

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H01-0574-19 **Applicant:** Mr Wilson
Proposal: Erection of 2 bungalows - outline approval H01-0994-18
Location: Land Adjacent: 27 Backgate Cowbit Spalding
Terminal Date: 31st July 2019

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
04	Approach to Flood Risk
10	Meeting Assessed Housing Requirements
11	Distribution of New Housing
17	Providing a Mix of Housing

National Guidance

National Planning Policy Framework 2019

Sections 5, 12 and 14 of the National Planning Policy Framework (2019)

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	1	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a reserved matters application for the erection of 2 bungalows on land adjacent 27 Backgate, Cowbit. Outline planning for the site was granted under reference H01-0994-18.

The proposal seeks to provide two identical bungalows, which contain three bedrooms, one en-suite, a bathroom, kitchen, lounge, utility room and an integral garage. Proposed brickwork is Ibstock Balmoral with plain grey concrete roof tiles. One dwelling will be sited to the rear of the other with a 1.8 metre high dividing timber fence between the properties.

Site Description

The proposal is within defined settlement limits and the surrounding area is characterised by dwellings of varying ages and design. The site is within Flood Zone 1 and in defined settlement limits, therefore a sequential test is not required. The submitted Flood Risk Assessment proposes finished floor levels of 300mm above ground level.

History

H01-0449-00

Residential development - Appeal for non-determination withdrawn - 04 May 2001

H01-0482-00

Residential development - Appeal for non-determination withdrawn - 06 April 2001

H01-0426-01

Outline proposal for residential development - Application withdrawn - 12 March 2002.

H01-0994-18

Outline proposal for residential development - two bungalows - Approved - 20 November 2018.

Consultation Responses

Cowbit Parish Council

Support

County Highways & SUDS Officer

Requests standard access and utility informatives.

Planning Considerations

Proposed design and layout

There is not considered to be any material harm to neighbouring residential amenity from overlooking or overshadowing. The design, scale and layout of the dwellings is considered to be appropriate for the site and does not materially impact the character of the adjacent dwellings nor the surrounding area.

Conclusion

In light of the above considerations the proposal is considered to be in accordance with Policies 1, 2, 3, 4, 10, 11 and 17 of the South East Lincolnshire Local Plan, 2019, as well as Sections 5, 12 and 14 of the National Planning Policy Framework, 2019.

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 to grant permission 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 to grant permission 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 to grant permission is considered to be a proportionate response to the submitted application based on the considerations set out in this report.