DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H09-0682-19**	**Applicant:**	**Ashwood Homes**
Proposal:	Access, appearance, landscaping, layout and scale for highways infrastructure (new link road, roundabout, junction and modifications to Hall Gate and Fen Road (Phase 1A)) and two phases of residential development totalling 330 dwellings (Phases 1B and 2). Development brief and Masterplan for phased development of remainder of site (Outline Permission H09-0521-14) - approved under H09-0331-17. Amendments to fenestration on house types, Bain, Ribble, Humber, Barrowby, Thames and Ouse.		
Location:	Land Off Hallgate Fen Road Holbeach		
Terminal Date:	14th August 2019		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019	
02	Development Management
03	Design of New Development
04	Approach to Flood Risk
05	Meeting Physical Infrastructure and Service Needs
06	Developer Contributions
10	Meeting Assessed Housing Requirements
11	Distribution of New Housing
18	Affordable Housing
28	The Natural Environment
29	The Historic Environment
31	Climate Change and Renewable and Low Carbon Energy
32	Community, Health and Well-being
APPENDIX 6	Parking Standards
APPENDIX 8	Developer Contributions for Education Facilities
APPENDIX 9	Developer Contributions for Health Care Facilities

National Guidance

National Planning Policy Framework 2019

NPPF 2019

Representations:

	Object	Support	No Obj.	Comments

CASE OFFICER ASSESSMENT

Proposal

Non material amendments to fenestration on house types, Bain, Ribble, Humber, Barrowby, Thames and Ouse.

Wider consents as follows:

Access, appearance, landscaping, layout and scale for highways infrastructure (new link road, roundabout, junction and modifications to Hall Gate and Fen Road (Phase 1A)) and two phases of residential development totalling 330 dwellings (Phases 1B and 2). Development brief and Masterplan for phased development of remainder of site (Outline Permission H09-0521-14) - approved under H09-0331-17.

Site Description

The site is generally flat, crossed by a number of drainage ditches, bounded by the Old River Holbeach to the east, and with several recently established internal tree belts and older hedgerows. Hall Gate runs east-west from the southern edge of Holbeach town centre and past the site to the A151 via Wignalls Gate.

The southern and western boundaries are open to adjacent fields. To the north and east are existing houses and bungalows, some fronting the site but mostly backing on to it. The site contains some post-war agricultural buildings, two dwellings and the Grade II listed Manor farmhouse building.

The site lies on the southern edge of Holbeach. The immediate surroundings are residential in character to the north and east and agricultural to the south and west.

History

H09-0521-14. outline planning permission. Residential development of up to 900 dwellings, with access off Hall Gate and Fen Road, including public open space, drainage infrastructure, landscaping, including demolition of two dwellings and agricultural buildings (but not listed Manor Farm and adjacent outbuildings). Approved 07-12-16.

H09-0331-17. Reserved matters. Access, appearance, landscaping, layout and scale for highways infrastructure (new link road, roundabout, junctions and modifications to Hall Gate and Fen Road (Phase 1A)), and two phases of residential development totalling 330 dwellings (Phases 1B & 2). Development Brief and Masterplan for phased development of remainder of site (Outline permission H09-0521-14). Approved 09-11-17.

Consultation Responses

N/A

Planning Considerations

It is not considered that the alterations to the fenestration of these house types would have a material impact on the overall visual impact or quality of the development, nor on the privacy of existing adjoining occupiers.

Conclusion

Overall, it is considered that the proposed amendments satisfactorily comply with the criteria of South Holland District Council's Development Control Procedure Note Non-Material Amendments to Planning Permission, and as such is acceptable as a Non-Material Amendment.

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.