DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H16-0182-24**	**Applicant:**	**Birdwood Construction Ltd**
Proposal:	Details of design & position of external meter boxes, gas flues & soil vent pipes (Condition 13 of H16-0707-22)		
Location:	Land Adjacent 19 Station Street Spalding		
Terminal Date:	25th 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
10	Meeting Assessed Housing Requirements
11	Distribution of New Housing
17	Providing a Mix of Housing
24	The Retail Hierarchy
25	Supporting the Vitality and Viability of Boston and Spalding Town Centres
28	The Natural Environment
29	The Historic Environment
30	Pollution
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2023

5 - Delivering a sufficient supply of homes
12 - Achieving well-designed and beautiful places
14 - Meeting the challenge of climate change, flooding and coastal change

Representations:

	Object	Support	No Obj.	Comments
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

PROPOSAL

This is a condition compliance for the details of design and position of external meter boxes, gas flues & soil vent pipes (Condition 13 of H16-0707-22) on Land adjacent to 19 Station Street, Spalding.

SITE DESCRIPTION

The site is located within the defined settlement limits of Spalding and within the Spalding Conservation Area and has a number of Listed Buildings to the east and south.

There is a mixed townscape of historical buildings and more modern buildings particularly on the edges of the Conservation Area.

The site is a triangular piece of vacant land that has been unused for a number of years.

There is an air raid shelter on the site, to which access cannot be achieved as the door is bricked closed, that is proposed to be demolished.

The site is located between two and three storey retail/restaurant units, some of which has residential accommodation on the upper floors.

The site is located in Environment Agency Flood Zone 3 and not subject to increased flood hazard or floor depth on the 2115 South Holland Strategic Flood Risk Mapping.

RELEVANT HISTORY

H16-0805-03

Full - New A1, A2 and A3 retail space with six two-bedroom flats over - Approved - 26th November 2003.

H16-0806-03

Conservation Area Consent - Demolition of existing single storey building - Approved - 25th September 2003.

H16-0846-11

Conservation Area Consent - Demolition of air raid shelter - Approved - 4th September 2012.

H16-0694-11

Full - Proposed unit for A1, A2 and A3 use with 6 two bed flats over - Approved - 4th September 2012.

H16-0738-18

Full - Erection of 12 apartments (use class C3) and a flexible commercial use at ground floor (use classes A1, A2, A3 or D1) - Refused - 19th November 2018 - Dismissed at Appeal - 6th August 2019.

H16-0576-19

Full - Permanent siting of catering trailer - Refused - 30th July 2019.

H16-0707-22

Full - Demolition of existing air raid shelter and construction of terrace of 3 two bed dwellings -

Approved - 7th September 2022.

CONSULTATION RESPONSES

Initial Responses Received (Consultation period between 4th March 2024 and 25th March 2024)

South Holland District Council - Conservation Officer - 17th April 2024

"No objections. On all but the central property, all external accoutrements concerned would be situated on elevations that are not readily visible from the public realm and as such should not risk influencing the character of the setting. In the case of the mid-terrace property, positioning of such units on the frontage is unavoidable, but in this instance, is to be coloured appropriately and positioned in a sensible, not overly intrusive location. As such, whilst the use of meter boxes in visible locations should be avoided in the conservation area as much as reasonably possible, it is not considered that the impact of this proposal would place the setting at risk of harm."

EVALUATION

Compliance with Condition 13 of H16-0707-22 - Domestic Accoutrements

Condition 13 of H16-0707-22 states:

"Details of the design and positions of all external boxes for gas and electricity supplies and of any gas flues and soil vent pipes shall be submitted to and approved in writing by the Local Planning Authority prior to their installation and there shall be no variation from the details so approved.

Reason: To ensure that the Local Planning Authority retains control over these details of the development in the interests of the appearance of the development, and the character and visual amenity of this part of the Spalding Conservation Area in which it is set.
This Condition is imposed in accordance with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 16 of the National Planning Policy Framework, 2021."

The proposed electricity boxes are located on both side elevations of the end terrace properties. The mid terrace property will have an electricity box to the left of the front entrance door. The boxes will be brown in colour and will be appropriately sited, not impacting the character of the building as a whole. The soil vent pipes for the end terrace properties will be located toward the edge of the frontage elevation and will be black in colour to match the gutters and rain water pipes. The soil vent pipe for the mid terrace property will project approximately 0.2 metre above the plan of the roof slope. The pipes are considered to be appropriately sited and will not impact the character of the surrounding area.

The Conservation Officer was consulted as the proposal is in Spalding Conservation Area. The Officer has no objections to the submitted details.

CONCLUSION

Taking into consideration these factors, the proposed details are considered to comply with Policies 1, 2, 3, 4,10, 11, 17, 24, 25, 28, 29, 30, 36 and Appendix 6 of the South East Lincolnshire Local Plan (SELLP), 2019; in addition to the Sections 5, 12 and 14 contained within the National Planning Policy Framework (NPFF) (December 2023).

RECOMMENDATION

Based on the assessment detailed above, it is recommended that Condition 13 of H16-0707-22 can now 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.