DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H08-0264-23**	**Applicant:**	**Mr & Mrs G Waite**
Proposal:	Details of external materials (Condition 4 of H08-1199-22)		
Location:	Land Rear Of The Willows Mill Lane Gosberton		
Terminal Date:	11th May 2023		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development

National Guidance

National Planning Policy Framework 2021

Section 12 - Achieving Well Designed Places

Representations:

	Object	Support	No Obj.	Comments

CASE OFFICER ASSESSMENT

Proposal

Proposal is to discharge condition 4 of H08-1199-22 (details of external materials).

Site Description

The site is within defined settlement limits and the surrounding area is characterised by linear development of varying ages and designs. The site is in Environment Agency Flood Zone 3 and is not in a raised hazard of depth area on the 2115 South Holland Strategic Flood Risk Mapping. The site is on a north-south axis with a large rear garden. A two-storey dwelling is sited to the west at 9 Mill Lane, and a bungalow to east at 39 Mill Lane. To the south of the rear of The Willows, is currently an open field. However, there is planning permission for residential development (H08-0678-16), none of the proposed dwellings on that plot would overlook unacceptably to the rear of the Willows.

Relevant History

H08-1199-22 - Full. Residential development. Approved 06/02/23.

Consultation Responses

N/A

Planning Considerations

Planning Balance

The walls will be constructed of "traditional brick and stone, old coach house facing bricks". This brick type is comprised of various shades of sandy-red bricks. The brick would match the character of the surrounding area and existing developments.

The roof tiling is "Sandtoft tile, dark grey". The dark grey colour compliments the proposed brick type, while still being in keeping with the area.

Rainwater guttering and window frames are to be black UPVC. The garage doors would be painted steel. The bi-fold doors are proposed to be black aluminium. All of these fixtures and colours would match the existing built form and the proposed materials.

The proposed materials are in keeping with the character of the area and are therefore in line with Policies 2 and 3 of the South-East Lincolnshire Local Plan, 2019.

Conclusion

Condition 4 of H08-1199-22 can 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.