

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H21-0369-23 **Applicant:** Mr C Thorpe

Proposal: Details of external materials, landscaping & tree planting, proposed boundary treatments and ecology management scheme. (Conditions 4, 5, 6 and 7 of H21-1019-22)

Location: Land To The Rear Of The Sycamores Main Road Tydd Gote

Terminal Date: 12th June 2023

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02 Development Management
03 Design of New Development
28 The Natural Environment

National Guidance

National Planning Policy Framework 2021

Section 12. Achieving well-designed places.
Section 15. Conserving and enhancing the natural environment

Representations:

	Object	Support	No Obj.	Comments
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CASE OFFICER ASSESSMENT

Proposal

The application proposes to discharge the following conditions of application H21-1019-22:

Condition 4 - external materials
Condition 5 - landscaping & tree planting
Condition 6 - boundary treatments
Condition 7 - ecology management scheme

Site Description

The site is located off Main Road in Tydd Gote. It is approximately 0.1ha and is currently garden land located to the rear of "The Sycamores" (house) and is accessed off the A1101. Tree planting presently exists along its perimeter. Garden land associated with "New Bungalow" is located to the south and land associated with No. 7 Station Road to the east. Agricultural land is situated to the

north and the A1101 to the west, with "Westfield" beyond. The site is located outside Tydd Gote Conservation Area.

History

H21-1019-22 - Proposed new dwelling - Approved

H21-0557-21 - Outline for single dwelling house - Approved

Consultation Responses

No representations received.

Planning Considerations

Condition 4 - External materials

Above Ground to DPC - trench-block will be used from foundation to DPC and rendered in a complimentary colour with the proposed brick external walls
External Brickwork - Forterra claughton wentworth mixture 65mm or IBStock A0352A Aldridge Anglian red rustic 65mm. Black mortar raked or concave pointing finish
Windows & External Doors - REHAU TOTAL 70 finished in Black/Brown externally (RAL COLOUR 8022)
Roof Cover - Metrotile Charcoal
Fascias, Soffits, topwater and waste pipes to be all UPVC 'Flo-plast' Black.
Driveway - laid to stone as existing

The proposed materials are considered acceptable given the wide variety of materials present in the street therefore condition 4 can be discharged.

Condition 5 - Landscaping & tree planting

No new planting and landscaping are proposed. The site is enclosed on three sides by existing mature trees and shrubs and is laid to stone therefore the existing landscaping is considered acceptable given the modest size of the site.

As such condition 4 can be discharged.

Condition 6 - Boundary treatments

No new boundary treatments are proposed. The north elevation boundary is shared with a large open farm field used for crops and has a natural tree-line of trees. The south elevation boundary is demarked by trees and shrubs. The east elevation boundary is indicated by a shrub and existing link fence that has been in place for many years. To the west, there is an existing solid timber fence (approx. 1.8m high) separating the subject plot from the Sycamores garden. The existing boundary treatments are considered acceptable and provide sufficient privacy therefore condition 6 can be discharged.

Condition 7 - ecology management scheme

No new biodiversity measures are proposed. This can on balance be accepted given the site history and constraints.

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

Taking the above into account, it is considered that Conditions 4, 5, 6 and 7 of application H21-1019-22 can be discharged.