

DECISION DELEGATED TO HEAD OF PLANNING**DECISION DELEGATED TO HEAD OF PLANNING**

Application No: H11-0369-26 **Applicant:** Mr L Shepperson

Proposal: Details of screen to prevent overlooking (Condition 4 of H11-0485-24)

Location: Adjacent To 17 Trafalgar Square Long Sutton Spalding

Terminal Date: 16th June 2026

Planning Policies**South East Lincolnshire Local Plan - Adopted: March 2019**

02 Development Management
03 Design of New Development

National Guidance**National Planning Policy Framework December 2024**

Section 12 - Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
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CASE OFFICER ASSESSMENT**Proposal**

This is a discharged of condition application providing details of how the utility will be accessed/egressed externally and any screening to prevent overlooking (Condition 4 of H11-0485-24).

Site Description

The site is located off Trafalgar Square and is sited within the Long Sutton settlement boundary. It comprises a parcel of land located between no's 17 and 18 Trafalgar Square. The site is flat and mainly laid to lawn. There is a hedge forming the front and rear boundaries and high level trees/hedge forming the northern boundary. Planning permission exists for a dwelling on this site.

The surrounding area is characterised by dwellings of varying ages and designs. The site is located within Long Sutton Settlement boundary and Environment Agency Flood Zone 3. The EA have stated that the site has a future classification of 'Danger for Most'.

History

H11-0174-23 - Residential Development. Approved 11-05-23

H11-0485-24 - Residential Development - approved under H11-0174-23. Modification of Condition 2 to allow amendments to approved plans and Conditions 4 and 5 relating to Flood Risk Assessment and Landscaping. Approved 05/09/24

Consultation Responses

None - Requested

Planning Considerations

Condition 4 - Access and screening

The condition requires:

"Prior to the first occupation details of how the utility will be accessed/egressed externally shall be submitted to and agreed in writing with the Local Planning Authority. Should the access include a ramp or raised platform, details of how this is screened to prevent overlooking shall be provided to the Local Planning Authority. The agreed details shall thereafter be implemented and retained in perpetuity."

Following the submission of additional information, the applicant has provided a revised block plan, floor plan, elevations and a section drawing showing the relationship between the proposed utility access and the neighbouring property at No. 18 Trafalgar Square.

The submitted plans confirm the location of the utility door on the northern elevation of the proposed dwelling together with the proposed external access arrangement. A section drawing has also been provided illustrating the sightline from the utility doorway towards the neighbouring property.

To address the requirements of the condition, the applicant proposes the installation of a privacy screen adjacent to the utility access comprising either a trellis with an external grade plywood backing or a comparable privacy screen arrangement. The submitted section demonstrates that the proposed screening would intercept views towards the neighbouring property and prevent overlooking arising from the use of the utility access.

Officers are satisfied that sufficient information has now been provided to demonstrate how the utility will be accessed externally and how overlooking of neighbouring land and property will be prevented. The submitted details therefore satisfy the requirements of Condition 4 of planning permission H11-0485-24.

Accordingly, Condition 4 can be discharged.

Conclusion

Condition 4 of planning permission H11-0485-24 is therefore 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.