

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H15-0185-20 **Applicant:** Mrs J Kane-Stacey

Proposal: Details of external materials, external boxes etc, landscaping and boundary treatment, contamination and archaeology (Conditions 3, 4, 5, 6, 7, 8, 9 and 10 of H15-0582-19)

Location: 62 Water Gate Quadring Spalding

Terminal Date: 8th September 2020

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
09	Promoting a Stronger Visitor Economy
10	Meeting Assessed Housing Requirements
11	Distribution of New Housing
17	Providing a Mix of Housing
30	Pollution

National Guidance

National Planning Policy Framework 2019

Sections 5, 12 & 14 of the National Planning Policy Framework (2019)

Representations:

	Object	Support	No Obj.	Comments
IAN MARSHMAN - HISTORIC ENVIRONMENT OFFICER	0	0	0	1
SHDC INTERNAL	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a condition compliance for details of external materials, external boxes etc, landscaping and boundary treatment, contamination and archaeology (Conditions 3, 4, 5, 6, 7, 8, 9 and 10 of H15-0582-19) on land at 62 Water Gate, Quadring.

Site Description

The proposal is within defined settlement limits and the surrounding area is characterised by dwellings of varying ages and design. The proposal site is within Flood Zone 3 of the Environment Agency Flood Maps and not subject to increased hazard or flood depth on the 2115 South East Lincolnshire Strategic Flood Risk Assessment (March 2017) Mapping. Finished floor levels would be set at 300mm above existing ground level.

History

H15-0999-13

Outline - Residential development - affordable housing scheme - Approved - 08 January 2014

H15-0621-16

Outline - Residential Development - Approved - 23 September 2016

H15-1171-17

Reserved Matters - Erection of 8 detached dwellings - outline approval H15-0621-16 - Approved - 26 April 2018

H15-0582-19

Full - Erection of 4 dwellings to be used as holiday lets and associated works including roadway and accessible play park - Approved - 06 August 2019.

Consultation Responses

LCC - Historic Environment Officer

"The written scheme of archaeological investigation (or specification) submitted here meets all of the requirements of this office in respect of Condition 8, which can now be discharged. Condition 9 requires due notice be given of the intention to start the archaeological works, which this application can constitute. Therefore condition 9 can also be discharged. However, Condition 10 cannot currently be discharged as the archaeological work detailed in the above mentioned specification has yet to be carried out and the final report required by Condition 10 has not yet been completed and consequently nor has the project archive been deposited at an appropriate repository. Condition 10 therefore remains outstanding and should not be discharged at this time."

SHDC - Environmental Protection Officer

"I have reviewed the Humberside Materials Laboratory 'Phase 2 (Ground Investigation) Report Land adjacent to 62 Water Gate, Quadring, Spalding' ref 1251/5048/P/P2 revision 1.0 Dated May 2020 and recommend discharge of condition 7 of H15-0582-19 in full. The applicant is reminded that should unexpected contamination be encountered, all works must cease until a scheme to deal with the contamination has been agreed with Environmental Protection."

Planning Considerations

Condition 3 - Materials Schedule

All four buildings will be constructed from red facing brickwork, with moss green timber effect

cladding and terracotta interlocking clay pantiles. All windows are to be softwood pale green timber style UPVC. The proposed materials are considered to be appropriate for the site. This condition can now be discharged.

Condition 4 - Domestic Accoutrements

The proposed service box locations are located acceptably. This condition can now be discharged.

Condition 5 - Landscaping Detail

The proposed landscaping details shown on plans 0152/19/CC04 and 0152/19/CC05 are considered to compliment the proposed buildings and do not hinder occupant amenity. Condition 5 can now be discharged.

Condition 6 - Boundary Treatment

Hedging around the perimeter of the site is to be retained and maintained at a height of 2.5 metres. The proposed boundary treatment is considered to be appropriate for the site. Condition 6 can now be discharged.

Condition 7 - Contaminated Land Scheme

The Environmental Protection Officer recommends discharge of Condition 7 in full and requests an unexpected contamination informative. Condition 7 can now be discharged.

Condition 8 - Archaeological Scheme

The scheme of archaeological works has been submitted and the Historic Environment Officer is happy for this condition to be discharged. Condition 8 can now be discharged

Condition 9 - Notification of Archaeology Works Commencing

Archaeological works have yet to commence so this condition can not be discharged.

Condition 10 - Archiving of Final Archaeological Report

Archaeological works have yet to commence so this condition can not be discharged.

Conclusion

Conditions 3, 4, 5, 6, 7 and 8 of H15-0582-19 have been addressed to the satisfaction of the Local Planning Authority. An informative will be placed on the decision notice that conditions 9 and 10 of H15-0582-19.

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.