DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H02-0128-20**	**Applicant:**	**Partner Construction**
Proposal:	Residential development comprising 50 dwellings with associated works - approved under H02-0406-19. Amendments to brick type.		
Location:	Former Adcocks Drinks Off Crease Drove Crowland		
Terminal Date:	10th March 2020		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development

National Guidance

National Planning Policy Framework 2019

Section 12 - Well-designed places

Representations:

	Object	Support	No Obj.	Comments

CASE OFFICER ASSESSMENT

Proposal

The applicant is seeking to amend the approved brick types for the scheme from PD Edenhall 'Peakdale Range' Leamington Wine and Scarborough Sunrise to Ibstock Alderley Mixture and Grainger Gold.

Site Description

The application site is brownfield in nature being a former commercial site. The rear of gardens on Alderlands Close and Beccelm Drive adjoin the northern and eastern boundaries respectively. There is an open field to the south, with new residential development being constructed further south along Crease Drove.

History

H02-0805-19 - Details relating to highways, surface water drainage and foul water disposal (Conditions 12, 14 and 15 of H02-0554-16) (approved December 2019)

H02-0615-19 - Residential development - approved under H02-0554-16 - Modification of Condition 11 to allow amended wording in relation to works on carriageway/footway (Section 278 work) (approved November 2019)

H06-0614-19 - Details of boundary treatment (Condition 5 of H02-0554-16) (approved August 2019)

H02-0652-19 - Details of landscaping, public open space and landscape management and maintenance schedule, refuse storage and meter boxes (Conditions 4, 6, 7, 9 and 10 of H02-0554-16) (approved August 2019)

H02-0688-19 - Details of archaeological investigation (Condition 18 of H02-0554-16) (approved July 2019)

H02-0613-19 - Details of construction management and wheel washing facilities (Conditions 16 and 17 of H02-0554-16) (approved July 2019)

H02-0554-16 - Outline application for residential development on land off Crease Drove, Crowland (approved October 2017)

Consultation Responses

Not applicable.

Planning Considerations

The proposal is effectively to replace the approved red and buff brick types with those of an alternative manufacturer which are more readily available.

Given that the proposed alternatives are very similar in terms of colour, it is not considered that they would fundamentally alter the appearance of the scheme from that approved and they would be in keeping with existing properties to the east.

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

Overall, it is considered that the proposed amendments to brick types satisfactorily comply with the criteria of South Holland District Council's Development Control Procedure Note Non-Material Amendments to Planning Permission and, as such, are acceptable as a Non-Material Amendment.