

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H17-0528-19 **Applicant:** Mr S Rawding
Proposal: Residential development - one dwelling
Location: The Cafe Gosberton Road Surfleet
Terminal Date: 18th August 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
05	Meeting Physical Infrastructure and Service Needs
11	Distribution of New Housing
29	The Historic Environment
30	Pollution
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

The NPPF constitutes guidance for Local Planning Authorities and decision takers both in drawing up plans and as a material consideration in determining applications.

Paragraph 8 - The three dimensions to sustainable development.

Paragraph 11 - The Presumption in Favour of Sustainable Development

Section 16 - The Historic Environment.

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1
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
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CASE OFFICER ASSESSMENT

Proposal

This application seeks Outline Planning Permission for the erection of one dwelling.

Application site

The application site is adjacent to and including Surfleet Cafe which would be demolished to make way for the development. The site is physically contiguous with the site which received Outline Planning Permission for up to 10 dwellings which is formed from an underused vehicle park, the site has no inherently attractive physical properties. The site currently makes no beneficial contribution to the amenities of the village or its inhabitants.

It is previously developed land in Surfleet village, and its development may be measured positively against sustainability measures.

Part of the site is given over to a semi-hardened hardcore and compacted soil surface used for vehicle parking. The remainder of the land is laid to grass and a small area to the rear is overgrown.

To the south east lies the Grade 1 listed Church of St Lawrence. The church and associated Fraser Rooms community building is located to the south east of the site to the other side of the road, the church being a grade I listed building and the Fraser Rooms grade II. The war memorial is sited opposite the site adjacent the Fraser Rooms. To the north lies a terrace of two storey houses built around 2014 (H17-0555-13 approved 10.09.2013).

Representations:

Surfleet Parish Council

Comments

Some concern about lack of parking spaces and access onto busy main throughfare.

SHDC Environmental Protection

Request a contaminated land condition.

Lincolnshire County Council Highways / SUDS:

No objection raised, comments on requirements at Reserved Matters stage.

Material Considerations

- The principle of development
- Highways
- Heritage
- Flood Risk

Principle

This is an outline planning application made for the development of one dwelling.

The site is within the Settlement Boundary as defined by the South East Lincolnshire Local Plan 2019 and the proposals are therefore in complete accordance with local and national planning policies.

The site is brownfield and is at the top of the hierarchy for preferred development sites.

The principle is acceptable.

Highways

The Parish Council raise a concern but do not object. They make comments about access and parking.

Having assessed the additional plan provided by the Agent showing the access arrangements in detail Lincolnshire County Council as Highways Authority raise no objections and just make comments on the Reserved Matters to follow.

The application form indicates that the property will be 3 bedrooms, and that there will be 2 parking spaces.

Appendix 6: Parking Standards of the South East Lincolnshire Local Plan (2019) sets a requirement of 2 spaces for dwellings up to 3 bedrooms.

The proposals are policy compliant in terms of parking provision.

There is no reason for resisting the proposals on highways grounds.

Heritage

The Parish Church is to the south east of the site but is at distance where the erection of one dwelling will have negligible impacts, certainly well below the test of 'Substantial Harm' set out in the NPPF.

Flood Risk

The site is identified in the Strategic Flood Risk Assessment as lowest risk on both the 1% and 0.5% 2115 Plan.

The submitted Flood Risk Assessment is in relation to the previous scheme for 10 dwellings but shows the site to be in Flood Zone 1 and therefore the site passes the sequential test as there are no preferential sites within the locality or development plan with a lesser risk of flooding.

Exception test - not required to be passed in these circumstances.

History

H17-1129-17

APPROVED - Outline Planning Permission.

20 GOSBERTON ROAD Demolition of 20 Gosberton Road and development of up to 10 houses.

Conclusion

The proposals comply with all local and national policy and are acceptable in all other regards.

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.