DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H17-0477-21**	**Applicant:**	**Mrs T Brand**
Proposal:	Details of external materials, external boxes, gas flues & soil vent pipes and existing & proposed site levels & floor levels (Conditions 3, 4 & 5 of H17-0622-20)		
Location:	Land Adjacent 23 Stockhouse Lane Surfleet		
Terminal Date:	25th June 2021		

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
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

Sections 5, 12 and 14 of the 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

CASE OFFICER ASSESSMENT

PROPOSAL

This is a condition compliance application regarding details of external materials, external boxes,

gas flues & soil vent pipes and existing & proposed site levels & floor levels (Conditions 3, 4 & 5 of H17-0622-20) on land adjacent 23 Stockhouse Lane, Surfleet.

SITE DESCRIPTION

The proposal site is outside of defined settlement limits with the boundaries to the east and west of the site. The surrounding area is predominately rural and is characterised by linear development of varying ages and design. The eastern boundary of the site is in Environment Agency Flood Zone 2, and the site is subject to a low flood hazard with a maximum predicted flood depth of 0.25 metres on the 2115 South Holland Strategic Flood Risk Mapping.

SITE HISTORY

H17-0585-99

Outline - Proposed dwelling - Refused - 17 September 1999.

H17-1161-99

Outline - Proposed dwelling - Refused - 04 February 2000.

H17-0242-17

Outline - Residential development - single building plot - Approved - 15 May 2017.

H17-0504-19

Reserved Matters - Erection of dwelling - Outline approval H17-0242-17 - Approved - 20 August 2019.

H17-0622-20

Full - New detached dwelling with attached garage - Approved - 02 October 2020.

CONSULTATION RESPONSES

None

PLANNING CONSIDERATIONS

Assessment against Condition 3 of H17-0622-20 - Materials Schedule

Condition 3 states:

"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 and 3 of the South East Lincolnshire Local Plan, 2019."

The parking area to the front of the property would be gravelled. The patio to the rear would be constructed from Bradstone Cotswold slabs. The walls will be constructed from Wienerberger Hathaway Brindle Brick. Tiles will be Cupa H14 Standard Slate. Doors will be cream composite and white PVCU. Windows will be cream PVCU flush casement windows.

Proposed fencing will be 1.8 metres high treated timber close boarded fence panels and gravel boards on the southern front boundary, with a 1.2 metre high treated timber post and rail fence to the west and north side and rear boundaries. The eastern boundary adjacent to the public footpath will have 2.025 metre high Wienerberger Hathaway Brindle brick masonary pillars with treated close

boarded fence panels between the pillars.

All of the proposed materials are considered to be appropriate for the site.

Condition 3 of H17-0622-20 has now been addressed.

Assessment against Condition 4 of H17-0622-20 - Domestic Accoutrements

Condition 4 states:

"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.

Reason: 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."

The proposed service boxes will be sited toward the front of eastern side elevation wall adjacent to the double garage. This proposed location is considered to be appropriate for the site. All soil vent pipes are to be internal and no flues are indicated.

Condition 4 of H17-0622-20 has now been addressed.

Assessment against Condition 5 of H17-0622-20 - Details of Existing and Proposed Site Levels

Condition 5 states:

"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: 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 national guidance contained in Section 14 of the National Planning Policy Framework, 2019."

The existing and proposed site levels are 3.8 metres ODN across the site therefore there will be no new overlooking aspect created externally. The dwelling will be raised 0.675 metres above existing ground levels. There are no windows in the side elevations facing south and east on the proposed dwelling. Additionally, no first floor windows directly face adjacent properties or the rear gardens of adjacent properties. There is not considered to be a material overlooking aspect. With regard to overshadowing, the proposed dwelling is sited directly north of 23 Stockhouse Lane, so the path of the sun from east to west on a southerly trajectory will not leading to an overshadowing. As the proposed dwelling is sited directly west of 21 Stockhouse Lane and 17 metres away, there is not considered to be an overshadowing aspect for a significant period of the day or year.

Condition 5 of H17-0622-20 has now been addressed.

PLANNING BALANCE

The relevant details for materials, service box locations and site levels are now considered to have been submitted.

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.