

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H15-0102-21 **Applicant:** Quadring Developments

Proposal: Details of boundary treatment, management plan for care and maintenance of trees, storage and disposal of refuse and recycling and details and design of external boxes etc (Conditions 6, 9, 10 & 11 of H15-0463-18)

Location: 70 Main Road Quadring Spalding

Terminal Date: 30th March 2021

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
28	The Natural Environment
30	Pollution

National Guidance

National Planning Policy Framework 2019

Section 12 - Achieving well-designed places
Section 15 - Conserving and enhancing the natural environment

Representations:

	Object	Support	No Obj.	Comments
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CASE OFFICER ASSESSMENT

Proposal

Details of boundary treatment, management plan for care and maintenance of trees, storage and disposal of refuse and recycling and details and design of external boxes etc (Conditions 6, 9, 10 & 11 of H15-0463-18).

Site Description

As reserved matters application.

History

H15-1028-20 - Reserved Matters - Erection of 5 dwellings - outline approval H15-0463-18 (approved February 2021)

H15-0463-18 - s73 - Residential development of 5 three or four bed properties with garages - approved under H15-1068-17 - removal of Condition 4 (approved July 2018)

H15-1068-17 - Outline - Proposed residential development to include demolition of existing bungalow (approved February 2018)

Consultation Responses

None received.

Planning Considerations

Condition 6 (boundary treatment) - The proposal is for 1.8m high fencing to the rear of properties and post and rail fencing to the front. The existing hedging on the eastern, southern and western boundaries is to be retained, but with the hedge to the southern boundary being reduced in height to 1.2m. This is an acceptable arrangement in visual terms and will allow for field views to the south whilst providing screening of the development when viewed from the east. Given that finished floor levels would need to be raised by only 300mm above existing ground level, and garden levels would remain as existing, there are no concerns regarding overlooking.

Condition 9 (management plan for trees) - Existing trees will be maintained by the new property owners in the future. The condition of the trees will be reviewed annually in consultation with the landscaping contractor and/or any specialist consultants required. Management procedures will be adapted where necessary. This arrangement is acceptable.

Condition 10 (refuse storage) - As the development utilises a private drive, a refuse/recycling collection point has been provided adjacent to the public highway, as is preferred by SHDC's Environmental Services team. Bags can be stored within each property's curtilage until collection day. Given the location of the collection point away from properties, it should not have an adverse impact in amenity terms (e.g. by way of odour or vermin).

Condition 11 (domestic accoutrements) - Meter boxes will be sited on the side elevations of properties and any vent pipes will be on rear roof slopes, thereby making them discrete.

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

Taking the above into account, it is considered that Conditions 6, 9, 10 & 11 of H15-0463-18 can be discharged.