

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H16-0277-25 **Applicant:** Seagate Homes Ltd
Proposal: Details of gas/electricity external boxes, gas flues and soil vent pipes (Condition 27 of H16-0136-23)
Location: Ivanda Nursery Monks House Lane Spalding
Terminal Date: 13th May 2025

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

- 02 Development Management
- 03 Design of New Development
- 30 Pollution

National Guidance

National Planning Policy Framework December 2024

Section 12: Achieving Well Designed Places.

Representations:

	Object	Support	No Obj.	Comments

CASE OFFICER ASSESSMENT

Site Description

The site relates to a former nursery located within the settlement boundary of Spalding. Planning permission was granted in September 2024 (reference H16-0136-23) for the residential development of 70 dwellings, including the demolition of existing glasshouses.

Proposal

This application seeks approval of the details in respect of Condition 27 of planning permission H16-0136-23. Condition 27 requires details of all external boxes for gas and electricity supplies and of any gas flues and soil vent pipes to be submitted for the written approval of the local planning authority.

History

H16-0136-23: Proposed residential development of 70 dwellings, including demolition of existing glasshouses. Approved 25.09.2024.

Consultation Responses

No consultations were undertaken.

Planning Considerations

Condition 27 Wording

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.

The reason for the condition is:

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.

Condition 27 Detail

The submitted plans show the position and design of gas and electricity boxes and flues. The electricity boxes are slimline and positioned low on the front or gable walls. The gas metre boxes are to be 'Miras' multi box and will be located just above ground level. The vents are positioned low on the roofs, just above the eaves height with minimal projection beyond the roof tiles.

The design and position of these features are considered acceptable and will safeguard the character and appearance of the development and the visual amenity of the area, in accordance with the requirements of condition 27 of planning permission H16-0136-23.

Other Matters

Several plans have been submitted as part of the application which refer to solar panels (PV Elevation Sheet 1-3 and PV Location Plan).

Solar panels have not been approved as part of the development, nor does the condition make reference to the submission of details in respect of solar panels. The applicant was therefore advised that these plans cannot be considered under the terms of condition 27.

Conclusion

The submitted details are considered acceptable.

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.

Recommendation

Condition 27 of planning permission reference H16-0136-23 is discharged.