

DECISION DELEGATED TO DEVELOPMENT MANAGER
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Application No:	H23-0978-19	Applicant:	Mr J. Harriss
Proposal:	Details of external materials, landscaping/boundary treatment, investigation for landfill gas and archaeology (Conditions 3, 4, 8, 9 and 10 of H23-0708-18)		
Location:	Land South: Drove Road Shepeau Stow Spalding		
Terminal Date:	25th November 2019		

Planning Policies**South East Lincolnshire Local Plan - Adopted: March 2019**

02	Development Management
03	Design of New Development
29	The Historic Environment
30	Pollution

National Guidance**National Planning Policy Framework 2019**

Sections 12, 14 and 15

Representations:

	Object	Support	No Obj.	Comments
HIGHWAYS & SUDS SUPPORT	0	0	0	1
IAN MARSHMAN - HISTORIC ENVIRONMENT OFFICER	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT**Proposal**

The application is to discharge conditions 3 (external materials), 4 (landscaping/boundary treatment), 8 (landfill gas), 9 and 10 (archaeology) of H23-0708-18.

(Site Description)

The site (some 0.22ha) is located on the southern side of Drove Road. It is currently grassed. A cluster of dwellings are situated to the east off a private roadway. Dwellings are located opposite.

History

H23-0826-17 - O/A - Residential development (4 plots) - Granted 21 November 2017.

H23-0708-18 - Erection of 5 detached dwellings - Granted 15 October 2018.

Consultation Responses

LCC Highways/SUDS - No objections.

LCC Historic Environment Officer - The written scheme of archaeological investigation submitted meets all of our requirements in respect of Condition 9 of permission H23-0708-18.

SHDC Environmental Protection - Recommend discharge of condition 8.

Anglian Water - No details have been provided concerning foul and surface water drainage.

Planning Considerations

Condition 3 (External Materials) - The walls will be constructed in Vadersanden Benwick Blend bricks. At first floor level on the road facing gables and the front of dormers the walls will be finished in K-Rend Silicone Scraped Render coloured White. The roofs will be constructed in natural slates (Del Carmen Blue Natural). The submitted details are considered acceptable.

Condition 4 (Landscaping/boundary treatment) - The submitted details are considered to be acceptable. LCC Highways have raised no objections from a highway safety point of view because the proposed planting is set back.

Condition 8 (Investigation for landfill gas) - SHDC Environmental Protection have recommended discharge of condition 8.

Conditions 9 and 10 (Archaeology) - LCC Archaeology has confirmed that the scheme of archaeological investigation meets their requirements. With respect to condition 10, the applicant's have notified LCC Archaeology that they intend to start work on 1 April 2020.

Conclusion

That Conditions 3, 4, 8, 9 and 10 of H23-0708-18 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.