

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H14-0197-21 **Applicant:** Keston Fields Ltd
Proposal: Details of external materials (Part Condition 4 ii of H14-0355-17)
Location: Keston Nurseries Mill Green Road Pinchbeck
Terminal Date: 1st June 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

Section 12 - Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a reserved matters application relating only to the details of external materials (Part Condition 4 ii of H14-0355-17 - materials for walls and roofs) for Keston Nurseries, Mill Green Road, Pinchbeck.

All other matters were considered as part of H14-1162-18.

Site Description

As original application but site preparation works are underway.

Relevant History

H14-1162-18 - Reserved Matters - Erection of 100 dwellings and associated works - Outline approval H14-0355-17 (approved March 2019)

H14-0355-17 - Outline - Proposed residential development (re-submission of H14-0942-16) (approved February 2018)

Consultation Responses

No formal consultation responses received.

Planning Considerations

Three brick types are proposed - 2 red (Ibstock Ivanhoe Westminster and Ibstock Ivanhoe Olde Village) and 1 cream (Ibstock Ivanhoe Cream Original), at a ratio of approx 70:30. The proposed tiles are a combination of grey and red (Marley Edgemere in grey and Redland Fenland Pantile in red).

The higher percentage of red brick to be used is acceptable given the predominance of red brick in South Holland, with the bricks themselves being visually attractive. The proposed materials are therefore considered acceptable and in accordance with Policy 2 of the Local Plan. Policy 2 requires development proposals to take into account sustainable development considerations such as quality of design and impact on character and appearance of the area.

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.

Conclusion

The proposed materials are considered acceptable and in accordance with the intentions of Policy 2 of the South East Lincolnshire Local Plan (2019), as well as Section 12 of the National Planning Policy Framework (2019).

The recommendation is therefore for a delegated approval.