DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H14-1118-19**	**Applicant:**	**Mr A Rowe**
Proposal:	Details of external materials (Condition 2 of H14-0806-19)		
Location:	Spalding Road Pinchbeck Spalding		
Terminal Date:	9th January 2020		

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
10	Meeting Assessed Housing Requirements
11	Distribution of New Housing
17	Providing a Mix of Housing

National Guidance

National Planning Policy Framework 2019

Sections 5, 12 and 14 of the National Planning Policy Framework (2019)

Representations:

	Object	Support	No Obj.	Comments

CASE OFFICER ASSESSMENT

Proposal

This is a condition compliance application concerning Condition 2 of H14-0806-19 related to external materials at Spalding Road, Pinchbeck. The proposed brick is Crest Horta with slate roof tiles, stone cills and cream UPVC windows.

Site Description

The proposal site is within defined settlement limits and the surrounding area is characterised by dwellings of varying ages and design. A recently approved Section 73 proposal under reference H14-0041-19 adjacent to the proposal site sought demolition of vacant industrial buildings and erection of up to 5 detached houses to the south of this site. The buildings have already been

removed from the site with the land currently being cleared.

History

H14-0666-16

Outline - Erection of up to 4 dwellings - Approved - 05 September 2016

H14-1187-17 To south of proposal site

Outline - Demolition of vacant industrial buildings and the erection of up to 5 detached houses - Approved - 05 February 2018.

H14-0041-19 To south of proposal site

Section 73 - Demolition of vacant industrial buildings and erection of up to 5 detached houses - approved under H14-1187-17 - Modification of Conditions 2 and 5 to allow amendments to previously approved plans - 07 March 2019.

H14-0683-19

Outline - Outline application for up to four dwellings - Approved - 22 August 2019.

H14-0806-19

Reserved Matters - Erection of 4 bungalows - outline approval H14-0666-16 - Approved - 23 October 2019.

Consultation Responses

No consultations made

Planning Considerations

- Details of external materials (Condition 2 of H14-0806-19)

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The proposed materials are considered acceptable for the site and do not impact the character of the surrounding area.

Conclusion

It is considered that Condition 2 of H14-0806-19 as external materials details have now been provided.

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.