DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H05-0446-19**	**Applicant:**	**K R B Builders**
Proposal:	Demolition of garage and erection of bungalow - Outline approval H05-1227-18		
Location:	Adjacent: 13 Albion Street Holbeach Spalding		
Terminal Date:	26th June 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
11	Distribution of New Housing
36	Vehicle and Cycle Parking

National Guidance

National Planning Policy Framework 2019

Sections 2, 4, 5, 9, 12 and 14

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

CASE OFFICER ASSESSMENT

Proposal

Outline planning permission was granted for demolition of a garage and erection of a bungalow (ref.

H05-1227-18) in February 2019. Reserved matters approval is now sought for a 3 bed bungalow.

Site Description

The site (some 0.023ha) is currently garden associated with 13 Albion St. A house is situated to the north and a residential garden associated with a bungalow to the rear (east).

Representations

LCC Highways/SUDs - Does not wish to restrict the grant of permission.

Material Planning Considerations

Outline planning permission was granted for demolition of a garage and erection of a bungalow (ref. H05-1227-18) in February 2019. The principle of residential development upon the site has therefore been established.

Reserved matters approval is now sought for a 3 bed bungalow to be constructed in Milldale Grey Multi Dragfaced facing bricks and a Sandtoft Grey Calderdale roof. Existing residential development is generally varied within the locality in terms of type, design, appearance, age and external materials. It is considered that the proposed dwelling would not materially harm the appearance of the street scene or character of the area.

The northern and southern elevations of the proposed bungalow are blank. Boundary fencing is situated on the northern and eastern boundaries. It is considered that the amenity of neighbouring residents would not be materially harmed in terms of overlooking, lack of privacy, overshadowing, overbearing effect, noise and disturbance, etc.

Vehicular access would be via Albion Street, which is a private roadway. The County Highways Authority raised no objections at the outline stage on highway safety grounds.

Foul water would be disposed of to the mains sewer. Surface water would be disposed of via soakaways at the rear of the site. Building Control has indicated that soil structure in the Holbeach area is suitable for such an arrangement.

In terms of flood risk, finished floor levels would be 300mm above existing ground level.

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.

Recommendation - Reserved Matters approval under delegated powers.