

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H04-0220-21 **Applicant:** JJR Property Investment

Proposal: Details of full historic building recording, materials of construction, reconstruction & renovation, materials of architectural & structural specification of former coaching inn and its rear wing, large scale constructional drawings and details of new works and renovation (Conditions 6, 7, 8, 9, 10 & 11 of H04-1190-17)

Location: Red Cow Hotel 8 High Street Donington

Terminal Date: 23rd April 2021

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 (2021)

Representations:

	Object	Support	No Obj.	Comments
IAN MARSHMAN - HISTORIC ENVIRONMENT OFFICER	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This condition discharge application is for the discharging of conditions 6, 7, 8, 9, 10 & 11 of H04-1190-17

The conditions read as follows;

Condition 6

Prior to development, the developer is required to undertake full historic building recording and include an in depth analysis of the building and highlight any features that are of particular note and all the upstanding buildings on this site.

Reason: To ensure satisfactory arrangements are made for the recording of historic buildings and features in accordance with national guidance contained in Section 12 of the National Planning Policy Framework, 2012.

Condition 7

Before the commencement of the development hereby permitted a schedule of all materials of construction, reconstruction and renovation of buildings and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. Samples shall be provided as may be required by the Local Planning Authority for the materials in the schedule and the use of such samples shall be approved in writing by the Local Planning Authority. The development shall be constructed and completed in accordance with the schedule and samples so approved.

Reason: To ensure that the Local Planning Authority retains control of the materials of construction in the interests of the appearance of the development and the character and appearance of the Grade II Listed Building and the Long Sutton Conservation Area.

This condition is imposed in accordance with Section 12 of the National Planning Policy Framework 2012.

Condition 8

The frontage of the former coaching inn and its rear wing shall be retained and converted in accordance with full architectural and structural specifications which shall be submitted to and approved in writing by the Local Planning Authority before that element of the development is commenced. The submitted information shall include full details and records of all internal features to be removed and all features to be retained and incorporated within the completed development.

Reason: To ensure a satisfactory development in the interests of preserving this curtilage Listed Building.

This condition is imposed in accordance with Section 12 of the National Planning Policy Framework 2012

Condition 9

Large scale constructional drawings and plans (at a scale of at least 1:10) of the following details shall be submitted to and approved in writing by the Local Planning Authority. No work shall be commenced in advance of that approval and the development shall be completed in accordance with the approved details:

- All new doors and windows, including surrounds, heads and cills.

Reason: To ensure a satisfactory development in the interests of preserving the character and integrity of the Listed Building.

This condition is imposed in accordance with Section 12 of the National Planning Policy Framework 2012 building.

Condition 10

All areas of new works, renovation and making good shall be carried out in accordance with a detailed specification to be first submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory development in the interests of preserving the character and integrity of the Listed Building.

This condition is imposed in accordance with Section 12 of the National Planning Policy Framework 2012 building.

Condition 11

There shall be no internal alterations to the building, other than in accordance with details which have been previously submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory development in the interests of preserving the character and integrity of the Listed Building.

This Condition is imposed in accordance with Section 12 of the National Planning Policy Framework 2012 building.

Site Description

As in host application

History

As in host application

Consultation Responses

Lincolnshire County Council Historic Environment Officer

Satisfied that details provided are sufficient to discharge the relevant conditions.

Planning Considerations

Condition 6

Lincs County Council Historic Environment record has been consulted and finds that the supplied details are sufficient to recommend discharging of this condition.

Condition 7

The supplied details are acceptable.

Condition 8

The supplied details are acceptable

Condition 9

The supplied details are acceptable. Appropriate materials are being used in the windows of the listed building.

Condition 10

The supplied details are acceptable

Condition 11

The supplied details are acceptable

Conclusion

For the reasons listed above, this application is considered 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 (2021). Therefore, this application is recommended for approval.

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.