

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H03-0096-21 **Applicant:** Jelson Ltd.

Proposal: Erection of 66 dwellings and associated works - approved under H03-0599-20. Modification of Condition 1 to allow amendments to previously approved plans (substitute of house type on plots 49-56 & 61-62) and alterations to the Drainage Detail Plan

Location: Caultons Field West Of Littleworth Drove Deeping St Nicholas Spalding

Terminal Date: 14th July 2021

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
04	Approach to Flood Risk
06	Developer Contributions
10	Meeting Assessed Housing Requirements
11	Distribution of New Housing
12	Reserve Sites
17	Providing a Mix of Housing
18	Affordable Housing
28	The Natural Environment
30	Pollution
31	Climate Change and Renewable and Low Carbon Energy
32	Community, Health and Well-being
33	Delivering a More Sustainable Transport Network
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

National Planning Policy Framework (NPPF), 2019

Section 2 Achieving sustainable development
Section 4 Decision-making
Section 5 Delivering a sufficient supply of homes
Section 6 Building a strong, competitive economy
Section 8 Promoting healthy and safe communities
Section 9 Promoting sustainable transport
Section 11 Making effective use of land
Section 12 Achieving well-designed places
Section 14 Meeting the challenge of climate change, flooding and coastal change
Section 15 Conserving and enhancing the natural environment
Section 16 Conserving and enhancing the historic environment

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
ENVIRONMENT AGENCY	0	0	0	1
HIGHWAYS & SUDS SUPPORT	0	0	0	1
WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD	0	0	1	0
SHDC INTERNAL	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Erection of 66 dwellings and associated works - approved under H03-0599-20. Modification of Condition 1 to allow amendments to previously approved plans (substitute of house type on plots 49-56 & 61-62) and alterations to the Drainage Detail Plan.

Deed of variation agreed and signed.

Site Description

The site is an allocated housing site within the South East Lincs Local Plan (Inset Map 14) and is located between the Great Northern and Great Eastern Joint Railway Line and Littleworth Drove (the main road) and also adjoins some residential frontage development along the highway.

History

H03-0331-16 Outline planning application for the erection of up to 66 dwellings (with means of access to be considered). S106 agreement for affordable housing and health contribution. Approved 23 Nov 2016.

H03-1151-18 Reserved matters application for the erection of 66 dwellings and associated works -

details pursuant to outline approval H03-0331-16. Approved 30-05-19.

H03-0599-20. SEC 73 MODIFICATION. Erection of 66 dwellings and associated works - approved under H03-1151-18. Modification of Condition 1 to allow amendments to previously approved plans, to allow for substitute of house type on plots 1, 3, 4, 5, 6, 10, 11, 12, 13, 14, 19, 20, 23, 24, 25, 26, 28, 29, 30, 31, 35, 37, 39, 40, 42, 44, 45, 46, 57, 58, 59, 60, 63, 64, 65 & 66. APPROVED. 21-10-20.

Consultation Responses

Deeping St Nicholas Parish Council

No response received.

LCC Highways & SUDS Support

Does not wish to restrict the grant of permission.

No objection to modification of Condition 1 approved under H03-0599-20 for the substitute of house types on plots 49-56 and 61-62. Sufficient parking provision has been allocated for the 2 and 3 bedroom dwellings in accordance with the LPA's parking standards.

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development is acceptable and accordingly, does not wish to object to this planning application.

SHDC Housing Strategy

I can see these amendments relate to some of the affordable plots, and the application form states that the amendments ensures that the housing association plots are space standard compliant. However, it is not apparent what internal space sizes are now being proposed, and how different these are from the previously permitted plans. Can we please ask the applicant to advise.

OFFICER NOTE: Dimensioned drawings were submitted on 14 May 2021.

Anglian Water

No comment.

Welland and Deepings Internal Drainage Board

No comments.

Environment Agency

No comment to make.

Planning Considerations

This application proposes a Modification of Condition 1 of the host consent to allow amendments to previously approved plans (substitute of house type on plots 49-56 & 61-62).

The alteration to the drainage plan is to include additional drainage that has been installed.

Dimensioned drawings were submitted on 14 May 2021.

Conclusion

The alterations are minor in nature and are considered to be acceptable, as per the consultation responses set out above.

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.