DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H17-0461-24**	**Applicant:**	**Mr G & Mrs C Ingamells**
Proposal:	Details of external materials, existing & proposed site & floor levels, construction management plan & method statement & biodiversity net gain plan (Conditions 3, 6, 7 & 9 of H17-0110-24)		
Location:	25 The Reservoir Surfleet Spalding		
Terminal Date:	17th July 2024		

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

National Guidance

National Planning Policy Framework 2023

Section 12 - Achieving well-designed and beautiful places
Section 14 - Meeting the challenge of climate change, flooding and coastal change
Section 16 - Conserving and enhancing the historic environment

Representations:

	Object	Support	No Obj.	Comments
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SHDC INTERNAL	0	0	1	0

CASE OFFICER ASSESSMENT

Proposal

This proposal seeks to discharge Conditions 3, 6, 7 and 9 of planning approval H17-0110-24, relating to details in relation to external materials, existing and proposed site and floor levels, construction management plan and method statement and biodiversity net gain plan.

Planning approval H17-0110-24 granted planning permission for the erection of a proposed replacement dwelling.

Site Description

The existing property on the site has now been demolished following the planning approval H17-0466-21. The site fronts onto Surfleet Reservoir with a slope to the rear up to the roadway, which is accessed by existing concrete steps. There is approx. 2m high close board and concrete gravel board boundary treatment to the west and east. There is also higher hedging along the eastern boundary. Existing development along The Reservoir is mixed in terms of design and age, with some recent replacements visible.

History

H17-0466-21 - Full - Demolition of existing dilapidated pre-fabricated dwelling and erection of new dwelling - Approved 12.07.2021

H17-1289-21 - Full - Demolition of existing dilapidated dwelling and erection of new dwelling - re-submission of H17-0466-21- Approved 31.01.2022

H17-0110-24 - Full - Proposed Replacement Dwelling - Approved 17.04.2024

Consultation Responses

The responses received from consultees during the initial consultation exercises, which can be viewed in their entirety through the South Holland website, can be summarised as follows:

SHDC Environmental Protection Officer

No comments

LCC Highway and Lead Local Flood Authority

Recommendation: No Objections
Comments: Details of external materials, existing & proposed site & floor levels, construction management plan & method statement & biodiversity net gain plan (Conditions 3, 6, 7 & 9 of H17-0110-24) The details submitted to discharge condition 7 attached to 0110-24 are acceptable in accordance with the details submitted. Informative - The public right of way shall not be blocked and access shall be maintained at all times.

Planning Considerations

The application is to discharge Conditions 3, 6, 7 and 9 of planning approval H17-0110-24, relating to details in relation to external materials, existing and proposed site and floor levels, construction management plan and method statement and biodiversity net gain plan.

Condition Details

The conditions detail:

Condition 3

Before the commencement of the development hereby permitted beyond oversite a schedule of external materials of construction of buildings and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the materials 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, 3 and 29 of the South East Lincolnshire Local Plan, 2019 and Sections 12 and 16 of the National Planning Policy Framework, December 2023.

The material schedule is as follows:

- Slate roof tiles
- Weber render in Pearl Grey walls above dpc
- Blue engineering brick walls below dpc
-Anthracite powder coated aluminium windows and doors

The proposed materials are considered acceptable and are considered to be in keeping with the character of the area and therefore are acceptable. The condition can be discharged.

Condition 6

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: Site levels and finished floor levels have not been approved. 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 Section 14 of the National Planning Policy Framework, December 2023.

The site is within an area identified as a functional flood plan in the South East Lincolnshire Strategic Flood Risk Assessment (March 2017). The submitted FRA recommends that the ground floor level should be at a minimum of 4.85m OD, which is just above the predicted flood level (4.83m OD). It also recommends that any dwelling be two storey, with bedrooms at first floor. The proposal complies with these recommendations. The Environment Agency had no objections subject to the development being carried out in accordance with the submitted FRA and associated addendum with planning application H17-0110-24.

The land levels are proposed to increase from the existing levels of between approximately 3.3 and 3.18 AOD to a proposed finished floor level of 4.85m OD. This provides a notable increase; however, the levels are considered to be appropriate given its surrounding context.

With regards to the finished floor levels and the impact to the neighbouring dwellings, the application site has extant planning permission under application H17-1289-21 which the applicant has made a material start. The finished floor levels proposed do not differ to the finished floor levels approved under H17-1289-21, and therefore the Local Planning Authority would be unreasonable not to discharge this condition.

Taking all the above into the consideration the submitted site and finished floor levels are considered acceptable.

Condition 7

The development hereby permitted shall be undertaken in accordance with a Construction Management Plan and Method Statement that shall first be approved in writing by the Local Planning Authority. The Plan and Statement shall indicate measures to mitigate the adverse impacts of vehicle activity and the means to manage the drainage of the site during the construction stage of the permitted development. It shall include;

· the phasing of the development to include access construction;
· the on-site parking of all vehicles of site operatives and visitors;
· the on-site loading and unloading of all plant and materials;
· the on-site storage of all plant and materials used in constructing the development;
· wheel washing facilities;
· the routes of construction traffic to and from the site including any off-site routes for the disposal of excavated material and;
· strategy stating how surface water run off on and from the development will be managed during construction and protection measures for any sustainable drainage features. This should include drawing(s) showing how the drainage systems (temporary or permanent) connect to an outfall (temporary or permanent) during construction.

Reason: In the interests of the safety and free passage of those using the adjacent public highway and to ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the permitted development during construction.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

The relevant consultees have been consulted and have raised no objections the Highways Authority confirmed the following "The details submitted to discharge condition 7 attached to 0110-24 are acceptable in accordance with the details submitted. Informative - The public right of way shall not be blocked and access shall be maintained at all times." The submitted details are considered acceptable, and the condition can be discharged.

Condition 9

Prior to the commencement of the development hereby permitted beyond oversite, a Biodiversity Net Gain Plan to demonstrate a net gain in biodiversity on-site shall be submitted to, and approved in writing by, the Local Planning Authority. This shall be supported by a Biodiversity Management Plan setting out how the biodiversity enhancements will be managed and monitored for the lifetime of the development.

Note: Development can incorporate a number of simple, low-cost measures to deliver biodiversity benefits and enhance priority habitats and species, such as, the use of bat and barn owl roost boxes and integrating nesting opportunities into buildings. The use of swift bricks on new developments would help minimise the decline in swifts, a priority species.

Reason: To ensure that the development is able to deliver a net gain in biodiversity.
This Condition is imposed in accordance with Policy 28 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in the National Planning Policy Framework, 2023.

The details provided are sufficient and acceptable to discharge Condition 9. The ecological benefit illustrated is the inclusion of three swift bricks immediately beneath the soffit to the roof on the north east elevation. Two insect boxes are to be mounted on the east boundary facing west. Bat boxes are also to be positioned on the boundary fronting the river on the north west corner.

The provision of three swift bricks, installation of insect boxes and the bat boxes are sufficient to ensure the proposal complies with policy 28.

Conclusion

The details in relation to these conditions (3, 6, 7 and 9) are acceptable and can 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.