DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H16-0659-23**	**Applicant:**	**Mrs M Adams**
Proposal:	Render finish to full height of both side gable walls (north-east and south-west)		
Location:	Ambrose Villa 5 Priory Road Spalding		
Terminal Date:	26th September 2023		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
29	The Historic Environment

National Guidance

National Planning Policy Framework 2023

Section 12 - Achieving well-designed places
Section 16 - Conserving and enhancing the historic environment

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

Description of Proposal

The proposal seeks full planning permission for the rendering of both gable walls at Ambrose Villa, 5 Priory Road. It is proposed that the render would be off white in colour.

Site Description

The site is within the settlement boundaries of Spalding, as outlined within the South-East Lincolnshire Local Plan, 2019. The site is within the Spalding Conservation Area and is opposite the Grade II listed 1-7 Priory Road. The dwelling is of red brick construction, with a black slate roof.

There is a mixture of designs within the area, incorporating traditional materials and techniques as well as more modern commercial units.

Relevant History

No relevant site history.

Consultation Responses

The responses received from consultees during the initial consultation exercises, which can be viewed in their entirety through the South Holland website, can be summarised as follows:

Conservation Officer

I do not wish to raise any objections to this proposal upon conservation grounds. Whilst the property in question has not historically been rendered, light-coloured renders are used typically throughout the immediate setting and the wider conservation area. As such, render as an external material is considered to be vernacular to the setting, and would not appear out of sorts or alien to the setting of this non-listed building. Therefore, it is considered that the proposal would not have any detrimental impact upon the wider setting of the Conservation Area and resultantly, assists in conserving the historic environment via a lack of a substantial impact upon the wider setting's character. The case officer should continue to consider the application in accordance with Policy 29 of the SELLP as well as S16 of the NPPF in addition to all other relevant planning policy and guidance considerations.

Public Representations

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, no letters of representation have been received.

Key Planning Considerations

Evaluation

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.
The adopted South-East Lincolnshire Local Plan 2011-2036, adopted March 2019 (SELLP), is the development plan for the district, and is the basis for decision making in South Holland. The relevant development plan policies are detailed within the report above.

The policies and provisions set out in the National Planning Policy Framework, 2023 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Layout, Design, Scale, Consideration of the Character of the Area and Heritage Impact

Section 12 of the NPPF, "Achieving well-designed places", states that " creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve" and as such, it is generally accepted that good design plays a key role towards sustainable development.

Paragraph 130, contained within Section 12 of the NPPF, states that new development should function well and add to the overall quality of the area (including beyond the short term) and should be visually attractive as a result of good architecture and appropriate landscaping. This goes on to establish that it is important that new development should be of the highest quality, to enhance and reinforce good design characteristics, and that decisions must have regard towards the impact that the proposed development would have on local character and history, including the surrounding built environment and landscape setting such as topography, street patterns, building lines, boundary treatment and through scale and massing. Developments create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, among other considerations.

Likewise, Policy 2 of the SELLP outlines sustainable development considerations for proposals; providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals. Furthermore, Policy 3 of the SELLP requires development to comprise good design; identifying issues that should be considered when preparing schemes so that development sits comfortably with, and adds positively to, its historically designated or undesignated townscape or landscape surroundings.

These policies accord with the provisions of the NPPF and require 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. Proposals for new development would therefore require the aforementioned considerations to be adequately assessed and designed, including the siting, design, and scale to be respectful of surrounding development and ensure that the character of the area is not compromised.

Policy 29 of the SELLP relates the preservation of the historic environment. This Policy requires all "proposals within affecting the setting of, or affecting views into or out of, a Conservation Area should preserve (and enhance or reinforce, as appropriate) features that contribute positively to the area's character, appearance and setting". Section 16 of the NPPF similarly reinforces the need for proposals to preserve or enhance the Conservation Area.

The existing brick work is visibly of poor quality. While alteration is not preferable, it is considered necessary in this instance.

Within the area, white render is already a common feature, and therefore, the addition here would not appear incongruous. To the immediate north is a white rendered building and beyond that is a series of buildings also rendered in white. Therefore, the addition of render on the north wall may give a greater sense of visual continuity.

While the site is within the Conservation Area and is adjacent a series of listed buildings, the relative heritage impact of the works is minor. The proposal would not result in direct harm to any heritage assets, while improving the quality of the immediate built environment. The rendered finish would not face the adjacent 1-7 Priory Road, and as such, the relative impact upon them is low.

The Conservation Officer has raised no objections to the works, stating that they would not appear out of character with the area.

Taking account of the design, scale, and nature of the development, as detailed above, the proposal is considered to be acceptable. The proposal would not cause an adverse impact to the character or appearance of the area or any heritage assets and would therefore be in accordance with Policies 2, 3 and 28 of the SELLP and Section 12 and 16 of the NPPF.

Impacts Upon Resident Amenity

Paragraph 130 of the NPPF states that development should create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Policies 2 and 3 of SELLP sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

Due to the nature of the works, no amenity impacts are expected. The works would not create additional windows or opportunities for overlooking. The works would not create any additional overshadowing as no new assets would be constructed.

As detailed above, the scale and design of the proposal is considered to have no significant or unacceptable impact on the residential amenities of the occupiers of adjacent properties or land users. As such, the proposal is considered to accord with the Section 12 of the NPPF and Policies 2 and 3 of the Local Plan in terms of impact upon residential amenity.

Planning Balance

As detailed above, Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

The proposal represents appropriate development that would not harm the siting of any listed buildings or the Conservation Area. The works would produce a visual improvement in the immediate area.

Taking into consideration these factors, the proposal is considered to comply with Policies 2, 3 and 29 of the SELLP, as well as Sections 12 and 16 of the NPPF. There are no significant factors in this case that would outweigh the benefits of the proposal; therefore, the planning balance is in favour of the proposal.

Conclusion

The recommendation is for delegated 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.