

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H08-0277-21 **Applicant:** Mr S Holloway
Proposal: Details of insulation (Condition 4 of H08-0629-20)
Location: 124b Siltside Gosberton Risegate Spalding
Terminal Date: 12th May 2021

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01 Spatial Strategy
02 Development Management
03 Design of New Development
30 Pollution

National Guidance

National Planning Policy Framework 2019

Section 12 of the National Planning Policy Framework (2019)

12 - Achieving well-designed places.

Representations:

	Object	Support	No Obj.	Comments
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

PROPOSAL

This is a condition compliance application for details of insulation (Condition 4 of H08-0629-20). The applicant has submitted photos of the rockwool insulation that they intend to use as the insulating material.

SITE DESCRIPTION

The proposal site is within the defined settlement limits of Gosberton Risegate, and the surrounding area is predominately rural, characterised by linear development of varying ages and design.

RELEVANT HISTORY

H08-0629-20

Full - Erection of garden shed - retrospective - Approved - 29 September 2020.

CONSULTATION RESPONSES

SHDC Environmental Health Technician

No objection.

PLANNING CONSIDERATIONS

Compliance with Condition 4 of H08-0629-20 - Details of insulation

Environmental Protection Officer has no objections to the submitted details.

It is considered that condition 4 has now been satisfactorily addressed.

PLANNING BALANCE

The proposed insulation is considered by SHDC's Environmental Protection Officer to be acceptable for the site. It is considered that condition 4 has now been satisfactorily addressed.

CONCLUSION

Condition 4 of H08-0629-20 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.