DECISION DELEGATED TO HEAD OF PLANNING

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| **Application No:** | **H14-1203-21** | **Applicant:** | **Mr M Gibbs** |
| **Proposal:** | Render entire dwelling including extension approved under H14-0860-21 | | |
| **Location:** | 35 Fennell Road Pinchbeck Spalding | | |
| **Terminal Date:** | 21st January 2022 | | |

**Planning Policies**

**South East Lincolnshire Local Plan - Adopted: March 2019**

| | |
|---|---|
| 02 | Development Management |
| 03 | Design of New Development |

**National Guidance**

**National Planning Policy Framework 2021**

Section 12 - Achieving-well designed places.

**Representations:**

| | Object | Support | No Obj. | Comments |
|---|---|---|---|---|
| PARISH COUNCIL | 0 | 0 | 0 | 0 |
| WARD MEMBER | 0 | 0 | 0 | 0 |

CASE OFFICER ASSESSMENT

**Proposal**

This is a householder application seeking permission to render the entire dwelling including the extension approved under H14-0860-21 at 35 Fennell Road, Pinchbeck.

**Site Description**

35 Fennell Road is a bungalow sitting in a cul-de-sac, closed off by the Pinchbeck East CofE Primary School. Fennell Road is largely characterised by similarly designed houses and bungalows, seemingly all built at similar times. There are other residential dwellings to the south and west and there is a playing field to the east.

**History**

H14-0860-21 - Single storey rear extension and internal alterations (approved October 2021)

## Consultation Responses

None received.

## Planning Considerations

The acceptability of the rear extension has already been considered under application ref. H14-0860-21 and therefore the principle of this has already been established by virtue of that consent.

The key matter to be considered in this instance is therefore whether rendering the entire dwelling in ivory coloured render, including that extension, is acceptable in planning terms.

Paragraph 130 of the National Planning Policy Framework (NPPF), 2021 establishes that planning policies and decisions should ensure that developments will add to the overall quality of the area; are visually attractive as a result of good architecture and sympathetic to local character and history, including the surrounding built environment and landscape setting. Likewise, Policy 2 of the SELLP states that design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable.

The existing dwelling is constructed of buff brick with part of the front elevation being clad in white weatherboarding. The latter is a typical feature of properties on Fennell Road, albeit colours vary. There are currently no other examples of residential dwellings having been rendered on this road, but part of the front elevation of the adjacent school has been painted blue. The varied/different appearance of the school building, coupled with the fact the dwelling concerned is located at the end of the cul-de-sac and already has a large proportion of the front elevation in white cladding, means that the proposed rendering would be less obtrusive and resultingly would not have a material adverse impact on the street scene.

Taking the above into account, the proposal is deemed to comply with the aforementioned policies in visual terms.

### Planning Balance

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise.

The acceptability of the rear extension has already been considered under application ref. H14-0860-21 and therefore the principle of this has already been established by virtue of that consent. The key matter to be considered in this instance is therefore whether rendering the entire dwelling, including that extension, is acceptable in planning terms.

Whilst there currently no other examples of residential dwellings having been rendered on this road, the varied/different appearance of the school building, coupled with the fact the dwelling concerned is located at the end of the cul-de-sac and already has a large proportion of the front elevation in white cladding, means that the proposed rendering would be less obtrusive and resultingly would not have a material adverse impact on the street scene.

It is therefore considered to be in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

## 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 recommendation is for a delegated approval.