DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H23-0832-19**	**Applicant:**	**Mr G Barron**
Proposal:	Details of external materials, landscaping, archaeological details, radon gas, foul and surface water disposal (Conditions 3, 4, 5, 6, 7, 8 and 9 of H23-0556-18)		
Location:	Sycamores Back Bank Whaplode Drove		
Terminal Date:	29th October 2019		

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

National Guidance

National Planning Policy Framework 2019

Sections 5, 12 and 14 of the National Planning Policy Framework, 2019.

Representations:

	Object	Support	No Obj.	Comments
HIGHWAYS & SUDS SUPPORT	0	0	1	0
IAN MARSHMAN, HISTORIC ENVIRONMENT OFFICER	0	0	0	1
SHDC INTERNAL	0	0	0	2
OTHER STATUTORY BODIES	0	0	0	1
RESIDENTS	1	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a Condition Compliance application for details of external materials, landscaping, archaeological details, radon gas, foul and surface water disposal (Conditions 3, 4, 5, 6, 7, 8 and 9 of H23-0556-18) on garden land adjacent Sycamores, Back Bank, Whaplode Drove.

Site Description

The proposal is within the defined settlement limits of Shepeau Stow and planning permission was granted for a pair of semi-detached dwellings on garden land to the side of Sycamores under reference H23-0556-18.

History

H23-0556-18

Full - Erection of pair of semi-detached dwellings - Approve - 29 August 2018.

Consultation Responses

Member of the public - 1

OBJECTS

- Wants western boundary fence raised to 2 metres in height.
- Dyke identified for soakaway to north and east has not been in existence for 20 years.
- Complains that Walnut Tree that is not preserved has been removed from site.
- Asks that now Walnut Tree has been removed from site, can the dwellings be moved forward in line with adjacent dwellings.

County Highways & SUDS Officer

No objections

Trees & Conservation Officer

- Requests a photographic record is made of the air raid shelter to be demolished. (Already demolished)
- Requests a bat survey done for the air raid shelter building
- Requests that Walnut is replaced due to "local expectation" and sewage treatment plant relocated.

Environmental Protection Officer

Considers that the installed membrane is sufficient for the site.

Historic Environment Officer

Satisfied with the submitted archaeological details and report. Has request written assurance that the archaeological archive can be deposited at The Collection Museum in Lincoln by December 2020. This written assurance has been received.

Planning Considerations

- Boundary treatment
- Air Raid Shelter

- Removal / replacement of walnut tree

Boundary treatment

To address the concerns of neighbours, the western boundary treatment is now a 1.8 metre high close boarded timber fence. Treatment to the north and east is post and rail fencing with newly planted hedging. This is considered to be appropriate for the site.

Air raid shelter

Once discovered, the air raid shelter was found to be full of rubbish with no bats or animals present. The shelter was then expunged from the site. No further action is required.

Removal / replacement of walnut tree

As agreed with the Trees & Conservation Officer a 1.8 metre high Walnut sapling will be installed on site.

Planning Considerations

- Compliance with conditions

Compliance with conditions

3 - Materials

Submitted details are considered acceptable for the site. Facing bricks - Westfield by Traditional Brick & Stone. Roof tiles - Marley Modern Black.

4 - Landscaping

Submitted details are considered acceptable for the site.

5 - Archaeological Scheme

Submitted details are considered acceptable for the site.

6 - Notification of Archaeological Works Commencing

Submitted details are considered acceptable for the site.

7 - Archiving of Final Archaeological Report

Submitted details are considered acceptable for the site.

8 - Landfill Gas Condition

Submitted details are considered acceptable for the site.

9 - Full Details of Drainage

Submitted details are considered acceptable for the site.

Conclusion

The submitted details are considered appropriate and conditions 3, 4, 5, 6, 7, 8 and 9 of H23-0556-18 can now 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.