DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H02-1062-23**	**Applicant:**	**Mr T Arlow**
Proposal:	Proposed Dwelling (Plot 1) - approved under H02-0189-23. Repositioning of w.c. resulting in change in size of window on rear elevation		
Location:	Plot 1 Adjacent To 17 Barbers Drove North Crowland Peterborough		
Terminal Date:	28th December 2023		

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
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2023

Section 12 Achieving well designed places.

Representations:

	Object	Support	No Obj.	Comments

CASE OFFICER ASSESSMENT

Proposal

Proposed Dwelling (Plot 1) - approved under H02-0189-23. Repositioning of w.c. resulting in change in size of window on rear elevation.

Site Description

The site is an undeveloped parcel of land that fronts Barbers Drove North, sitting between 15 Barbers Drove North and James Road. There are a mixture of bungalows and two storey dwellings along this road and of varied designs. The land to the rear is open, being prepared for implementation of the larger scheme.

The plot is the other side of the access road to the larger scheme behind which shares the access to 17 Barbers Drove North. Together with a further driveway to a detached garage, this separates the plot somewhat from 15 Barbers Drove North.

History

H02-0189-23 - Reserved Matters - Proposed Dwelling (Plot 1) - Outline approval H02-0564-22. Approved 26th April 2023.

H02-0564-22 - Outline - Residential development of 3 dwellings - Approved 31 January 2023.

H02-0064-21 - Full - Demolition of existing dwelling and erection of 41 dwellings (approved February 2022).

Consultation Responses

None required.

Planning Considerations

This proposal does not affect the principle of development and outline and reserved matters approval has already been granted.

The main consideration of this proposal in comparison with the approved scheme is the effect on the external elevation of the property at the rear, as a result of decreasing the ground floor window which was previously to the garage. There are no changes to the front of the premises.

In comparison with the approved scheme, the position of the toilet has moved from the front of the premises to be positioned at the rear, adjacent to the utility room to the rear of the garage. This reduces the length of the garage from 7.183m to 5.425m.

From the front, there is no change to the front elevation; the window where the toilet was situated (at the front) will remain in place at the same size. At the rear, the window size is proposed to be changed from a 1.248m window to a window which is 0.685m in size. This is therefore a smaller window. As this is situated on the rear elevation there is no material change to the external elevation of the dwelling. The smaller sized window is not significant in design terms. There is no impact on the street scene.

The garage can still function as such to allow a car to be parked internally, and in addition there is parking at the front. There is no conflict with Policy 36 or Appendix 6 of the SELLP.

Overall, there is no adverse impact in design terms and as a result there is no conflict with SELLP Policies 2 or 3 or section 12 of the NPPF. As such the proposal is considered acceptable.

Conclusion

The proposed changes is not material and as a result the scheme is recommended for 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.