

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H17-0330-19 **Applicant:** Seagate Homes Ltd
Proposal: Details of Affordable Housing (Condition 6 of H17-0510-18)
Location: Land Off: Station Road Surfleet Spalding
Terminal Date: 18th December 2019

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

18 Affordable Housing

National Guidance

National Planning Policy Framework 2019

Section 5 - Delivering a sufficient supply of homes

Representations:

	Object	Support	No Obj.	Comments
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Details of affordable housing relating to outline application ref. H17-0510-18 for the development of approximately 30 dwellings on land off Station Road, Surfleet.

The proposal is for 8 x 2 bed units (4 x affordable rent and 2 x shared ownership). Plots 18-21 would be affordable rent and 10 & 11 and 27 & 28 would be shared ownership.

Site Description

The site is currently agricultural land which lies between properties on Kingfisher Drive and Surfleet Reed Bed, which is a Parish Nature Site. There is an existing independent access onto the site from Station Road.

There is an existing fence along the western boundary which runs the length of Kingfisher Drive, with some trees interspersed. The northern boundary is open, but the eastern and southern boundaries are well treed.

The site is within the settlement boundary for Surfleet in the South East Lincolnshire Local Plan (2019).

History

H17-0562-16 - Outline application for residential development of approximately 30 dwellings (approved 5th September 2016)

H17-0429-18 - Reserved matters application for erection of 32 dwellings (approved 20th August 2018)

H17-0510-18 - S73 application to amend affordable housing requirement (approved 6th December 2018)

Consultation Responses

SHDC Strategic Housing - SHDC Strategic Housing are satisfied that the submitted affordable housing scheme meets all of the requirements set out in their comments dated 18/01/19 in relation to application H17-0026-19.

Planning Considerations

SHDC Strategic Housing are satisfied that the submitted affordable housing scheme meets all of the requirements set out in their comments dated 18/01/19 in relation to application H17-0026-19.

Strategic Housing have stated that their preference would be for the affordable housing to be secured through a s106 agreement and make reference to Policy 6 (Developer Contributions) of the South East Lincolnshire Local Plan (2019) which states that contributions will be secured through s106 agreements. Therefore the applicant has entered into a s106 agreement in order to discharge this condition.

Additional Considerations

Public Sector Equality Duty

In making your decision you 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 is only one factor that needs to be considered, and may be balance 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 your decision, you 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.

You are referred specifically to Article 8 (right to respect for private and family life), 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 interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

Conclusion

Taking the above into account, it is considered that Condition 6 of H17-0510-18 can be discharged.