overlooking of neighbouring properties would result. Finished floor levels of the dwellings would be 3.6m ODN above the existing ground level of the site in accordance with the previously approved Flood Risk Assessment therefore there are no flood risk concerns. As such condition 8 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.

Conclusion

Taking the above into account, it is considered that Conditions 3, 4, 5, 6 and 8 of H05-1070-21 can be discharged.