

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H05-1274-21 **Applicant:** Seagate Homes

Proposal: Details of construction management plan & method statement and materials schedule (Conditions 8 and 14 of H05-0664-21)

Location: Land East Of Holbeach Manor 2 Fleet Road Fleet

Terminal Date: 2nd February 2022

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02 Development Management
03 Design of New Development
04 Approach to Flood Risk
30 Pollution

National Guidance

National Planning Policy Framework 2021

Section 12 - Achieving well-designed places
Section 14 - Meeting the challenge of climate change, flooding and coastal change
Section 15 - Conserving and enhancing the natural environment

Representations:

	Object	Support	No Obj.	Comments
HIGHWAYS & SUDS SUPPORT	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Details of construction management plan & method statement and materials schedule (Conditions 8 and 14 of H05-0664-21).

Site Description

As original application.

History

H05-1207-21 - Details of private recycling & refuse collection, photographic record of water tower, tree planting & landscaping & external materials (Conditions 3, 4, 7 & 8 of H05-0664-21) (undecided)

H05-0664-21 - Full - Residential development comprising 5 detached dwellings off private drive including retaining and converting existing water tower (approved September 2021)

Consultation Responses

SHDC Environmental Protection - No objection.

LCC Highways/SUDS - Does not wish to restrict the grant of permission.

Planning Considerations

As the above consultees have raised not objection to the submitted Construction Management Plan and Construction Method Statement, the details are considered satisfactory for the purposes of discharging the relevant condition.

In terms of materials, the proposed bricks are a Terca Heritage Blend, with black cedar cladding being used as a contrast. Four types of roof tile are proposed of a mixture of colours and shape. Given that the scheme is backland development there is very limited visibility from the public realm, thus meaning that it is unlikely to be viewed negatively in the context of surrounding development and the proposed materials would still create an attractive development. They are therefore deemed appropriate for the site.

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 8 and 14 of H05-0664-21 can be discharged.