

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H13-0834-23 **Applicant:** Mr P Roberts

Proposal: Erection of 4 bed bungalow - approved under H13-0433-21. Modification of Condition 1 to allow amendments to previously approved plans.

Location: Rear Of 184 High Road Moulton Spalding

Terminal Date: 16th November 2023

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02 Development Management
03 Design of New Development
28 The Natural Environment

National Guidance

National Planning Policy Framework 2023

Section 4 - Decision-making
Section 12 - Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This proposal is to amend the approved plans condition attached to planning application H13-0433-21 under section 73 of the Town and Country Planning Act 1990 (as amended). More specifically the applicant is seeking to change the previously approved schedule of external materials, there are no other changes proposed.

The applicant seeks to make the following changes:

-Roof - Previously approved was a dark grey seamed roof; the applicant now seeks a 'Spanish

Slate' finish

-Walls - Previously approved was white smooth render; the applicant now seeks 'Larch Cladding'.

Site Description

The site is located at the junction of High Road with Wood Lane and is outside the main built-up area of Moulton. The existing house is in close proximity to High Road and is a two-storey gable roofed white cream painted house.

A wide driveway runs to the east of the farmhouse and serves as access to the site, where located is the unfinished dwelling. A high timber close board fence (height approximately 1.8m) is erected on both eastern and western boundaries bordering adjacent residential properties. Overgrown shrubs overtop the western fence just after the driveway. A long section of the eastern boundary is bounded with leylandii hedgerow. Tall leafy trees stand in the adjacent land close to this fence.

The application site is located outside of the development limit for Moulton as identified by the proposal maps (insert 19) and the site is located within flood zone 1 in accordance with environment agency mapping systems.

History

H13-0433-21 - Reserved Matters - Erection of 4 bed bungalow - outline approval H13-0501-19. Approved 21-06-21

H13-0501-19 - Outline - Outline permission for a four-bed bungalow. Approved 20.08.19

Consultation Responses

No responses received.

Planning Considerations

The application which is submitted under section 73 is for the amendment of previously approved plans. More specifically the 'Floor Plans and Elevations'. Therefore, given the planning history that established a 4 bedroom bungalow dwelling on this site there is no reason to revisit matters of principle. The assessment therefore relates only to the following:

- Character, Landscape and Appearance
- Conditions

Character Landscape and Appearance

Part 12 of the NPPF (Achieving well-designed places) states that good design is a key aspect of sustainable development and new development should be visually attractive as a result of good architecture and appropriate landscaping. It is important that new residential development should be of the highest quality to enhance and reinforce good urban design characteristics. It is generally accepted that good design plays a key role towards sustainable development. Regard must be had towards the impact that the proposed dwelling would have on local character, including topography, street patterns, building lines, boundary treatment and through scale and massing.

Specifically, paragraph 130 of the National Planning Policy Framework (NPPF), 2021 establishes that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area; are visually attractive as a result of good architecture and sympathetic to local character and history, including the surrounding built environment and landscape setting; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, among other considerations.

Likewise, Policy 2 of the SELLP states that design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable. Policy 2 point 1 states that proposal should meet with sustainable development considerations specifically in relation to 'size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses'. Policy 3 sets out the 'Design of new development' in part it states that "Design

which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable"

The application site is located outside of the settlement limits of Moulton and on land to the rear of number 184 High Road. This building is cream painted brick, double bay fronted with canopy above the entrance door. It has slate roof tiles and a single storey brick lean to side extension. Further to the west along the row is a brick built bungalow and then some C20 infill dwellings, with a render and facing brick mix. To the other side of the site (east) is a single storey dwelling made up of brown facing brick with concrete interlocking roof tiles, further east a larger grand property (other side of Spalding Gate (No 188) is a large Georgian dwelling, with a brown facing brick and cream treated sash windows and surrounds.

The application site is back land to number 184 and creates an interface with the open countryside. The previously approved materials, whilst in-keeping with other dwellings in the area would represent a highly visibly/urban dwelling, especially with the black roof sheeting set against white render. The move therefore to larch cladding, whilst not strictly in-keeping with the other dwellings would be more appropriate on this site and would offer a softer relationship between countryside and built form. The cladding would age into its environment and soften with time, this is more akin to a traditional countryside aesthetic. The slate roof tile again are more appropriate for the location, offering a natural material that is subtle and would reflect the roof of number 184 and therefore the new aesthetic overall would blend both residential form and countryside.

The proposal then to amend the approved plans to allow for this new schedule of materials is considered acceptable and would accord with policies 2 and 3 of the SELLP as well as part 12 of the NPPF.

Conditions

The application will therefore be updated to include the new revised plan for elevations and floor plans. All other plans remaining the same. The approved plans condition was the only condition attached to reserved matters H13-0433-21 and therefore no other conditions need to be considered for reattachment to this decision.

Conclusion

The proposed change in materials are considered acceptable. The application would accord with the aforementioned local and national planning policies and the variation of approved plans to reflect the new scheme of materials is recommended for approval.

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.