CHAIRMAN'S PANEL Held On: Unrecognised Format

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H03-0773-19**	**Applicant:**	**Ms Alison Laws**
Proposal:	Demolition of existing buildings and erection of pair of three bed semi-detached houses with linked garages		
Location:	The Old Mission Counter Drain Drove Tongue End		
Terminal Date:	1st October 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	0	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
IAN MARSHMAN, HISTORIC ENVIRONMENT OFFICER	0	0	0	1
SHDC INTERNAL	0	0	0	1

OTHER STATUTORY BODIES	0	0	0	1
RESIDENTS	3	0	0	0

Route for determination of application	**Delegated**	X	**Committee**	

CASE OFFICER ASSESSMENT

Proposal

This is an outline application for the demolition of existing buildings and the erection of a pair of three bed semi-detached houses with linked garages at The Old Mission, Counter Drain Drove, Tongue End.

Site Description

The proposal is within defined settlement limits and the surrounding area is predominately rural, characterised by non-nucleated dwellings of varying ages and design. The site currently contains a workshop building as well as a building in which a workshop / office, two halls, a kitchen and a toilet are provided. They are to be demolished.

History

H03-0764-90

Full - Change of use to dwelling - Approved - 10 July 1990

H03-0246-93

Full - Erection of timber component store - Approved - 20 April 1993

Consultation Responses

Members of the public - 2

- Traffic
- Parking
- Width of proposed access
- Visibility splay
- Not sustainable development
- Impact on character
- Noise from new occupants
- Overdevelopment
- Overshadowing
- Overlooking
- Drainage
- Removal of asbestos during demolition
- Flood Risk
- Loss of a church / community facility

Historic Environment Officer

The site involves the demolition of the Church of St Michael. It is recommended that a photographic record is made of the church prior to its demolition and that this is addressed by condition.

SHDC Environmental Officer

Requests full land contamination condition.

Planning Considerations

- Loss of a church / community facility
- Traffic
- Parking
- Width of proposed access / Visibility splay
- Not sustainable development
- Impact on character
- Noise from new occupants
- Overdevelopment
- Overshadowing
- Overlooking
- Drainage
- Removal of asbestos during demolition
- Flood Risk

Loss of a church / community facility

The site has not been used for church purposes for a number of decades. There is not considered to be a loss of a community facility as a result. The site is gated off and overgrown, so has not been in use for a considerable period of time.

Traffic

There is not expected to be a material increase in traffic as a result of the proposed development. Traffic during construction works carries minimal planning weight.

Parking

Proposed parking on the indicative plan is acceptable and allows vehicles to exit the site in a forward gear. However this is an outline application with all matters reserved. Therefore, minimal planning weight can be given to parking concerns.

Width of proposed access of visibility splay.

The proposed access point location, width and visibility does not differ greatly from other vehicular accesses in the vicinity. However, this is an outline application with all matters reserved. Therefore, minimal planning weight can be given to access / visibility concerns.

Impact on character

The site is within the defined settlement limits of Tongue End so the principle of development on this site is accepted. However, this is an outline application with all matters reserved. Therefore, minimal planning weight can be given to character concerns.

Noise from new occupants

Presumptions as to the behaviour of potential future occupants cannot be made. Therefore this concern carries minimal planning weight.

Overdevelopment / overlooking / overshadowing

These are matters that cannot be accurately determined at the outline stage of an application. Therefore, this concerns carries minimal planning weight.

Drainage

There are no immediate concerns regarding this site. A full drainage strategy would have to be submitted with any reserved matters application.

Removal of asbestos during construction

This is a matter that would be addressed by the Building Control Department should full permission be granted.

Flood risk

The application site is within Environment Agency Flood Zone 3. It is in a 'Danger for Some' hazard with a predicted maximum flood depth of 0.25 metres on the 2115 South Holland Strategic Flood Risk Mapping.

Conclusion

There is not considered to be an impact on neighbouring properties or the character of the wider area from this proposal. The principle of development on this site is considered acceptable and will provide a visual improvement to how the site currently presents.

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

A delegated approval is considered to be appropriate.

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.