

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H16-0894-19 **Applicant:** Mr P Coupland

Proposal: Change of use and conversion of existing building into residential bungalow - re-submission of H16-0051-19

Location: Land Adjacent: 19a Fen End Lane Spalding Lincs

Terminal Date: 1st December 2019

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02 Development Management

03 Design of New Development

National Guidance

National Planning Policy Framework 2019

Section 12. Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SHDC INTERNAL	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a re-submission of planning ref. H16-0051-19 for which planning permission was granted for change of use and conversion of existing building into residential bungalow at land adjacent to 19a Fen End Lane, Spalding.

The aim of this new application is to seek permission to remove Condition 3 of H16-0051-19 (Contaminated Land Scheme) and some minor alterations to the building for residential conversion.

Site Description

The site context is characterised by ribbon development along Fen End Lane to south and Burr Lane to east. B1173 runs further to west. A certain range of design, appearance and ages has been observed in the locality. However, the most common type of housing is bungalow. The application's property is considerably set back from Fen End Lane and behind Tidswell Bungalow in Burr Lane and 19 Fen End Lane. To south, there is the residential property 19 Fen End Lane. A large outbuilding in corrugated sheet panels is between the rear of 19 Fen End Lane and the side of Tidswell Bungalow and the building subject to this application.

History

H16-0051-19 - Conversion of commercial building into residential bungalow - Approved

H16-1012-08 - Replacement building (part retrospective) - Approved

H16-0148-08 - Proposed replacement commercial premises - Approved

Consultation Responses

SHDC Environmental Protection Officer

No objection.

Planning Considerations

Design and layout

The main alteration proposed is to carry out re-roofing to lift the wall plate by approximately 300mm. The roof pitch would be raised along the entire building and the rear part of the building would remain in the form of subservient element with a shorter roof pitch. The height and overall scale of the proposed development would be marginally increased and the building would still appear commensurate with the adjacent properties.

Residential amenity

The marginal height increase would not cause any significant harm upon the amenity standards of residents living in the neighbouring properties.

Land contamination

In view of the specialist comments, the screening assessment form has been re-submitted. As a result, SHDC Environmental Protection Officer is satisfied with the details provided. No further investigation should be undertaken. Therefore, the permission can be granted without any condition requesting the provision of a full land contamination scheme prior to commencement of works.

Conclusion

Taking into account the considerations above, the proposal is in accordance with Policies 2 and 3 of South East Lincolnshire Local Plan, 2019 and Section 12 of National Planning Policy Framework, 2019.

It is accordingly recommended to approve this application via delegated powers.

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.