DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H14-0189-24**	**Applicant:**	**Melbourne Properties Limited**
Proposal:	Details of external materials, archaeological investigation, site levels/finished floor levels and proposed boundary treatments (Conditions 3, 4, 10 and 11 of H14-0348-23)		
Location:	Land Off Crossgate Lane Pinchbeck Spalding		
Terminal Date:	29th April 2024		

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
05	Meeting Physical Infrastructure and Service Needs
06	Developer Contributions
10	Meeting Assessed Housing Requirements
11	Distribution of New Housing
17	Providing a Mix of Housing
18	Affordable Housing
19	Rural Exception Sites
28	The Natural Environment
30	Pollution
31	Climate Change and Renewable and Low Carbon Energy
32	Community, Health and Well-being
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2023

Section 5 - Delivering a sufficient supply of homes
Section 8 - Promoting healthy and safe communities
Section 9 - Promoting sustainable transport
Section 12 - Achieving well-designed places
Section 14 - Meeting the challenge of climate change, flooding and coastal change
Section 15 - Conserving and enhancing the natural environment

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	1	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
MATTHEW ADAMS, SENIOR HISTORIC ENVIRONMENT OFFICER	0	0	0	1
WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

The application is to discharge conditions 3, 4, 10 and 11 of H14-0348-23 (Details of external materials, archaeological investigation, site levels/finished floor levels and proposed boundary treatments).

Site Description

The site is greenfield in nature and 1.45 hectares in size. To the east the site is bordered by Crossgate Lane and Surfleet Road, with properties opposite and a footpath/area of verge. To the south are properties on Captains Beck. To the west is Gallery Walk pedestrian footpath and agricultural fields beyond. To the north are properties on Flaxmill Lane and Crossgate Lane.

The site is outside the settlement boundary of Pinchbeck and is considered to be countryside.

The application site lies within Environment Agency Flood Zone 3 and the vast majority of the site is identified within the SFRA as a mixture of 'Low Hazard', 'Danger for Some' and 'Danger to Most' (the majority of the site being the first two of these designations) in terms of flood hazard and in the main are 1.25 - 2.0 metres in terms of predicted flood depth.

The extant consent on the site is described below.

History

H14-0912-17- Outline - Residential development - Approved - 27.11.18

H14-1032-21 - Reserved Matters - Residential development - Approved 23.02.2022

H14-0348-23 - Full - Erection of 9 detached bungalows - Approved 21.12.2023

Consultation Responses

The responses received from consultees during the initial consultation exercises, which can be viewed in their entirety through the South Holland website, can be summarised as follows:

Pinchbeck Parish Council

In keeping with the street scene.

Welland & Deepings Internal Drainage Board

I have been engaged in informal discussions with the consulting engineer for the proposed scheme and am now able to confirm my comments. I have been assured that our 9m access strip is to be respected and I am pleased to hear that this is still the case.

The idea of piping a small section of dyke has been discussed with me adjacent to the site access with the inclusion of an inspection chamber. This is agreeable with the Board in principle subject to the submission of an application for consent to alter a watercourse and agreement of technical details in advance of works commencing on site.

I understand a drainage strategy plan is being prepared and I look forward to commenting on this in due course.

Senior Historic Environment Officer

The submitted archaeological WSI meets the required standards, and I can recommend discharge in full of condition 4.

The applicant will need to provide 14 days' notice of commencement of works to comply with condition 5 and we await their confirmation in due course.

LCC Highway and Lead Local Flood Authority

Recommendation: No Obs

None of the conditions to be discharged are LCC requested conditions. It is for the LPA to assess this but must ensure it will not increase flood risk to adjacent land.

Planning Considerations

The application is to discharge conditions 3, 4, 10 and 11 of H14-0348-23 (Details of external materials, archaeological investigation, site levels/finished floor levels and proposed boundary treatments).

Condition Details

The conditions detail:

Condition 3

Before the commencement of the development hereby permitted beyond oversite a schedule of external materials of construction of buildings and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the materials so approved.

Reason: To ensure that the Local Planning Authority retains control over the external materials of construction of the development in the interests of the character and appearance of the development and the visual amenity of the area in which it is set.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

The material schedule is as follows:

- Clumber Red Stock bricks by Forterra - Main Walling, Soldiers and Cills
- Russell Roof Tiles - Grampian- Grey
-Windows and Doors - PVCU - Anthracite Grey - RAL 7016. Flush casements
- Rainwater Goods - Brett Martin Cascade - Black PVCU
- Fascias and Soffitts - PVCU - Anthracite Grey - RAL 7016

The proposed materials are considered acceptable and are considered to be in keeping with the character of the area and therefore are acceptable. The condition can be discharged.

Condition 4

No development shall take place until a written scheme of archaeological investigation has been submitted to and approved in writing by the Local Planning Authority. This scheme should include the following and should be in accordance with the archaeological brief supplied by the Lincolnshire County Council Historic Environment advisor on behalf of the Local Planning Authority:

1. An assessment of significance and proposed mitigation strategy (i.e. preservation by record, preservation in situ or a mix of these elements).
2. A methodology and timetable of site investigation and recording
3. Provision for site analysis
4. Provision for publication and dissemination of analysis and records
5. Provision for archive deposition
6. Nomination of a competent person/organisation to undertake the work
7. The scheme to be in accordance with the Lincolnshire Archaeological Handbook.
The archaeological site work shall only be undertaken in accordance with the approved written scheme.

Reason: To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation in accordance with national guidance contained in Section 16 of the National Planning Policy Framework, December 2023. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works.
This Condition is imposed in accordance with Policy 29 of the South East Lincolnshire Local Plan, 2019.

LCC Archaeology have been consulted and have indicated that written scheme of investigation for archaeological monitoring and recording submitted complies with condition 4 of H14-0348-23. They therefore recommend that condition 4 can be discharged.

Condition 10

Notwithstanding any submitted details relating to level before the commencement of the development hereby permitted, full details of the existing and proposed site levels and proposed floor levels of the buildings, hard surfaced areas and garden/amenity areas, including any mitigation measures arising as a consequence (for example increased height of boundary treatment and potential need for cross-sectional drawings to neighbouring plots), shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed and retained in accordance with the details so approved.

Note: Site levels and finished floor levels have not been approved. Where levels are raised above existing ground levels, the submission shall be supported by cross-sectional drawings showing the relationship with adjoining uses and buildings to enable the Local Planning Authority to be satisfied that sufficient mitigation measures will be in place.

Reason: To ensure that the Local Planning Authority retains control over the finished site and floor levels of the development, in the interests of the amenity of adjacent residents and its visual and architectural relationship with adjacent development. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works.
This Condition is imposed in accordance with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan, 2019.

The submitted plans show that the proposed site levels will not be altered from the existing levels and the finished floor levels will be 4.30 above ordnance datum as per the recommendations within the Flood Risk Assessment.

The details submitted with regard to the existing and proposed site levels and proposed floor levels of the buildings, hard surfaced areas and garden/amenity areas, are all considered to be acceptable therefore condition 10 can be discharged.

Condition 11

Notwithstanding any submitted details prior to its installation, details of the proposed boundary treatments, including a schedule of fencing levels, heights and 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 and retained thereafter.

Note: Where levels are raised above existing ground levels, the submission shall be supported by cross-sectional drawings showing the relationship with adjoining uses and buildings to enable the Local Planning Authority to be satisfied that sufficient mitigation measures will be in place.

Reason: In the interests of the character and appearance of the development and the amenity of the area in which it is set including the amenity of nearby occupiers.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

Along each side boundary of the dwellings a 1.8m high close boarded fence would be erected. The base of the fencing is to be set at the new finished ground levels. To the rear of the dwellings to the west of the site a post and rail fence at a height of 1.8m would be erected, a post and rail fence is also to bound the east and south boundary of plot 1. Along the southern boundary new hedging would be planted. To the north west of the site along the rear boundary of plots 7 and 8 the existing planting is to be retained.

Along all boundaries situated towards the frontage of each plot, an estate style steel railing in black would be erected at a height of 1.0m. The height being confirmed in writing within an email dated 24th April 2024.

Taking all the above into the consideration the submitted boundary treatments are considered acceptable.

Conclusion

The details in relation to these conditions (3, 4, 10 and 11) are acceptable and 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.