

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H23-0793-19 **Applicant:** Haycroft Homes Ltd

Proposal: Details of specification and phasing in relation to landscape management plan (Condition 15 of H23-0761-17)

Location: High Road Whaplode Spalding

Terminal Date: 7th October 2019

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

28 The Natural Environment

National Guidance

National Planning Policy Framework 2019

Section 15. Conserving and enhancing the natural environment

Representations:

	Object	Support	No Obj.	Comments
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CASE OFFICER ASSESSMENT

Proposal

This is a condition compliance application that seeks permission for the details of specification and phasing in relation to landscape management plan pursuant to Condition 15 of H23-0761-17. Planning permission was granted for residential development comprising 33 dwellings in High Road, Whaplode, Spalding.

Site Description

The site is located at the western end of Whaplode and is predominantly an open agricultural field but also comprises a part of the rear garden to 355 High Road. To the east of the site is 355 High Road which is a detached dwelling.

The approved residential scheme comprises an access road, public open space and a mixture of dwellings ranging from 2 storey dwellings and bungalows with garages.

History

H23-0508-16 - Residential development comprising 33 dwellings - Approved

H23-0761-17 - Residential development comprising 33 dwellings - approved under H23-0508-16. Modification of Condition 2 to allow amendments to previously approved plans - Approved

H23-0786-18 - Details relating to Refuse Management Plan submitted (Condition 21 of H23-0761-17) - Approved

H23-0343-19 - Details of roads and footways, design and location of cycle storage, Management Plan for open space and outdoor play areas and boundary treatment (Conditions 3, 12, 16, and 19 of H23-0761-17) - Approved

Consultation Responses

None.

Planning Considerations

The Landscape Management Plan needs to be read in conjunction with the detailed planting plan drawing (HCH/17/1) together with the Landscape Strategy outlined in the Biodiversity Enhancements report.

The plan comprises measure for the following:

- Existing Hedgerows
- Proposed Specimen Tree Planting
- Proposed Native Hedgerows
- Proposed Ornamental Shrubs/Groundcover
- Amenity Grass & Bulbs
- Wildflower Meadows/Grassland
- Fencing & Gates

A list of detailed management objectives, annual works and occasional works is provided per each landscaping measure.

Overall, the plan is considered to be satisfactory to provide a "net gain in biodiversity protecting the biodiversity value of land, buildings and trees" and "maximising the opportunities for restoration, enhancement and connection of natural habitats and species" according to Policy 28 of the South East Lincolnshire Local Plan, 2019 and Section 15 of the National Planning Policy Framework, 2019.

Conclusion

Taking into account the considerations above, the details provided are deemed to be acceptable and consequently Condition 15 of H23-0761-17 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.