DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H16-0851-19**	**Applicant:**	**Mr N Marshall**
Proposal:	Residential development of a self build, zero carbon family home with annexe - resubmission of H16-1258-18		
Location:	Land Between: 19 Weston Hills Road And The Gables Weston Hills Road		
Terminal Date:	23rd October 2019		

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
31	Climate Change and Renewable and Low Carbon Energy
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

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

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a re-submission of a previously approved full planning application for a proposed residential

development of a self build, zero carbon dwelling with a self contained annexe and solar array.

The applicant is now seeking to increase the height and width of the main dwelling to coincide with the structural engineers steel frame design. The height would be increased by approx. 500mm. The width of the main part of the dwelling would be increased by approx. 280mm whilst the width of the width of the western projection would increase by approx. 300mm. There also appear to be changes to the en-suite bathroom windows on the eastern roof slope and the roof lights above the hall are more spaced out.

Site Description

The site is a largely triangular parcel of grassed land, the bulk of which is located to the rear of 19 Weston Hills Road and a property know as 'The Gables'. There are glasshouses to the west and north/north-east. The boundaries are fairly open at present with the exception of the adjoining frontage properties which are separated by hedging and fencing respectively. The site currently shares a gravel access with no. 19.

History

H16-1258-18 - Proposed residential development of a self build, zero carbon dwelling with a self contained annexe and solar array (approved March 2019)

Consultation Responses

None received at the time of writing the report.

Planning Considerations

There is an extant planning permission for residential development on this site and the only changes shown to the external appearance are to increase the height and width of the main dwelling and some amendments to windows. The key consideration in this instance is therefore whether this would be acceptable.

The increase in height and width would not be great in the context of the overall size of the proposed dwelling and only minor alterations to windows are proposed.

Increasing the width would bring the dwelling marginally closer to the boundary of The Gables to the east, however this boundary is defined by high hedging. Increasing the height would make the dwelling more visible to the occupants of both adjacent properties, however it is not considered that it would have a significant overbearing effect given that these properties are set within large plots and the proposed dwelling would still be some distance (approx. 11m) from the boundary of the property to the south-west.

The en-suite windows on the eastern roof slope appear to have been rotated to fit lengthways rather than sideways meaning that they would come further down the roof slope than originally proposed. However, the gradient of the roof and the likely viewing angles would make overlooking difficult.

Given the above, it is not considered that there would be a material adverse impact on the character and appearance of the area nor on residential amenity.

Conclusion

Taking the above into account, the proposed changes are considered to accord with Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) as well as Section 12 of the National Planning Policy Framework (2019).

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.