

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	H13-0420-21	Applicant:	Enchantment Homes
Proposal:	Details of landscaping, boundary treatment, foul & surface water disposal and external boxes, gas flues & soil vent pipes (Conditions 3, 4, 5 & 6 of H13-0822-18)		
Location:	Adj. 29 River Lane Moulton Spalding		
Terminal Date:	16th June 2021		

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
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Sections 5, 12 and 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	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

PROPOSAL

This is a condition compliance application for land adjacent 29 River Lane, Moulton, concerning details of landscaping, boundary treatment, foul & surface water disposal and external boxes, gas flues & soil vent pipes (Conditions 3, 4, 5 & 6 of H13-0822-18).

SITE DESCRIPTION

Both plots are now certified as complete by Building Control.

RELEVANT HISTORY

H13-0684-16

Outline - Residential development - Approved - 23 August 2016.

H13-1069-16

Outline - Residential development - Refused - 30 November 2016. Allowed on appeal - 08 June 2017.

H13-1215-17

Reserved Matters - Erection of dwelling - outline approval H13-1069-16 allowed on appeal - Approved - 20 February 2018.

H13-0216-18

Outline - Residential development - Approved - 07 June 2018.

H13-0822-18

Full - Erection of 2 detached bungalows - Approved - 09 October 2018.

CONSULTATION RESPONSES

LCC - County Highways & SUDS Officer

No objections

South Holland Internal Drainage Board

Advise infiltration testing.

PLANNING CONSIDERATIONS

Compliance with Condition 3 of H13-0822-18 - Landscaping

The proposed landscaping is fairly basic with a cherry tree to the front of the each bungalow. However, given the small nature of the plots and the siting of dwellings to the rear, the proposed landscaping scheme is considered to be appropriate.

Condition 3 of H13-0822-18 can now be signed off.

Compliance with Condition 4 of H13-0822-18 - Details of Boundary Treatment

The proposed 2 metre high feather edge fencing is to be sited to the side and rear of the site. Native hedging is to be sited toward the front side boundaries at a planted height of 600mm, growing to a height of 1.2 metres. The proposed boundary treatment is considered to be appropriate for the site

and does not impact neighbouring amenity or highway safety. There is no requirement to raise floor levels or ground levels as a flood mitigation measure and therefore 2 metre high fencing is of an appropriate height.

Condition 4 of H13-0822-18 can now be signed off.

Compliance with Condition 5 of H13-0822-18 - Full Details of Drainage

Foul water is to collect in a private drainage system, before being discharged to a mains sewer underneath River Lane. Soakaways are to be sited beneath the turning head locations of each property. There are no known permeability issues in this area that would preclude the use of soakaways.

Condition 5 of H13-0822-18 can now be signed off.

Compliance with Condition 6 of H13-0822-18 - Domestic Accoutrements

An electricity box and soil vent pipe will be sited on the southern side elevation of Plot 1, and on the northern side elevation of Plot 2. The proposed domestic accoutrement locations are considered to be appropriate for the site.

Condition 6 of H13-0822-18 can now be signed off.

CONCLUSION

The recommendation is one of approval.

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.