DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H17-0412-22**	**Applicant:**	**Mr M Gray**
Proposal:	Details of external materials, design & position of external meter boxes, gas flues & soil vent pipes, ecology management scheme, boundary treatments, final report relating to archaeology and means of foul & surface water disposal (Conditions 3, 4, 6, 8, 11 & 15 of H17-1340-21)		
Location:	Orchard Cottage Birds Drove Surfleet		
Terminal Date:	9th June 2022		

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
22	Replacement Dwellings in the Countryside
28	The Natural Environment
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

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
IAN MARSHMAN - HISTORIC ENVIRONMENT OFFICER	0	0	0	1
WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

PROPOSAL

This is a condition compliance application at Orchard Cottage, Birds Drove, Surfleet for details of external materials, design & position of external meter boxes, gas flues & soil vent pipes, ecology management scheme, boundary treatments, final report relating to archaeology and means of foul & surface water disposal (Conditions 3, 4, 6, 8, 11 & 15 of H17-1340-21)

SITE DESCRIPTION

The site is outside of defined settlement limits in the open countryside. The surrounding area is predominately rural, characterised by buildings of varying ages and designs. The proposed replacement dwelling is in Environment Agency Flood Zone 3, and is in a "Low Hazard" hazard area with a maximum predicted flood depth of 0.25 metres.

RELEVANT HISTORY including applications for what is now the adjacent site at Mala Wala

H17-0500-92

Full - Replacement dwelling - Approved - 04 August 1992

H17-0728-95

Condition Compliance - Details of design and external appearance of replacement dwelling (Condition 2 of H17/0500/92) - Approved - 31 May 1996

H17-1051-97

Condition Compliance - Details of landscaping and external materials (Conditions 3 & 5 of application H17/0500/92) - Approved - 22 October 1997

H17-1188-19

Section 73 Continuation - Replacement dwelling - approved under H17-0500-92 - Modification of Condition 6 to allow cottage to be demolished before replacement dwelling is inhabited - Approved - 30 January 2020.

H17-0933-21

Full - Retention of vernacular style cottage as a dwelling house, contrary to the requirement of Condition 2 of planning permission H17-1188-19 for the dwelling to be demolished - Approved - 02 November 2021.

H17-1340-21

Full - Replacement Cottage - Approved - 28 February 2022.

H17-1347-21

Section 73 Continuation - Replacement Dwelling - approved under H17-1188-19. Modification of Condition 1 to allow amendments to previously approved plans and removal or modification of Condition 2 to allow the existing dwelling to remain on site - Approved - 23 February 2022.

CONSULTATION RESPONSES

LCC - Historic Environment Officer

"I can confirm that this Historic Building Report meets the requirements of this office in respect of Condition 11 of permission H17-1340-21. We can therefore recommend that the local planning authority could now discharge condition 11."

Welland and Deepings Internal Drainage Board

"If any surface water or treated effluent discharges are proposed to any watercourse from the site then the prior written consent of the Board would be required."

PLANNING CONSIDERATIONS

Accordance with Condition 3 of H17-1340-21 - Materials Schedule

Proposed brick is Weinerberger Kassandra, roof tile is natural grey slate with black cast effect rainwater goods, and cream timber effect upvc windows.

The proposed materials of construction are considered to be appropriate for the site and are typical are other rural dwellings in the vicinity.

Condition 3 is considered to have been addressed.

Accordance with Condition 4 of H17-1340-21 - Domestic Accoutrements

A soil vent pipe will be sited in the western side elevation along with an electricity meter box. The proposed locations are not visually prominent and considered to be appropriate for the dwelling.

Condition 4 is considered to have been addressed.

Accordance with Condition 6 of H17-1340-21 - Ecology Management Scheme

The submitted report from Hillier Ecology Limited proposes 2 insect boxes at the rear boundary, 2 bat boxes on the side elevation walls of the dwellings, two bird boxes to the front of the building and one to the rear, with a hedgehog nest box beyond the rear boundary in the existing orchard.

The proposed measures are considered to aide a variety of species and support biodiversity in the vicinity of the site.

Condition 6 is considered to have been addressed.

Accordance with Condition 8 of H17-1340-21 - Boundary Treatment

A laurel hedgerow between 0.7 to 1.1 metres in height will be located to the front of the site, a 0.7-1.1 metre high mixed thorn hedgerow on the eastern side boundary, with the existing thorn hedgerow retained at the rear southern boundary and a 1.2 metre high timber fence at the south-western boundary. The entirety of the western side boundary will have a 1.8 metre high timber close board fence beyond which the dwelling named Mala Wala is sited.

The proposed boundary treatment provides an appropriate level of privacy and is in keeping with the rural character of the site and surrounding area.

Condition 8 is considered to have been addressed.

Accordance with Condition 11 of H17-1340-21 - Archiving of Archaeological Final Report

When consulted, the Historic Environment Officer has responded to state *"I can confirm that this Historic Building Report meets the requirements of this office in respect of Condition 11 of permission H17-1340-21. We can therefore recommend that the local planning authority could now discharge condition 11."*

Condition 11 is considered to have been addressed.

Accordance with Condition 15 of H17-1340-21 - Full Details of Drainage

A soakaway will be sited in the rear garden. The supporting information states:

"Surface water drains - 100mm upvc pipes and fittings, bedding etc all as foul drainage. Drains laid to 1 in 70 falls and to connect into below ground soakaway drainage system if found to be adequate, otherwise provide soakaways. Where drains are subject to vehicular loading, pipes to be encased with 100mm concrete surround & movement joints all as diagram 12 document H1. Alternatively drain run bedded and pipe surrounded in pea gravel with 75thick concrete slab laid over with 300 bearing on original ground either side"

A sewage treatment plant will be sited in the rear garden. The supporting information states:

"Foul drains - 100mm dia upvc to BS EN 1401 as shown on layout drawing. Foul drains to fall via gravity to a sewage treatment plant sized for a 4 bedroom house (max 8 persons). Pipe Bedding all as specified in Diagram 10 Par H1 for flexible pipe ie 100mm bed of granular material to BS EN 1610 Annex B graded from 5mm to 10mm max size. Bedding material to top of pipe level. 30mm cover of selected fill free from stones larger than 40mm. Pipes with inverts less that min recommended cover in tables 8,9 and 10 of Part H1 to be protected in accordance with Diagram 11. Part H1. Rodding points to be fitted with discharge stacks to give access to any inaccessible pipe length. 50mm clearance around pipe and inert rigid material to cloak void both sides to prevent ingress of vermin. Hole sealed around pipe with compressible material. 450 diameter grp inspection chambers and rodding access points in locations shown."

The proposed details have enough capacity to cater for the occupants of the site.

Condition 15 is considered to have been addressed.

PLANNING BALANCE

All conditions relating to construction materials, domestic accoutrements, ecology management, boundary treatment, filing of the archaeological report, and drainage are considered to have been addressed.

CONCLUSION

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.