DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H14-1102-21**	**Applicant:**	**Mr M Yould**
Proposal:	Details of external materials (Condition 3 of H14-0566-21)		
Location:	Land South Of Clay Drove Spalding		
Terminal Date:	22nd December 2021		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
04	Approach to Flood Risk
09	Promoting a Stronger Visitor Economy

National Guidance

National Planning Policy Framework 2021

Sections 6, 12 and 14 of the National Planning Policy Framework (2021)

6 - Building a strong, competitive economy
12 - Achieving well-designed places
14 - Meeting the challenge of climate change, flooding and coastal change

Representations:

	Object	Support	No Obj.	Comments

CASE OFFICER ASSESSMENT

PROPOSAL

This is a condition compliance application regarding Condition 3 of H14-0566-21 for external materials at Land South of Clay Drove Spalding. Roof tiles are traditional slate with a dry ridge system. Cladding is Marley Cedral C104 light oak colour, brickwork is TBS Traditional Red Blend, with windows, fascias and rainwater good fascia grey.

SITE DESCRIPTION

The proposal site is outside of defined settlement limits and the surrounding area is predominately rural, characterised by linear development to the north of Clay Drove. The site is surrounded by

established trees and hedgerows and is secured by a large metal gate at the vehicular and pedestrian access point. The proposal site is in Environment Agency Flood Zone 3, and in a "Danger for All" hazard zone, with a maximum predicted flood depth of 2 metres on the 2115 South Holland Strategic Flood Risk Mapping.

HISTORY

H14-0295-07

Full - Fishing lake with car parking, access, reception building and landscaping - Approved - 18 December 2007.

H14-1001-20

Full - Proposed Fisherman's Lodge - Approved - 22 February 2021

H14-0566-21

Section 73 Modification - Proposed Fisherman's Lodge - approved under H14-1001-20. Modification of Condition 2 to allow amendments to previously approved plans - Approved - 27 July 2021.

CONSULTATION RESPONSES

None

PLANNING CONSIDERATIONS

Compliance with Condition 3 of H14-0566-21 - Materials Schedule

This application is assessed Condition 3 of H14-0566-21 regarding the external materials of construction, this condition states:

"Before the commencement of the development hereby permitted beyond oversite a schedule of external materials of construction of buildings and hard surfaced areas 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."

Roof tiles are traditional slate with a dry ridge system. Cladding is Marley Cedral C104 light oak colour, brickwork is TBS Traditional Red Blend, with windows, fascias and rainwater good fascia grey.

The proposed materials are considered to be appropriate for the site and does not materially impact the character of the surrounding area. The site is surrounded by high hedges with prevents the Fisherman's Lodge from being viewed externally from Clay Drove.

PLANNING BALANCE

It is considered that the proposed materials are appropriate for a Fisherman's Lodge design and will not materially impact the character of the site or the surrounding area.

CONCLUSION

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.