DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H13-0936-19**	**Applicant:**	**J Barnett**
Proposal:	Details of boundary treatment, external materials, roof lights, doors and windows, and landscaping (Conditions 3, 4, 5, 6, 7 and 11 of H13-1021-17 - New Dwelling)		
Location:	Site Rear: 10 High Street Moulton Spalding		
Terminal Date:	22nd November 2019		

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

Section 12 - Achieving well-designed places
Section 16 - Conserving and Enhancing the Historic Environment

Representations:

	Object	Support	No Obj.	Comments

CASE OFFICER ASSESSMENT

Proposal

This application is for the discharge of conditions 3, 4, 5, 6, 7 and 11 which were applied to the approval of application H13-1021-17

Site Description

The site sits within the historic and characterful centre of Moulton, is within close proximity to the distinctive village green and was formerly part of the curtilage of the Grade ii listed 10 High Street. Additionally, the site is flanked immediately to the North, South and East by Grade II listed properties and is in close proximity to the Grade i listed All Saints Church, with the site being almost directly across the road from the churchyard

The immediate area surrounding the site is generally characterised by residential properties with the exception of the Church. The residential properties in the area are from a wide range of historic architectural styles, ranging from Georgian to late C20th.

History

H13-1021-19

New Dwelling. APPROVED on 22/01/18

H13-1022-19

New Dwelling. APPROVED on 22/01/18

Consultation Responses

None received

Planning Considerations

Condition 3 - Details of Boundary Treatment

The existing timber boundary fence to the West and north elevations of the site are to remain. The proposed property will be bordered to the east by the existing, now modified brick boundary wall. It is proposed that a new wall will be constructed which matches the existing wall to the east in terms of brick and height. This wall will separate the new dwelling from 10 High Street.

Condition 4 - Materials Schedule

The main brick type will Imperial Handmade Country Blend with details achieved with the contrasting Imperial Handmade Soft Red. The roof will be tiled with Spanish Natural Slates of equal size to those which are featured on the roof of 10 High Street. These materials are deemed to be appropriate to the proposal.

Condition 5 - Roof lights

The roof lights proposed are confirmed to be 'Conservation Style' and will be flush with the roof surface. Therefore they are deemed appropriate to the proposal which sits within the conservation area and within close proximity to several Listed properties.

Condition 6 - Door Details

The doors proposed are all constructed of both timber and glass. The single door design features period design features as well as a single upper glazed panel. More contemporary door designs are also included, with heavy use of glass, whilst retaining the timber construction. This also applies to the proposed bi-fold door. All proposed door units are deemed to be appropriate to the proposal.

Condition 7 - Window Details

All proLandscaping detail - full

The existing Cherry Tree (x1), Yew Trees (x5) and Hazel Trees (x2) are proposed to remain in their current positions. The applicant has proposed 3 beds of planting; Bed 1 will contain Topary Box Shrubs (350mm centres and 300mm high on planting), Heucheras (350mm centres and 300mm high on planting), Hostas (300mm centres and 300mm high on planting) and Solomans Seal (600mm centres and 400mm high on planting.

Bed 2 will contain Fox Glove (250mm Centres and 300mm high on planting), Hydrangea Macrophylla (750mm centres and 300mm high on planting), Peony - Gay Paree (750mm centres and 300mm high on planting) and Lavender (550mm centres and 300mm high on planting.

Bed 3 will feature Heucheras (350mm centres and 300mm high on planting), Cyclamen (200mm centres and 70MM high on planting), Geranium (600mm centres and 100mm high on planting) and Ferns (250mm centres and 300mm high on planting)

An aftercare plan has also been produced which highlights that any planting will be appropriately conserved and maintained.

The details provided are sufficient to satisfy this condition.

Conclusion

In view of the above, it is determined that the details provided are sufficient to discharge Conditions 3, 4, 5, 6, 7 and 11 H13-1021-17 in a manner which is in accordance with Policies 1, 2, 3 and 29 of the South East Lincolnshire Local Plan (2019 and Sections 12 and 16 of the National Planning Policy Framework (2019). Therefore, this application 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.