DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H05-0979-19**	**Applicant:**	**J Bingham**
Proposal:	Details of materials for walls and roof and details of north eastern elevation (Conditions 6, 7 and 12 of H05-0318-19)		
Location:	Site Adjacent: Greenways Frostley Gate Holbeach		
Terminal Date:	25th November 2019		

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

Representations:

	Object	Support	No Obj.	Comments

CASE OFFICER ASSESSMENT

Proposal

The application is to discharge conditions 6, 7 and 12 of H05-0318-19.

Site Description

The site is currently agricultural land adjoining an existing farm yard immediately to the north. The latter includes a number of agricultural buildings and also a bungalow at the rear. A replacement dwelling is situated almost opposite.

History

H05-0318-19 - Full - Replacement Dwelling - Granted 20 May 2019

Consultation Responses

None

Planning Considerations

Condition 6 (External Walls) - The proposed brick is a Vandersanden Cottage Mix facing brick, which is considered to be acceptable.

Condition 7 (Roof) - The proposed roofing material is a Westland Graphite Green natural slate roof, which is considered to be satisfactory.

Condition 12 (North-Eastern Elevation) - The submitted details are acceptable.

Conclusion

That conditions 6, 7 and 12 be discharged.

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.