DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H13-0381-20**	**Applicant:**	**Mr R Spenceley**
Proposal:	Details of external materials (Condition 3 of H13-0056-20)		
Location:	Lea House 29 River Lane Moulton		
Terminal Date:	8th July 2020		

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. Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments

CASE OFFICER ASSESSMENT

Proposal

This is a condition compliance application to seek permission for details of external materials (Condition 3 of H13-0056-20)

Full planning permission was granted for demolition of dwelling and erection of two dwellings at Lea House, 29a River Lane, Moulton, Spalding, under application ref. H13-0056-20.

Site Description

The site is part of ribbon development beyond the crossroad between Church Lane and High Road/A51. It is within a defined frontage development that extends on the eastern side of River Lane towards High Road/A151.

The frontage comprises a varied mixture of house types, ages, design and appearances. Whereas late C19-early C20 semi-detached cottages adjoins High Road/A151, modern two-storey detached houses and bungalows are to the south of the site onto Church Lane. Two bungalows are adjacent to the south and one large two-storey detached house to the north, all of them recently built.

There is currently on the site one large two-storey detached house, one detached garage to the side, a set of outbuildings and greenhouses to the rear. Most of the structures are somewhat derelict.

History

H13-0056-20 - Demolition of dwelling and erection of two dwellings (Outline approval H13-0794-18) - Approved

H13-0794-18 - Outline application for two dwellings including demolition of 29 River Lane - Approved

Consultation Responses

None.

Planning Considerations

Condition 3 of H13-0056-20 sets out the following:

"Before the commencement of the development hereby permitted beyond oversite a schedule of external materials of construction of buildings shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the materials so approved.

Reason: To ensure that the Local Planning Authority retains control over the external materials of construction of the development in the interests of the character and appearance of the development and the visual amenity of the area in which it is set.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019."

Paragraph 27 of NPPF, 2019 states that planning policies and decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; and are sympathetic to local character and history, including the surrounding built environment and landscape setting.

The approved plots will be bounded with 1.8 metre high timber close boarded fence reducing to 1.2 metre from the frontage. The front boundary will be treated with a mixture of a maximum of 1.2 metre high native mixed hedging and Lincolnshire post and rail fencing.

Slabbed footpath will surround the footprint of each dwelling and also a slabbed patio to the rear. The individual driveways within the plots will be laid in gravel and the shared drive in tarmac.

With regards to the dwellinghouses, Harrington Blend is the facing brickwork for the external walls and La Escandella Planum for roof tiles. The openings will be made of cream UPVC whereas the rainwater goods, black UPVC. The resulting appearance will be sympathetic with the external materials of the surrounding plots.

In summary, the appearance of the plots will be in keeping with the residential character of the area and the visual amenity of the locality will remain appropriate after using the proposed materials. Therefore, the details are considered acceptable in view of the conditions and policies mentioned above.

Conclusion

Taking into account the considerations above, the proposed details fulfil the requirements contained in Condition 3 of H13-0056-20.

It is accordingly recommended to approve this planning application via delegated powers.

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.