DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H11-0488-19**	**Applicant:**	**IMH Properties Ltd**
Proposal:	Proposed development of 9 dwellings - outline approval H11-0399-17		
Location:	Land Adjacent: 44 Bridge Road Long Sutton Spalding		
Terminal Date:	9th 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
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Sections 12, 14 and 15

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	1	0	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	1	0

CASE OFFICER ASSESSMENT

Proposal

Outline planning permission was allowed on appeal for residential development (max. 9 dwellings), including means of access, in September 2018 (ref: H11-0399-17). The application was accompanied by an indicative layout plan, including the proposed access road serving the

development.

Site Description

The site (some 0.38 ha) is located to the rear of two semi-detached bungalows (nos. 44 and 46 Bridge Road). It is situated between Bridge Road Industrial Estate to the west and Colin Parker (Masonry) Ltd to the east. The latter are a manufacturer and trade suppliers of fireplaces, granite kitchen worktops, memorials and other associated marble products. Existing business on the industrial estate to the west include Bush Tyres and Wrights & Holbeach Asphalt Ltd, plus small electrical and engineering firms.

Policies/Constraints

The site is outside a defined settlement limit within the South East Lincolnshire Local Plan, 2019 and is designated as a proposed main employment area.

Site History

H11-0072-14 - Outline - Light industrial development - Granted 27 March 2014.

H11-0399-17 - Outline - Proposed residential development (9 dwellings) - Refused 22 September 2017. Allowed on appeal on 5 September 2018.

Representations

Long Sutton Parish Council - A refuse compound should be provided for residents near to the collection point to prevent issues with bags being left out on days other than collection days and the potential for litter issues due to open bags, etc if put out prior to the morning of collection.

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

Material Considerations

The main issue in this case is whether the proposal satisfies the reserved matters imposed by the Planning Inspector.

The proposal is for 6 no. 3 bed semi-detached house, 2 no. 3 bed detached houses and 1 no. 4 bed house. The external materials are an Ibstock Lombard Village brick and Sandtoft Calderdale grey slates. The scheme is considered acceptable in terms of appearance.

The landscaping scheme includes a mixture of Prunus, Field Maple, Mountain Ash and Whitebeam and is considered satisfactory. Boundary screening would be 2 metre high timber close boarded fencing in accordance with condition 10.

In accordance with the terms of the outline planning permission, finished floor levels (FFLs) of the proposed houses would be set 500mm above the existing lowest ground level, with flood resilient construction up to 300mm above FFL. The proposal is satisfactory on flood risk grounds.

The development would be served by a private driveway in accordance with details approved at the outline stage (ref. H11-0399-17). Further details of construction, etc will need to be submitted as part of a separate condition compliance application. LCC Highways has raised no objections to the current application.

2 parking spaces are provided to each dwelling plus a garage to the 4 bed unit, thus parking provision is in accordance with Policy 36 and Appendix 6 of SELLP.

Notwithstanding that details have been submitted relating to refuse collection, this is not a reserved matter, along with disposal of sewage (conditions 11 and 12). A separate condition compliance application will need to be submitted to discharge these conditions.

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.