DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H04-0997-19**	**Applicant:**	**Mrs L Crowe & Mrs A Thorne**
Proposal:	Residential development		
Location:	22 Quadring Road Donington Spalding		
Terminal Date:	2nd December 2019		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
10	Meeting Assessed Housing Requirements
11	Distribution of New Housing
17	Providing a Mix of Housing
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Sections 5 and 12 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
IAN MARSHMAN, HISTORIC ENVIRONMENT OFFICER	0	0	0	1
SHDC INTERNAL	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	2

CASE OFFICER ASSESSMENT

Proposal

This is an outline application for residential development with all matters reserved on land adjacent 22 Quadring Road, Donington. The indicative proposal seeks to provide three dwellings accessed from a new shared vehicular access.

Site Description

The proposal is within defined settlement limits and the surrounding area is characterised by dwellings of varying ages and design to the north, east and west. The site is within Flood Zone 1 on the Environment Agency Flood Maps, and not subject to increased flood hazard or flood risk on the 2115 South East Lincolnshire Strategic Flood Risk Mapping.

History

H04-0930-83

Outline - Residential Development - Approved - 04 May 1984

H04-0567-86

Full - Proposed residential development - 38 No. dwellings - Approved - 15 September 1986

H04-0301-87

Full - 6 no. dwellings with garages inc. Estate Road &' sewers & extension to Public Amenity Area. - Approved - 03 June 1987.

H04-0096-88

Reserved Matters - Erection of detached bungalow and garage - Approved - 06 April 1988

H04-0894-17 - Adjacent to site to east

Full - Erection of 7 family homes - Approved - 21 November 2017

Consultation Responses

Historic Environment Officer

Recommends standard archaeological conditions.

Anglian Water

Provides drainage advice

Environmental Protection Officer

No objections

County Highways & SUDS Officer

Requests conditions related to access width, parking and visibility.

Planning Considerations

Principle of development

The site is within defined settlement limits so the principle of development is acceptable. The site is not subject to increased flood risk so there would not be the need to significantly raise finished floor levels. A adjacent site to the west at Dave Cook Engineering has been granted permission for 7 dwellings under reference H04-0894-17 so it considered that non-frontage development here will not have a material impact on the character of the surrounding area.

As there is nowhere in the district subject to lower levels of flood risk then a sequential test is not required.

Impact on amenity

A number of trees will need to be removed to facilitate development these trees are not protected but it is expected that an appropriate landscaping scheme will be brought forward that includes the retention of some existing trees and new planting. Whilst the proposal could be termed as backland it is considered that there should not be a material impact upon neighbouring dwellings as a design can be brought forward at the reserved matters stage that does not generate a material overlooking / overshadowing impact.

Conclusion

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