DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H16-0847-19**	**Applicant:**	**Mr & Mrs Pilgrim**
Proposal:	Details of cladding for external walls (Condition 3 of H16-0202-19)		
Location:	74 Pennygate Spalding		
Terminal Date:	22nd October 2019		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development

National Guidance

National Planning Policy Framework 2019

Section 12. Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments

CASE OFFICER ASSESSMENT

Proposal

Householder planning permission was granted under application ref. H16-0202-19 for proposed 2 storey side extension to the property at 74 Pennygate, Spalding. This is a planning application that seeks permission for details of cladding for external walls of the approved extension to comply with Condition 3 of H16-0202-19.

Site Description

The site context is predominantly residential. Whereas a frontage of semi-detached properties is on the northern side of Pennygate, the application's site is opposite the road within a frontage of varied dwelling houses in terms types, ages and designs. The Saint Norbert's Catholic Primary is located some metres away in the middle of the block delimited by Pennygate to the north, Tollgate to the east and south and West Parade to the west.

History

H16-0202-19 - Proposed 2 storey side extension - Approved

Consultation Responses

None.

Planning Considerations

Hardieplank Anthracite Grey Cedar texture cladding is proposed to coat externally the walls of the approved extension.

White UPVC would be present in both existing and proposed windows. By using the dark grey cladding on the extension, there would be a contrast between windows and walls providing nice frame around each window on the extension and it would provide a more modern appearance. Dark brownish roof tiles and white walls of the house would also contrast with the intended cladding. A brickwork plinth with brick to match the existing would be incorporated at ground floor and would provide a break to the materials. Although the cladding would be very different to materials that have been used in existing development along Pennygate, after careful consideration, it is considered that the addition of the proposed cladding would not have a material adverse impact on the character and appearance of the area for the reasons given above.

Conclusion

Taking into consideration the mentioned above, the proposal is considered to be in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 and Section 12 of the National Planning Policy Framework, 2019.

It is therefore recommended to approve this planning application via delegated powers.

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.