DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H16-1016-20**	**Applicant:**	**Longhurst Group Ltd.**
Proposal:	Details of boundary treatment and cycle storage (Conditions 10 and 11 of H16-0853-17)		
Location:	Former Welland Hospital Site Holbeach Road/Roman Bank Spalding		
Terminal Date:	22nd February 2021		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019	
02	Development Management
03	Design of New Development
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

NPPF 2019.

Representations:

	Object	Support	No Obj.	Comments

CASE OFFICER ASSESSMENT

Proposal

Details of boundary treatment and cycle storage (Conditions 10 and 11 of H16-0853-17).

Since submission the plans have been amended to demonstrate levels across the development in relation to adjoining uses, and now include two 300mm gravel boards with a 1.8m fence on top, providing a boundary treatment that is 2.4m high in total to properties on Crown Drive.

Site Description

As the host consent.

History

H16-0853-17. Residential development for up to 36 residential units and associated works.

APPROVED 15-01-19.

H16-0542-20.NON MATERIAL AMENDMENT. Residential Development of 36 Dwellings and associated works - approved under H16-0459-19. Change of connection point for foul drainage purposes. APPROVED 05-08-20.

Consultation Responses

None received.

Planning Considerations

Condition 10

Prior to its installation, details of the proposed boundary treatment, including a schedule of materials, and details of the size and species of any hedging, shall be submitted to and approved in writing by the Local Planning Authority, and the details so approved shall be implemented in full before the development is first brought into use.

The plans have been amended to significantly improve the relationship of the development to the properties on Crown Drive. A balance between privacy and not having an overbearing impact by using high fences will be achieved.

The relationship to the other surrounding residents and land uses is acceptable.

The details accord with the intentions of Policies 2 and 3 of the SELLP and the NPPF 2019.

Condition 11

Prior to the commencement of the first use of the development hereby permitted details of provision for cycle storage/parking for all approved dwellings shall be approved in writing by the Local Planning Authority.

The proposals intend to use the garages on certain plots; the garages proposed within the C and D types are 2.8m by 5.8m and so slightly short. The garages in the E and F types are 2.9m by 6.9m and so meet the requirements of the appendix . The garages are not the sole area for the parking of cars and bikes with all units also having driveways and so hopefully the proposals are sufficient for the Council to be comfortable that cycle provision is provided on site.

On balance the details largely accord with the intentions of Policy 36 and Appendix 6 of the SELLP and the NPPF 2019.

Conclusion

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.