DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H16-0717-21**	**Applicant:**	**Spalding Academy**
Proposal:	Details of brick (Condition 3 of H16-1052-20)		
Location:	Spalding Academy Neville Avenue Spalding		
Terminal Date:	27th August 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 2021

Section 12 of the National Planning Policy Framework (2021)

12 - Achieving well-designed places.

Representations:

	Object	Support	No Obj.	Comments

CASE OFFICER ASSESSMENT

PROPOSAL

This is a condition compliance application for brick details at Spalding Academy School, Neville Avenue, Spalding. The proposal seeks to provide 2 changing rooms, 2 offices, 2 laundry rooms,2 disable wc / showerrooms, and four wc rooms. The building will measure 28 metres in length and 12.7 metres in length, with a 2.6 metre eaves height and 6.6 maximum apex height.

The proposed brick will be Forterra Old English Rose.

SITE DESCRIPTION

There are school buildings to the north beyond an grassed mound and to the east. The games court is to the west and playing fields are to the south. The proposal site is in Environment Agency Flood Zone 3, and in a "Danger for All" hazard, with a maximum predicted flood depth of over 2 metres. Finished floor levels will not be sited any lower than that of the existing building which is the recommendation for all non-residential dwellings.

RELEVANT HISTORY

H16-1052-20

Full - Proposed single storey PE changing room block - Approved - 12 January 2021.

CONSULTATION RESPONSES

None.

PLANNING CONSIDERATIONS

Accordance with Condition 3 of H16-1052-20 - Brick type to be agreed

Condition 3 of H16-1052-20 states:

"Before the commencement of the development hereby permitted beyond oversite, details of the brick(s) to be used to the external walls of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority, and all the brick(s) used in the development shall conform to the details 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."

The proposed brick will be Forterra Old English Rose. There is not considered to be an impact on the character or amenity of the surrounding area from the proposed material of construction as it is in keeping with existing buildings on site.

PLANNING BALANCE

The proposed brick can be accommodated into the final design without impacting the character of the surrounding area.

In light of the above considerations the proposal is considered to be in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019, as well as Section 12 of the National Planning Policy Framework, 2021.

CONCLUSION

A delegated approval is considered to be appropriate.

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.