DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H20-0689-22**	**Applicant:**	**Scenic Homes**
Proposal:	Details of external materials, contamination, external boxes for gas and electricity, construction management plan/method statement, estate road phasing and completion plan and foul water drainage works (Conditions 3, 5, 9, 11, 13 & 14 of H20-0947-21)		
Location:	Land Adj. Havencombe Chapelgate Sutton St James		
Terminal Date:	12th December 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
06	Developer Contributions
10	Meeting Assessed Housing Requirements
11	Distribution of New Housing
17	Providing a Mix of Housing
18	Affordable Housing
28	The Natural Environment
29	The Historic Environment
30	Pollution
31	Climate Change and Renewable and Low Carbon Energy
32	Community, Health and Well-being
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

NPPF 2021.

Representations:

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

SHDC INTERNAL	0	0	0	2
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Details of external materials, contamination, external boxes for gas and electricity, construction management plan/method statement, estate road phasing and completion plan and foul water drainage works (Conditions 3, 5, 9, 11, 13 & 14 of H20-0947-21).

The application has been amended since submission to revise the levels details to accord with the section approved by the host consent, by reducing the FFL of Plot 1 to 2.2m from 2.35m, and to include details of concerns to the SHDC Environmental Protection Team into the Construction Management Plan.

Site Description

History

H20-0947-21. FULL. Residential development comprising 30 dwellings with associated estate roads, landscaping & open space. APPROVED. 24-05-22.

Consultation Responses

SHDC Environmental Protection

Happy with the general arrangements regarding working hours and noise/vibration reduction outlined in the Construction Management Plan. However given that the contaminated land remedial works have not yet been signed off, would advise that measures are taken to prevent dust contamination of nearby properties, such as dampening down of air born dust and peripheral sheeting, should this be necessary due to weather conditions. This is due to raised levels of asbestos and biological hazards identified by previous investigation.

Revised consultation

I have reviewed the Elemental GI Ltd REPORT: REMEDIAL METHOD STATEMENT FOR SITE OFF CHAPELGATE, SUTTON ST. JAMES Project No: E22108 Report Ref: E22108/4/3 Date: Dec. 2022 Rev. 2 and am in general agreement with the findings. I recommend discharge of part 5 of H20-0947-21 and look forward to receipt of the validation report in due course.

I have no outstanding concerns regarding the construction management plan.

Anglian Water

Revised details - have reviewed the submitted documents and can confirm that have no additional notes to add to
previous response.

Planning Considerations

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.

Details are set out in the External Materials Schedule and are considered to be acceptable.

Condition 5

The development hereby permitted shall not be commenced until a scheme to deal with any contamination of land or pollution of controlled waters, has been submitted to and approved in writing by the Local Planning Authority (LPA).

The scheme shall include the following measures unless the LPA dispenses with any such requirement in writing.

A written method statement detailing the remediation strategy for land contamination and/or pollution of controlled waters affecting the site and a timetable for their completion shall be submitted to and approved in writing by the LPA. This shall include details of the proposed verification plan including compliance criteria and monitoring details.

No deviation shall be made from this scheme without the express written agreement of the LPA. If during redevelopment contamination not previously considered is identified, then the LPA shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspected contamination has been submitted to and agreed in writing by the LPA.

The details are now considered to be acceptable, and this is confirmed by the EHO.

Condition 9

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.

The agent has clarified by email that the meter boxes on front elevations coloured to match the brick colours. This email is included as an approved document. The details are considered to be acceptable.

Condition 11

The development hereby permitted shall be undertaken in accordance with a Construction Management Plan and Method Statement that shall first be submitted to, and approved in writing by, the Local Planning Authority.

The Construction Management Plan and Method Statement shall indicate measures to mitigate against the adverse impacts of vehicle movements and vehicle parking and shall include;
- the phasing of the development to include access construction;
- the parking of vehicles of site operatives and visitors;
- the loading and unloading of plant and materials;
- the storage of plant and materials used in constructing the development;
- wheel washing facilities;
- a 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 (permanent or temporary) connect to an outfall (temporary or permanent) during construction.

The details are considered to be acceptable, and this is confirmed by the EHO.

Condition 13

The permitted development shall be undertaken in accordance with an Estate Road Phasing and Completion Plan, which shall first be approved in writing by the Local Planning Authority. The Plan shall set out how the construction of the development will be phased and standards to which the estate roads on each phase will be completed during the construction period of the development.

The details are considered to be acceptable.

Condition 14

Prior to the construction above damp proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any phase, the foul water drainage works relating to that phase must have been carried out in complete accordance with the approved scheme.

The details are considered to be acceptable.

Conclusion

Approve.

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.