DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H11-1097-25**	**Applicant:**	**Stinder Homes SPV2 Limited**
Proposal:	Details of boundary treatment (Condition 5 of H11-1264-18)		
Location:	Land Adjacent To 36 Lime Walk Long Sutton Spalding		
Terminal Date:	7th January 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

CASE OFFICER ASSESSMENT

Proposal

This is a discharge of conditions application, providing details of boundary treatment (Condition 5 of H11-1264-18).

Site Description

The proposal is within defined settlement of Long Sutton and allocated under the proposed housing site of Los 026 on the South East Lincolnshire Local Plan. The surrounding area is predominately rural characterised by dwellings of varying ages and design. A further residential development is currently under construction to the north.

History

H11-1264-18 - Proposed residential development - up to 70 dwellings. Approved 07-11-19

Consultation Responses

No requested

Planning Considerations

Condition 5 - Boundary Treatments

The condition requires:

Prior to its installation, details of the proposed boundary treatment, including a schedule of materials, and details of the size and species of any hedging, shall be submitted to and approved in writing by the Local Planning Authority, and the details so approved shall be implemented in full before the development is first brought into use.

The applicant has provided:

·4149 / 103 Rev C3 - Landscape Plan

The plans show the scheme of boundary treatments that are to be erected across the site. They are made up of the following:

·1.8m Close Boarded Fence
·2m Close boarded fence
·1.1m post and rail
·2m high brick screen wall
·Knee Rail

The developer has appropriately located the arrangement, ensuring the protection of amenity and character. On this basis, the information submitted is sufficient to discharge the condition, which 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.

Conclusion

Condition 5 of H11-1264-18 is hereby discharged.