DECISION DELEGATED TO DEVELOPMENT MANAGER

| | | | |
|---|---|---|---|
| **Application No:** | **H04-0908-20** | **Applicant:** | **Mr P Hilton** |
| **Proposal:** | Details of external materials and design & position of external boxes etc (Conditions 3 & 4 of H04-0399-20) | | |
| **Location:** | Adj. 11 Badgate Road Donington Spalding | | |
| **Terminal Date:** | 14th December 2020 | | |

**Planning Policies**

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

| | |
|---|---|
| 01 | Spatial Strategy |
| 02 | Development Management |
| 03 | Design of New Development |
| 04 | Approach to Flood Risk |
| 10 | Meeting Assessed Housing Requirements |
| 11 | Distribution of New Housing |
| 17 | Providing a Mix of Housing |
| 36 | Vehicle and Cycle Parking |
| APPENDIX 6 | Parking Standards |

**National Guidance**

**National Planning Policy Framework 2019**

Sections 5, 12 & 14 of the National Planning Policy Framework (2019)

5 - Delivering a sufficient supply of homes
12 - Achieving well-designed places
14 - Meeting the challenge of climate change, flooding and coastal change

**Representations:**

| | Object | Support | No Obj. | Comments |
|---|---|---|---|---|
| HIGHWAYS & SUDS SUPPORT | 0 | 0 | 0 | 1 |
| RESIDENTS | 1 | 0 | 0 | 0 |

## CASE OFFICER ASSESSMENT

## PROPOSAL

This is a condition compliance application for details of external materials and design & position of external boxes etc (Conditions 3 & 4 of H04-0399-20) on land adjacent to 11 Badgate Road, Donington.

## SITE DESCRIPTION

The proposal is within defined settlement limits and the surrounding area is characterised by dwellings of varying ages and design. The dwelling will be sited on the garden to the side of 11 Badgate and will constitute a frontage dwelling. The site is in Environment Agency Flood Zone 1, and is not subject to increased hazard or floor level on the 2115 South Holland Strategic Flood Risk Maps.

## HISTORY

H04-0399-20

Full - Erection of 3 bed detached chalet bungalow with off road parking and access - Approved - 15 July 2020.

H04-0909-20

Section 73 Modification - Erection of 3 bed detached chalet bungalow with off road parking and access - approved under H04-0399-20. Modification of Condition 2 to allow amendments to previously approved plans - Currently undecided.

## CONSULTATION RESPONSES

LCC - County Highways & SUDS Officer

No objections.

## PLANNING CONSIDERATIONS

Condition 3 of H04-0399-20 - External materials

Facing brickwork is to be Terca Heritage Blend with dark grey Sandtoft Double Pantiles and cream UPVC windows and doors. The proposed materials are considered to be appropriate for the site and do not materially impact the character of the surrounding area.

Condition 4 of H04-0399-20 - Domestic Accoutrements

The proposed service boxes will be sited on the north facing side elevation. The proposed location is considered to be appropriate for the site.

## PLANNING BALANCE

The proposed materials and positioning of service boxes are considered to be appropriate for the site and do not materially impact the character of the surrounding area.

## CONCLUSION

Conditions 3 and 4 of H04-0399-20 are recommend for approval to discharge.

## 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.