

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H16-0248-23 **Applicant:** Mr P Foster

Proposal: Details of bricks & roof tiles, external boxes, gas flues & soil vent pipes, existing & proposed site levels and soakaway system for disposal of surface water (Conditions 5, 6, 8, 12 & 13 of H16-1173-21)

Location: 87 Spalding Common Spalding

Terminal Date: 10th May 2023

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
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework December 2024

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

Representations:

	Object	Support	No Obj.	Comments
WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

PROPOSAL

This is a condition compliance application at 87 Spalding Common, Spalding for details of bricks & roof tiles, external boxes, gas flues & soil vent pipes, existing & proposed site levels and soakaway system for disposal of surface water (Conditions 5, 6, 8, 12 & 13 of H16-1173-21).

SITE DESCRIPTION

The proposal site is located within defined settlement limits and the surrounding area is predominately characterised by linear development of varying ages and designs. Fantail House is located to the north of the site with Appleton House to the east, 87 and 88 Spalding Common to the south and the road named Spalding Common to the west with grass banks and South Drove Drain beyond. There is currently a mobile home sited on the approximate footprint of the proposed dwelling. The site is in Environment Agency Flood Zone 2, and in a "Danger for Most" hazard area, with a maximum predicted flood depth of 0.5 metres at the western part of the site, and 1 metre where the proposed bungalow is sited.

RELEVANT HISTORY

H16-1173-21

Full - Erection of detached bungalow and rear extension to existing house - Approved - 12 April 2022.

CONSULTATION RESPONSES

Welland & Deepings Internal Drainage Board

No objections.

PLANNING CONSIDERATIONS

Compliance with Condition 5 of H16-1173-21 - Brick Type to be Agreed

Condition 5 of H16-1173-21 states:

"Before the commencement of the development hereby permitted beyond oversight, details of the brick(s) to be used to the external walls of the bungalow hereby permitted shall be submitted to and approved in writing by the Local Planning Authority, and all the brick(s) used in the development shall conform to the details 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 external walls will be constructed in red facing brickwork, Forterra 'Village Sunglow', Pointed with a cement based mortar in stretcher bond. The proposed brick is considered to be appropriate for the site.

Condition 5 has now been addressed.

Compliance with Condition 6 of H16-1173-21 - Roof Tiles to be Agreed

Condition 6 of H16-1173-21 states:

"Before the commencement of the bungalow hereby permitted beyond oversight, details of the roof tiles to be used for the roof of the bungalow hereby permitted shall be submitted to and approved in writing by the Local Planning Authority, and all tiles used in the development shall conform to the details 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 roof will be finished in Calderdale Edge Dark Grey. The ridge tiles will match in colour and will be fixed using a dry ridge system. The proposed tiling is considered to be appropriate for the site.

Condition 6 has now been addressed.

Compliance with Condition 8 of H16-1173-21 - Domestic Accoutrements

Condition 8 of H16-1173-21 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 in the bungalow 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 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 proposed gas and electricity meter boxes are sited adjacent to the entrance door. The soil vent pipe will be sited on the roofspace above the bathroom. The gas boiler flue will be sited in the rear elevation wall adjacent to the kitchen. The proposed locations for the boxes, flues and vents are considered to be appropriate. There is not considered to be an amenity impact to neighbouring properties from the proposed location.

Condition 8 has now been addressed.

Compliance with Condition 12 of H16-1173-21 - Details of Existing and Proposed Site Levels

Condition 12 of H16-1173-21 states:

"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), 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: 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 reduce the risk of flooding of the 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 Policy 4 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 14 of the National Planning Policy Framework, 2021."

The level of the adjacent highway is 3.85 metres AOD. The previous site level where the bungalow is to be sited was 2.85 metres AOD, with the site level now raised by 0.9 metres to 3.75 metres. A 2 metre high timber fence will be sited adjacent to the bungalow. The proposed finished floor level will be set at 3.90m AOD, 50mm above the level as set out in the Flood Risk Assessment issued with the application ref: H16-1173-23. As the bungalow is single storey there is not considered to be an overlooking aspect to neighbouring properties from the proposal by virtue of the boundary fencing.

Condition 12 has now been addressed.

Compliance with Condition 13 of H16-1173-21 - Details of Soakaway System

Condition 13 of H16-1173-21 states:

"Before the development is commenced beyond oversight, full details of the proposed soakaway system for the disposal of surface water from the development hereby permitted, including percolation test results, shall be submitted to and approved in writing by the Local Planning Authority. This shall include the calculations undertaken to determine the volume of storage required. Should the percolation test results be considered unacceptable by the Local Planning Authority details of an alternative means of providing for surface water drainage shall be submitted for consideration. The approved means of surface water drainage shall be implemented in full before the development hereby permitted is first brought into use.

Reason: To ensure that the site is adequately drained, to avoid pollution, and to prevent increased risk of flooding.

This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 14 of the National Planning Policy Framework, 2021."

A percolation test has been carried out on site across two separate trial holes, with each trial hole being filled three times, and has resulted in an average percolation value of 28.95. The soakaway will be a crate system and the size has been calculated by taking the roof area and multiplying that by the average rainfall per hour (50mm) divided by 3000. With a roof area of approximately 65m² this gives a crate soakaway size of 1.08m³. The proposed percolation rates are considered to be acceptable in this location.

Condition 13 has now been addressed.

CONCLUSION

The submitted details for the conditions 5, 6, 8, 12 & 13 of H16-1173-21 are now considered to have been satisfactorily addressed. This application is recommended for approval.

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.