

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H02-1084-19 **Applicant:** Mr & Mrs M Blackbird

Proposal: Details of external materials, boundary treatment and landscaping and tree planting (Conditions 4, 5 & 6 of H02-0775-18)

Location: Plot 1, Off Peterborough Road Crowland Peterborough

Terminal Date: 1st January 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 - Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1
NORTH LEVEL INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Details of external materials, boundary treatment and landscaping and tree planting (Conditions 4, 5 & 6 of H02-0775-18)

Site Description

The application site is part brownfield, part greenfield and has an area of approximately 0.72 hectares. The site is accessed between numbers 4 and 8 Peterborough Road and is comprised of vacant brownfield land to the front and paddock to the rear. The site is bounded on two sides by long established residential areas. To the north of the main body of the site there is a drain with a

dense row of conifers, to the east deciduous trees. To the west, there is timber fencing to the rear gardens of residential properties. The southern boundary is currently open. The smaller rectangular area of the site is within the street scene/plots of Peterborough Road and is bounded by timber fencing and low brick walling.

History

H02-0296-19 - Details relating to contamination (Condition 3 of H02-0775-18) (approved May 2019)

H02-0775-18 - Erection of detached dwelling with detached garage block with annexe over, including private drive access (approved October 2018)

Consultation Responses

North Level IDB - No objection in principle but draws attention to requirement for 9 metre easement on north-eastern boundary due to the Board's drain running along this boundary.

Planning Considerations

The proposed materials of construction are a limestone brick with stone heads, cills and quoins and blue black slate roof tiles. Windows and doors would all be grey. The proposed materials of construction are considered to be acceptable. They would be different to those used in existing development in the vicinity but the dwelling is set back from the road and the proposed materials would give a high quality finish.

In terms of landscaping and boundary treatment, the conifers on the north-eastern boundary and trees on the south-eastern boundary would remain as existing with no additional boundary treatment proposed. This would satisfy the IDB's requirement for a 9 metre easement to their drain on the north-eastern boundary. Laurel hedging would be introduced on the remaining boundaries. This would be planted inside a new 1.2m high post and rail fence on the western and south-western facing boundaries. Wild Cherry and Crab Apple trees would also be planted on these boundaries. The driveway would be gravelled, with the remainder of the ground being grassed. Overall, this is considered to be an acceptable landscaping and boundary treatment scheme.

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

Taking the above into account, it is considered that Conditions 4, 5 & 6 of H02-0775-18 can be discharged.