DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H04-0922-23**	**Applicant:**	**Mr P Barnsdale**
Proposal:	Details of brick to be used to the external walls (Condition 5 of H04-0122-22)		
Location:	12 Goxhill Avenue Donington Spalding		
Terminal Date:	13th December 2023		

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
28	The Natural Environment
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2023

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

CASE OFFICER ASSESSMENT

PROPOSAL

This is a condition compliance application at 12 Goxhill Avenue, Donington for details of the brick to be used to the external walls (Condition 5 of H04-0122-22).

The previous bricks to be approved were Ibstock Old Blackburn Weathered bricks, with Wienerberger Plinth Stretcher PL 3.2 plinth bricks. This Condition Compliance seeks to update the proposed brick to Old Blackburn Weathered also known as Holbeach Antique, with two courses of Blue Engineering Bricks below.

SITE DESCRIPTION

The proposal is sited at the end Goxhill Avenue which is a private road. The existing dwelling named South View will utilise an existing gated entrance to the south-west of Maple Way. The surrounding area is characterised by dwellings of varying ages and designs. The site is in Environment Agency Flood Zone 1 and is not subject to increased flood hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping.

RELEVANT HISTORY

H04-0122-22

Full - Demolish existing buildings and erection of detached bungalow - Approved - 31 May 2022

H04-0852-22

Condition Compliance - Details of scheme to deal with contamination, bricks, landscaping, boundary treatment, protected species details, ecological biodiversity measures and design & position of all meter boxes, gas flues & soil vent pipes (Conditions 3, 5, 6, 7, 8, 9 & 11 of H04-0122-22) - Approved - 05 October 2023.

CONSULTATION RESPONSES

None

PLANNING CONSIDERATIONS

Assessment against Condition 5 of H04-0122-22 - Brick Type to be Agreed

Condition 5 states:

"Before the commencement of the development hereby permitted beyond oversite, details of the brick(s) to be used to the external walls of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority, and all the brick(s) used in the development shall conform to the details so approved.

Reason: To ensure that the Local Planning Authority retains control over the external materials of construction of the development in the interests of the character and appearance of the development and the visual amenity of the area in which it is set.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019."

Proposed brick is Old Blackburn Weathered bricks also known as Holbeach Antique, with two courses of blue engineering bricks below. These bricks are considered to be in keeping with other dwellings in the area and are not significantly different with regard to weathering or colouring from those previously approved.

Condition 5 of H04-0122-22 has been addressed.

CONCLUSION

Condition 5 of H04-0122-22 is considered to have been satisfactorily addressed.

RECOMMENDATION

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.