

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H15-0429-25 **Applicant:** Mr & Mrs I Trevor

Proposal: Details of existing and proposed site levels, proposed floor levels, hard surfaced areas, garden/amenity areas and mitigation measures (Condition 7 of H15-0806-24)

Location: The Ferns Beck Bank Quadring Fen

Terminal Date: 2nd July 2025

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
22	Replacement Dwellings in the Countryside
29	The Historic Environment
30	Pollution
31	Climate Change and Renewable and Low Carbon Energy
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework December 2024

Section 5 - Delivering a sufficient supply of homes
Section 9 - Promoting sustainable transport
Section 12 - Achieving well-designed places
Section 14 - Meeting the challenge of climate change, flooding and coastal change

Representations:

	Object	Support	No Obj.	Comments
--	--------	---------	---------	----------

CASE OFFICER ASSESSMENT

Proposal

This is a condition compliance application seeking permission to discharge condition 7 of H15-0806-24.

Site Description

The site is located outside any defined settlement boundary and is therefore in the open countryside as outlined in the South East Lincolnshire Local Plan, 2019 (SELLP). Currently, there is a small bungalow on site with a vast majority of trees and hedges removed prior to the application being submitted. The site features an adjacent dwelling with a small separation to the north which sites six semi-detached dwellings all of near identical design and size.

History

H15-0806-24 - Demolition of existing building and erection of replacement dwelling - Approved

H15-0271-25 - Demolition of existing building and erection of replacement dwelling - approved under H15-0806-24. Amendment to the orientation of the Solar PV panels to the roof of the proposed building - Approved

Consultation Responses

No consultation responses received.

Planning Considerations

Details of Existing and Proposed Site Levels

Condition 7 of H15-0806-24 states that:

Except in such an instance where the site levels will not be increased beyond those existing prior to development on site, before the commencement of the development hereby permitted, full details of the existing and proposed site levels and the 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), 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.

Condition 6 stated that finished floor levels must be 0.3m above typical ground level, drawing number '6472.BR5' shows that the ground level in which the property would sit on would be 2.89 whilst that same plan measures the finished floor levels of the dwelling itself varying from 400-500mm. This is therefore in direct accordance with this condition.

Alongside this, the flood risk for the area remains relatively low. It is set within Flood Zone 3 of the Environment Agency's maps but an area of no hazard within the South Holland Strategic Flood Risk Assessment meaning the finished floor levels of the property would not need to be adversely raised to mitigate against flood risk.

As such, the submitted details are considered to satisfy Condition 7.

Conclusion

Condition 7 of H15-0806-24 can therefore 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.