

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H14-0440-19 **Applicant:** Monograms Rentals Ltd

Proposal: Demolition of garage block and erection of two-storey dwelling - approved under H14-0578-18 - Modification of Condition 2 to allow amendments to previously approved plans and Conditions 4 and 6 relating to brick bond and guttering

Location: Land Adjacent: 33 Knight Street Pinchbeck Spalding

Terminal Date: 28th June 2019

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
17	Providing a Mix of Housing
29	The Historic Environment

National Guidance

National Planning Policy Framework 2019

NPPF 2019.
Section 16

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	1	0	0
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This application is a S73 seeking to amend planning permission to demolish a block of garages and erect a 2 bed dwelling on land at 33 Knight Street, Pinchbeck. The existing front boundary wall to the flats would be demolished, and the drop kerb extended to allow vehicle access and parking on the frontage.

The amendments to the scheme are to:

- change the bond to half lap stretcher
- allow fascia boards

The application also seeks to submit information which will mean pre-commencement conditions are no longer necessary.

Site Description

The site is within the Development Boundary for Pinchbeck and also within the Pinchbeck Conservation Area. There are some historical buildings and structures in the wider area but also many modern buildings and the townscape is very mixed and not strongly based in any particular era or style with quite a high number of more modern dwellings.

The application site has a narrow frontage onto Knight Street and currently a block of flat roof garages sits on the rear of the site. The adjacent property to the east is a large pair of semi-detached houses, converted into flats. A public footpath abuts the western boundary, with a chalet bungalow on its other side. To the north, at the rear of the site is the large garden of a detached dwelling.

History

H14-0578-18 - Demolition of garage block and erection of two-storey dwelling - approved.

H14-0061-14 - Demolition of single storey garage block and erection of new single storey dwelling - Withdrawn 20/2/14

H14-0621-14 - Demolition of single storey garage block and erection of new single storey dwelling - re-submission of H14-0061-14 - Refused 14/1/15 for 3 reasons: cramped form of development; design would not preserve or enhance the historic character and pattern of development which characterises Pinchbeck Conservation Area at this point; likely to increase demand for on-street parking to the detriment of local amenities.

H14-0485-15 - Demolition of single storey garage block and erection of one and a half storey dwelling - Refused 9/9/15 for 2 reasons: its inappropriate scale would result in an incongruous form of development and design would not preserve or enhance the historic character and pattern of development which characterises Pinchbeck Conservation Area at this point.

Consultation Responses

Pinchbeck Parish Council
Support

Pinchbeck Parish Council recommended approval for this planning application at their Annual Meeting of the Parish Council held on 13.5.2019

Planning Considerations

The main issues relating to this application are:

- The impact upon the Conservation Area;
- Residential Amenity;

Impact upon Conservation Area

The site is also within the Pinchbeck Conservation Area.

The proposal is for a two-storey dwelling in a modern design - the design respects the character of

the conservation area in terms of scale and massing although modern materials are utilised. The design has been informed by the character, scale, and proportions of not only the neighbouring buildings but also the large scale and mixed era and styles of the modern buildings around the Conservation Area, this larger context helps to assimilate the modern design with its historic context.

The S73 amendments include a bond that as the Agent sets out actually matches the host dwelling as would the use of fascia boards and there would be no unacceptable impacts upon the visual qualities and amenity of the Conservation Area.

The materials and other details put forward under this application are acceptable and obviate the need for pre-commencement conditions.

Residential Amenity

The S73 amendments have no further amenity impacts over and above the original granting of the dwelling.

Conclusion

On balance, the proposals are considered to be acceptable and it is recommended that permission be granted.

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.