

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H02-0276-20 **Applicant:** Mr M Greene

Proposal: Details of railings to low boundary wall (Partial Condition 10 of H02-1046-17)

Location: The Old Schoolhouse Postland Road Crowland

Terminal Date: 3rd June 2020

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
29	The Historic Environment

National Guidance

National Planning Policy Framework 2019

Sections 12 and 16 of the National Planning Policy Framework (2019)

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This condition compliance application is for the partial discharge of condition 10 of application ref: H02-1046-17 to agree the design/details of railings to the low boundary wall on site. The proposed railings are 1.4m in height at their apex, of black painted metal construction and of a mock-Victorian style.

Site Description

The site is a Grade II listed mid-C19 schoolhouse, featuring many original characterful design elements. The areas upon which the new garage units are proposed are both currently taken up by hard-standing tarmac which would have originally formed a part of the School's hard-play area. The

area which the proposed unit 1 is located also features a number of trees protected by mean of a TPO.

The site does not sit within the Crowland Conservation Area. Nevertheless, the old school building is a property which holds some importance to the overall character of Crowland at large. There are no further buildings of Local Heritage or listed properties within a distance which would add credence to any suggestion that works to the school would impact upon said properties.

The immediate area surrounding the site is characterised by C20 residential properties and the South View Community Primary School/Crowland Childrens Centre/Childrens Nursery to the rear.

History

H02-1046-17

Conversion of building to 3 residential units. APPROVED 22/08/17

H02-0685-19

Rebuilding of a section of front boundary wall, pier and repairs to gate after impact damage. APPROVED on 18/10/19

H02-0862-19

Erection of detached garaging/stores to serve dwellings approved under reference H02-1046-17. APPROVED on 04/11/2019.

Consultation Responses

Crowland Parish Council

The proposed railings are in keeping with the era and character of the host building.

Planning Considerations

Design

The Local Planning Authority raises no concerns over the design of the proposed railings; they are constructed of an appropriate material and utilise a style which is both common in the area and suited well to the host property.

Heritage Impact

The Local Planning Authority does not feel that there is any risk presented to the value or significance of the designated heritage asset by this proposal. Whilst it is felt that ideally the wall would feature lead set rather than the proposed 'floating' rails, historic adjustments to the wall have changed the coping from stone to concrete making the preferred, lead set type not possible. The proposed style is appropriate to the period of the structure, being of a mock-Victorian style and also vernacular and traditional materials (black painted metal) are being used in their construction. In addition to the above, the proposal to install railings is welcomed from a conservation perspective as the low-slung wall to the front of the property would have originally featured similar railings which have subsequently been removed. Reinstatement of railings will lead to an ENHANCEMENT of the character of the building, in line with Section 16 of the NPPF(2019)

Conclusion

For the reasons listed above, the proposal is deemed to be in accordance with policies 1,2,3 and 29 of the South East Lincolnshire Local Plan (2019) as well as Sections 12 and 16 of the National Planning Policy Framework (2019)

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.