

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H21-1237-25 **Applicant:** Mr J Peggs

Proposal: Details of means of storage and disposal of refuse and recycling, as well as appropriate management and maintenance (Condition 6 of H21-0998-22)

Location: The Beeches 41a Station Road Tydd Gote

Terminal Date: 9th February 2026

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02 Development Management
03 Design of New Development
30 Pollution

National Guidance

National Planning Policy Framework December 2024

Section 2 - Achieving sustainable development
Section 4 - Decision-making
Section 11 - Making effective use of land
Section 12 - Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
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CASE OFFICER ASSESSMENT

Proposal

This application seeks to discharge condition 6 of permission H21-0998-22. Permission H21-0998-22 granted consent for the conversion of a garage into a dwelling. The application was retrospective and was approved on 12 December 2022.

Site Description

The garage is located at the rear of 41 Station Road, Tydd Gote. The garage is accessed by an existing driveway that is shared with No. 41. There is a two-storey dwelling to the east of the site and a chalet bungalow is located beyond this.

Relevant Planning History

H21-0802-00: (Full Application) Construction of new garage and workshop - approved 16 August 2000

H21-0674-20: (Full Application) Proposed dwelling - approved 12 November 2020

H21-0725-20: (Full Application) Proposed garage conversion to dwelling including extension - approved 12 November 2020

H21-0984-22: (Full Application) Erection of dwelling (retrospective) - previously approved under H21-0674-20 - approved 02 December 2022

H21-0998-22: (Full Application) Conversion of garage into dwelling (retrospective) - previously approved under H21-0725-20 including proposed extension - approved 12 December 2022

Consultation

In this instance, it was not deemed necessary to undertake any specific consultation for the proposals.

Key Planning Considerations

Condition 6 reads as follows:

"The development hereby permitted shall not be commenced before details of the means of storage and disposal of refuse and recycling, as well as appropriate management and maintenance, have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the first occupation of relevant dwellings and shall thereafter be retained.

Note: For residential development, reference should be made to the Council's published PRIVATE DRIVES - WASTE VEHICLE COLLECTION SERVICE - GUIDANCE NOTE when submitting these details.

Reason: To ensure that adequate facilities are made available for refuse storage and disposal to avoid pollution, to protect residential amenity, and in the interests of the appearance of the site and the area within which it is set. 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 Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019."

The application is accompanied by a Refuse Strategy Statement which shows an area close to the dwelling where bins are stored. The bins are pulled next to Station Road on bin collection days to enable collection from next to the adopted highway. The bins are then pulled back to the dwelling on the same day of collection. It is considered that the bin storage and collection arrangements are acceptable. As such, condition 6 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.

Conclusion

The details address the requirements of condition 6 of permission H21-0998-22.

Recommendation

Discharge condition 6.