

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H13-0434-24 **Applicant:** Tawny Homes

Proposal: Details of footway along the site's frontage to connect to the existing footway to the north (Condition 15 of H13-0970-20)

Location: 3 Shivean Gate Moulton Spalding

Terminal Date: 9th July 2024

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02 Development Management
03 Design of New Development

National Guidance

National Planning Policy Framework 2023

Section 9. Promoting sustainable transport.
Section 12. Achieving well designed and beautiful places.

Representations:

	Object	Support	No Obj.	Comments
HIGHWAYS & SUDS SUPPORT	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

The application is to discharge condition 15 of H13-0970-20 (details of footway along the site's frontage to connect to the existing footway to the north).

Site Description

The site is located on the eastern side of Shivean Gate. It was previously occupied by a bungalow and is just within Moulton Conservation Area. A number of listed buildings are situated within the locality, including No. 2 Shivean Gate almost opposite, which is an early 19th Century period property.

Houses are located to the north of the site (Nos. 5 Shivean Gate and 5 All Saints Close) and also opposite (Nos. 2 and 4 Shivean Gate). Three storey 19th Century properties are situated to the

south (Nos 2, 4 and 6 High Street) and associated gardens to the east.

History

H13-0537-14 - Full - Replacement dwelling - Refused 21 October 2014

H13-0914-14 - Full - Replacement Dwelling - re-application following refusal of H13-0537-14 - Granted 23 December 2014.

H13-0283-16 - Full - Proposed 2 four-bedroom houses - Granted 6 June 2016.

H13-0078-17 - CC - Details of landscaping, external materials, design/position of meter boxes and boundary treatment (conditions 3, 4, 13 and 17 of H13-0283-16) - Approved 19 July 2017.

H13-0593-17 - C/C - Details of site and floor levels, footway and disposal of surface water and scheme of archaeology (Conditions 16, 19 & 20 of H13-0283-16) - Approved 19 July 2017.

H13-0606-17 - NMA - Proposed 2 four-bedroomed houses (approved under H13-0283-16) - Amendment to remove parapets - Approved 17 July 2017.

H13-0040-18 - C/C - Details of slate sample, doors, windows and frames, eaves and verges (Conditions 7, 8, 11 and Part 14 of H13-0283-16) - Approved 26 April 2018.

H13-0970-20 - Full - Erection of 2 Dwellings - Approved 19 March 2021.

H13-0163-22 - Full - Details of materials for walls & roofs, boundary treatments, layout, appearance & materials of garage block, means of surface water disposal and ecology management scheme (Conditions 4, 13, 14, 16 & 20 of H13-0970-20) - Approved 22 March 2022.

Consultation Responses

LCC Highways

Condition cannot currently be discharged.

Planning Considerations

LCC Highways has been consulted and has indicated that following:

In order to discharge this condition, the applicant needs to make contact with Lincolnshire County Council in order to proceed with a Section 278 Minor works agreement for the construction of the footway. Once details have been agreed and the Agreement is in place only then can this condition be discharged.

Conclusion

In light of the comments of LCC Highways condition 15 cannot presently be discharged.