DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H16-1054-19**	**Applicant:**	**Mr R Woodcock**
Proposal:	Details of external materials, design and position of external boxes, gas flues etc and ground gas protection measures (Conditions 3, 4 and 6 of H16-0662-19)		
Location:	Off Chaucers Way Spalding		
Terminal Date:	20th December 2019		

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

National Guidance

National Planning Policy Framework 2019

Sections 5, 12 and 14 of the National Planning Policy Framework (2019)

Representations:

	Object	Support	No Obj.	Comments
SHDC INTERNAL	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a condition compliance application that seeks to address details of external materials, design

and position of external boxes, gas flues etc and ground gas protection measures (Conditions 3, 4 and 6 of H16-0662-19) at land off Chaucers Way, Spalding.

Site Description

The approved dwelling is within defined settlement limits and the surrounding area is characterised by dwellings of varying ages and design. The site is within Flood Zone 3 of the Environment Agency Flood Maps and is not impacted by increased hazard or flood risk on the 2115 South East Lincolnshire Strategic Flood Risk Mapping. Finished floor levels would be sited at 300mm above existing ground level.

History

H16-0366-08

Full - Proposed replacement garage/store - Approved - 27 May 2008.

H16-0662-19

Full - Erection of detached dwelling - Approved - 15 August 2019.

Consultation Responses

Environmental Protection Officer

I have reviewed the Building Regulations Specification ref 3517-19 dated September 2019 by GR Merchant regarding the proposed ground gas protection measures and recommend discharge of part i of condition 6 of H16-0662-19.

Planning Considerations

- Compliance with conditions 3, 4 & 6 of H16-0662-19.

3 - Materials Schedule

Proposed brick is Weinberger Terca Kassandra, proposed tiles are Weinberger Sandtoft Antique 2, with White UPVC windows and doors, and Black UPVC rainwater goods. The materials are appropriate and this condition is considered to have been addressed.

4 - Domestic Accoutrements

Service boxes will be located on the northern side elevation wall. This location is appropriate and this condition is considered to have been addressed.

6 - Ground Gas Protection

The Environmental Protection Officer has stated "I have reviewed the Building Regulations Specification ref 3517-19 dated September 2019 by GR Merchant regarding the proposed ground gas protection measures and recommend discharge of part i of condition 6 of H16-0662-19." The details submitted are appropriate and part i of this condition is considered to have been satisfied

Conclusion

The submitted details are considered appropriate and Conditions 3, 4 and 6i of H16-0662-19 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.