

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H13-1153-20 **Applicant:** Mr W Pridmore

Proposal: Details of landscaping, existing & proposed site levels, external materials and design & position of external boxes etc (Conditions 3, 4, 5 & 6 of H13-0849-20)

Location: Rear Of 15 West Cobgate Moulton Spalding

Terminal Date: 11th February 2021

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

Paragraph 127 (Section 12. Achieving well-designed places)

Representations:

	Object	Support	No Obj.	Comments
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CASE OFFICER ASSESSMENT

Proposal

This is a condition compliance application that seeks permission for details of landscaping, existing & proposed site levels, external materials and design & position of external boxes etc. to comply with Conditions 3, 4, 5 and 6 of H13-0849-20.

The host application was approved to grant permission for erection of one dwelling to the rear of 15 West Cobgate, Moulton, Spalding.

Site Description

The site is within the built-up area of Moulton. It forms part of frontage development onto West Cobgate. The area is mainly residential. A wide range of house types, designs and appearances has been observed on the street scene.

The main dwellinghouse on the application site is currently No. 15 is a semi-detached two-storey property. Two other pairs are adjacent on both sides and further semi-detached are immediately

opposite the road. Bungalows stand on the frontage from No. 11 to the east.

The boundaries of the proposed site encompass most of the domestic garden to No. 15. The land is currently grassed. The boundary treatment is 1 metre high timber closeboarded fence. The height increases up to 2 metres as it approaches the dwellinghouse. To the east, there is No. 11a which is backland development to the rear of No. 11 onto the road. To the west, the rear garden of No. 17 with no significant building. The rear gardens of No. 28 and 30 Broad Lane abuts the site to the north.

History

H13-0849-20 - Residential development - erection of one dwelling - Approved

H13-0341-13 - Residential development - detached bungalow - Refused & Appeal Dismissed

Consultation Responses

None.

Planning Considerations

Landscaping (Condition 3)

The existing boundary treatment would remain which comprises 2 metre high laurel hedge adjoining No. 11a (east), post and wide demarcation fence with No. 28 and 30 Broad Lane (north) and 1.8 mixed timber fencing adjoining No. 17 (west).

Four trees would be planted, two of them to the front and the other two, to the rear. There would be 3 no. silver birches and one whitebeam. Planting methodology is in accordance with Code of practice for general landscape operations (BS 4428:1989).

Existing and Proposed Site Levels (Condition 4)

The land where the dwelling footprint would be located has site levels ranging between 3.24m and 3.53m AOD. The finished floor levels of the building would be at 3.75m AOD. Thus, the difference between existing topography and built levels would range between 51 and 22 centimetres.

Material schedule

The proposed appearance and layout of the facing brickwork and roof tiles would be similar to those of the adjoining bungalow No. 11a to the east. It would not either differ from the overall fabric of the surrounding plots. The Irish Oak UPVC for windows would appear slightly above the average design standards of fenestration for new dwellings.

Both front and rear garden would be laid in lawn and the driveway would be made of permeable block paving.

Domestic Accoutrements (Condition 6)

External boxes for gas and electricity supplies would be located on the western side elevation of the dwelling. Their dimensions would be standard and commensurate with the scale of the entire building.

Planning Balance

The landscaping strategy is deemed appropriate given the biodiversity significance of the land and type of development.

The external materials and hard surfacing would be sympathetic with the current built environment in the surroundings of the approved dwelling. The domestic accoutrements would be in such position and of such scale that they would not undermine the quality design of the entire development.

The difference between existing and proposed site levels is not significant to the extent which no harm upon residential amenity would occur.

Conclusion

Taking the above into account, it is considered that the details are acceptable, and Conditions 3, 4, 5 and 6 of H13-0849-20 therefore 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.