

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H17-0379-20 **Applicant:** Datum 1 Ltd
Proposal: Erection of detached dwelling (Plot 1) - outline approval H17-0636-17
Location: Land Between 61 & 71 Seas End Road Surfleet
Terminal Date: 7th July 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
10	Meeting Assessed Housing Requirements
11	Distribution of New Housing
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Section 12 - Achieving well-designed places
Section 14 - Meeting the challenge of climate change, flooding and coastal change

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	1	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Reserved matters approval was granted for Plots 1 and 2 between 61 and 71 Seas End Road, Surfleet, in August 2018.

Plot 2 has been completed but the applicant now wishes to change the design of the dwelling to be sited on Plot 1 from that approved.

Site Description

Plots 2 and 3 to the south-west have now been built, meaning that Plot 1 is effectively now a small infill plot in between dwellings. It fronts onto Seas End Road and backs onto the River Glen. Existing development in the vicinity is varied in terms of design and size. Plots 2 and 3 are modern in appearance (with brick and render and grey fenestration) whilst the adjacent dwelling to the north (no. 71) is a circa 1960/70s style dwelling.

History

H17-0627-18 - Reserved matters approval for the erection of 2 detached dwellings - outline permission H17-0636-17 (approved August 2018)

H17-0636-17 - Outline application for residential development (re-submission of H17-0602-15) (approved September 2017)

H17-0602-15 - Outline application for residential development (approved on appeal July 2016)

Consultation Responses

Surfleet Parish Council - Support.

LCC Highways/SUDS - Does not wish to restrict the grant of permission.

Planning Considerations

As the principle of development on the site has already been established, the key issue to be considered is whether the proposed alterations to the design of the dwelling are acceptable.

The internal layout of the dwelling remains almost entirely the same, with the exception of the addition of a wine store in the snug at ground floor and the en-suite and dressing area to bedroom 1 being swapped positions. The roof terrace off bedroom 1 has been removed.

The windows on the north-eastern elevation remain as previously approved and with obscure glazing at first floor. The number of windows on the south-western facing elevation has been reduced, with only those belonging to the hall remaining. It is therefore not considered that the proposed changes would result in any overlooking issues and would arguably better the situation, particularly with the removal of the balcony.

In terms of the external appearance of the dwelling, the same palette of materials would be used as for Plots 2 and 3. The main difference between these dwellings and the proposed dwelling is the type of roof. The proposal is now for the dwelling on Plot 1 to have a skillion and lean-to roof design, whereas Plots 2 and 3 are characterised by gable roofs. Nevertheless, given that these three properties share the same palette of materials and are of similar scale and concept, it is considered that it would remain a coherent and acceptable form of development.

The footprint of the property would be slightly larger as the snug at ground floor level would be set further back in order to accommodate the wine store. However, this is only a matter of approx. 11.5m².

The hard and soft landscaping would effectively remain the same as previously approved, only the patio area to the rear would be marginally smaller.

The access and boundary treatment scheme would be as previously approved.

Taking the above into account, and the key issue being the change in design, the proposal is

considered to be in accordance with Policies 2 and 3 of the Local Plan. Policy 2 requires development proposals to take into account sustainable development considerations such as: quality of design; and size, scale, layout, density, impact on character and appearance of the area and the relationship to existing development. Policy 3 requires development proposals to respect the density, scale and massing of neighbouring buildings and the landscape character of the location.

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.

Conclusion

The proposal is considered to comply with the relevant development plan policies as outlined above and, as such, the recommendation is for a delegated approval.