DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H16-0123-20**	**Applicant:**	**Broadgate Homes Ltd**
Proposal:	Phase 1 covering part of the northern neighbourhood comprising 312 dwellings including associated infrastructure and public open space - approved under H16-0464-14. Amendments to dwelling substitution, layout and design.		
Location:	Site To The South West Of Spalding With Access From The Broadway To The North And B1172 To The South Of Spalding		
Terminal Date:	6th March 2020		

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
05	Meeting Physical Infrastructure and Service Needs
06	Developer Contributions
10	Meeting Assessed Housing Requirements
11	Distribution of New Housing
17	Providing a Mix of Housing
18	Affordable Housing
28	The Natural Environment
30	Pollution
31	Climate Change and Renewable and Low Carbon Energy
32	Community, Health and Well-being
33	Delivering a More Sustainable Transport Network
35	Delivering the Spalding Transport Strategy
36	Vehicle and Cycle Parking
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

This application seeks a non-material amendment to the reserved matters approval H16-0464-14 for the first phase of Holland Park.

The amendments sought are:

-A house-type substitution on plots 190-193, 198-201, 212-215, 223-226;
The footprint, building size and roof size/profile remains unchanged, there are changes to the elevations; most notably all garages are now to the rear elevation, with projecting element incorporating first floor terraces with French doors removed, central chimney removed and no quoins to corners. The houses are now a terrace of 4 properties rather than "back to back" block of 4.

-Plot 189 has moved across 1.0m, so it becomes a detached house, with the roof profile changed to a hip;

-Plot 202- the third bedroom over the parking space has been removed, so property would now be detached.

Site Description

As original application, plus site has been under construction for some time.

Relevant History

-H16-0571-09 - Erection of 2,250 dwellings, district centre, 2 local centres, primary school, public open space, access and estate roads - Outline application approved 18/05/12.

-H16-0464-14 - Phase I covering part of the northern neighbourhood comprising 312 dwellings, including associated infrastructure and public open space - Reserved Matters approved 21/10/14.

-H16-0927-15 - Erection of 2,250 dwellings, district centre, 2 local centres, primary school, public open space, access and estate roads - approved under H16-0571-09. Modification of Condition 1 to extend the time period for the submission of reserved matters to 20 years - NMA approved 25/05/16.

Consultation Responses

N/A as NMA.

Planning Considerations

Given the nature of the changes and as all the plots are solely within the development site and do not adjoin any unrelated dwellings, it is considered that the changes are acceptable and they satisfy the criteria to be considered as a non-material amendment.

Conclusion

The changes are 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.