DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H11-0309-21**	**Applicant:**	**Mr B Olivera**
Proposal:	Proposed Fence to Front of Dwelling		
Location:	Roman House 2 Roman Bank Long Sutton		
Terminal Date:	20th July 2021		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
29	The Historic Environment

National Guidance

National Planning Policy Framework 2019

Sections 12 and 16 of the National Planning Policy Framework (2019) (NPPF)

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This full planning application is for the erection of a new fence to the front of Roman House, 2 Roman Bank, Long Sutton.

The proposed 'fence' would be more accurately described as a dwarf wall with an iron railing mounted atop the wall. It is proposed that the fence would be a length of 4.5m and would raise to a

maximum height of 1m. The fence will run from the Northern gatepost to the existing garden wall to the east.

Site Description

The proposal site is within the garden of the garly C19th, Grade II listed 2, Roman Bank (A.K.A Roman House). The Historic England Listing Description reads as follows;

"Lodge, now house. c.1820, extended late C19. Red brick. Hipped slate roof, now gabled to left where extended. Single ridge and gable stacks. 2 storeys, 3 bays. The left single bay late C19 and slightly set back. Doorway with panelled door, panelled reveal, pilastered doorcase with dosserets supporting open modillion pediment. To the left are 2 glazing bar sashes, that on the far left smaller. 3 similar smaller sashes above. Right return wall with recessed large semi-circular arched blind recessed panel containing single semi-circular arched glazing bar sash with radiating glazing bars to the top. To the left is a single small C20 casement. Above, single small glazing bar sash and to the left a single small C20 fixed light."

The Roman Bank area can be characterised largely as a low density, semi rural residential setting. The area presents a wide range of different architectural styles and periods in terms of residential development, ranging from properties contemporary to the host property up to modern development. The host property is visually the most prominent property within its surroundings from the perspective of aesthetic value. No other Heritage assets (designated or non-designated) are within visual proximity to the proposal site.

History

H11-0948-14

Replace section of garden wall. APPROVED on 12/01/2015

H11-0598-16

Replace corrugated lean-to roof with eternit slates and construct a free standing garden toilet. APPROVED on 21/09/2016

H11-0599-16

Replace corrugated lean-to roof with eternit slates and construct a free standing garden toilet. APPROVED on 21/09/2016

H11-0439-20

Proposed Garden Building. Approved on 28-07-20

Consultation Responses

Lincolnshire County Council as Lead Local Highways and Flood Authority

No objections

Planning Considerations

Heritage Impact

The Local Planning Authority does not consider there to be any risk to the value or significance of the designated Heritage Asset presented by this application. The proposed railing is small in scale and would be fairly inconsequential in the setting of the site, furthermore, whilst the proposed design is rather plain, it is not of a style which is alien to the setting or which would look incongruous or out of place. Therefore, by virtue of the lack of an impact, it is considered that this application would help to conserve the historic environment in accordance with Section 16 of the National Planning Policy Framework (2019)

Planning Balance

The Local Planning Authority does not consider there to be any elements of this proposal against which to balance a recommendation to approve.

Conclusion

For the reasons outlined above, the local planning authority considers this application to be in accordance with Policies 1, 2, 3, and 29 of the South East Lincolnshire Local Plan (2019), as well as sections 12 and 16 of the National Planning Policy Framework (2019).

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.