DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H17-0497-19**	**Applicant:**	**Mrs H Gilks**
Proposal:	Demolition of 20 Gosberton Road and development of up to 10 houses - approved under H17-1129-17. Amendment to site boundary to incorporate right of way to front of site.		
Location:	Beech House 20 Gosberton Road Surfleet		
Terminal Date:	12th June 2019		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02 Development Management

National Guidance

National Planning Policy Framework 2019

NPPF February 2019
Paragraph 11

Representations:

	Object	Support	No Obj.	Comments

CASE OFFICER ASSESSMENT

Proposal

The application is to amend the site plan to give allowance for a private right of way.

History

Demolition of 20 Gosberton Road and development of up to 10 houses - approved under H17-1129-17.

Planning Considerations

Non-material amendments are only accepted if re-consultation is not considered to be necessary and the amendment would not have a detrimental impact upon neighbours or amenity of the wider area, in the public interest.

The revisions would not result in a fundamental change in the approved layout and would not have a material impact upon the amenity of nearby residents. They would not exacerbate any concerns raised by third parties.

The proposal complies with the relevant criteria. The amended site layout details are considered acceptable as a non-material amendment.

Recommendation

APPROVE.

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.