DECISION DELEGATED TO HEAD OF PLANNING

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| **Application No:** | **H06-1201-22** | **Applicant:** | **Mr & Mrs S Williamson** |
| **Proposal:** | Erection of 2 dwellings & garages - approved under H06-0744-22. Modification of Condition 2 to allow amendments to previously approved plans. | | |
| **Location:** | Adj. Waytmond Main Road Gedney Drove End | | |
| **Terminal Date:** | 14th February 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 |
| 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 2021**

Section 5 - Delivering a sufficient supply of housing
Section 12 - Achieving well-designed places
Section 14 - Meeting the challenge of climate change, flooding and coastal change

**Representations:**

| | Object | Support | No Obj. | Comments |
|---|---|---|---|---|
| PARISH COUNCIL | 0 | 0 | 0 | 1 |
| WARD MEMBER | 0 | 0 | 0 | 0 |
| HIGHWAYS & SUDS SUPPORT | 0 | 0 | 0 | 1 |
| SOUTH HOLLAND INTERNAL DRAINAGE BOARD | 0 | 0 | 0 | 1 |

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|---|---|---|---|---|
| RESIDENTS | 0 | 1 | 0 | 0 |

## CASE OFFICER ASSESSMENT

### Proposal

This is a Section 73 Application related to the proposed erection of 2 dwellings and garages adjacent to Waytmond, Main Road, Gedney Drove End. The development was originally approved under application ref. H06-0744-22.

This application proposes amendments including the changes to the design.

### Site Description

The site is a square parcel of land, which lies between existing properties along Main Road, Gedney Drove End - A detached bungalow to the east and a detached two storey dwelling to the west.

On the opposite side of the road are bungalows of different design and there are also 2 storey dwellings in the vicinity.

There are fields to the rear of properties fronting on to Main Road.

### History

H06-1185-19- OUT- Approved on 31-01-20- Erection of 2 dwellings with garages.

H06-0744-22- FULL- Approved on 27-09-22- Erection of 2 dwellings with garages.

### Consultation Responses

Resident Comments(1)

- Fully support proposal.

Gedney Parish Council

- No objection.

South Holland IDB

The Board's Officers have reviewed the documents submitted in support of the above planning application. Officers have noted works which may require Land Drainage Consent from the Board as outlined in the table provided and detailed overleaf. Please be aware of the potential for conflict between the planning process and the Board's regulatory regime.

Where consents are required, the Board strongly recommends that these are sought from the Board prior to determination of this planning application. The annexe at the end of this letter outlines the Board's regulatory function and how to apply for Land Drainage Consent.

Highway and Lead Local Flood Authority

No objection.

The change of house types being proposed in this Application would not have any impact upon highway safety or network capacity and therefore the highway authority does not wish to object to the grant of consent for this Application.

## Planning Considerations

There is an extant planning permission (H06-0744-22) for residential development of the site. The key matter for consideration is, therefore, whether the change in design in terms of the windows and slight change in design would be acceptable.

With a few amendments to removing a window to Plot 2, it is considered that the proposed chnages in design to the dwellings will not impact upon neighbouring residential amenity for the proposed erection of 2 dwellings and would not materially impact the character of the area.

The proposal is therefore considered to be in accordance with Policy 2 and 3 of the South East Lincolnshire Local Plan (2019), as well as Section 12 of the National Planning Policy Framework (2021).

## Conclusion

Taking the above into account, the proposed modification to the dwelling approved by H06-0744-22 is considered to be in accordance with Policy 2 and 3 of the South East Lincolnshire Local Plan (2019) as well as Section 12 of the National Planning Policy Framework (2021).

The recommendation is therefore for a delegated 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.