

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H18-0309-24 **Applicant:** Mr D Bunn

Proposal: Residential Development - Erection of Pair of Semi-Detached Houses - approved under H18-0722-22. Modification of Condition 2 to allow amendments to previously approved plans.

Location: Former Conservative Club Hall 2 New Road Sutton Bridge

Terminal Date: 8th July 2024

Planning Policies**South East Lincolnshire Local Plan - Adopted: March 2019****National Guidance****National Planning Policy Framework 2023**

Section 12 - Achieving well designed and beautiful places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	1	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	1	0
RESIDENTS	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a Section 73 application to modify previously approved plans under Condition 2 of H18-0722-22 which was for the erection of a pair of semi-detached houses. The changes proposed under this new application is the revision of the boundary details with the alteration of the red line.

Site Description

The site is located on New Road in Sutton Bridge. It forms part of the Sutton Bridge Constitutional Club. The part of the building proposed to be demolished is single storey red brick built and the remaining part of the club is two storey. A low level boundary wall and railings form the front boundary. The immediate area is primarily residential comprising a mixture of detached, semi-detached and terraced dwellings. The site is located within flood zone 3.

History

H18-1215-00 - Erection of single storey front extension - Approved

H18-1099-19 - Development of site comprising 2 commercial units on ground floor with 2 self-contained flats above - Approved

H18-0189-22 - Demolition of function room and erection of pair of semi-detached houses - Withdrawn

H18-0722-22 - Residential Development - Erection of Pair of Semi-Detached Houses - re-submission of H18-0189-22 - Approved

H18-0963-23 - Details of boundary treatments (Condition 4 of H18-0722-22) - Withdrawn

Consultation Responses

Sutton Bridge Parish Council

Support.

South Holland Internal Drainage Board

No comment.

Lincolnshire County Council Highways Authority

No Objections

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.

Comments:

Residential Development - Erection of Pair of Semi-Detached Houses - approved under H18-0722-22. Modification of Condition 2 to allow amendments to previously approved plans - the amended details do not have any impact on the parking or the public highway.

South Holland District Council Environmental Protection Officer

No comments.

Resident Comment

I object to this proposal. If you view the back of this plot of land whilst standing on New Road, you will notice the following:

1. A door that gives access to and from The Constitutional Club.
2. Shoddy finish to the side of the Constitutional Club, ie wooden panels used to finish off the wall instead of being plastered.
3. Too close to the side of the Constitutional Club.

Planning Considerations

Modification to red line boundary

From the plans provided it appears the only change this Section 73 applications attempts to make is to the proposed red line boundary, in this they will be making it slightly smaller by bringing the boundary edge closer to the proposed plots 1 and 2. The measurements on the previously approved plans shows the distance from the plots to the rear boundary being at around 6500mm where as the new plans are 6100mm. Furthermore, the site location plan also shows these changes, plans on multiple previous applications for this site cover the entire site in red with the new site location plan bringing it away from the rear corners as this is supposedly the adjoining conservative clubs covered stairwell with the previous plans showing that it was part of this site. These amendments therefore aim to bring up and reduce any existing discrepancies throughout.

Due to the minimal changes proposed, these will not cause any material or substantial harm to the street scene or residential amenity. No changes are proposed to the layout, design or size of the plots that could cause any harm themselves. It is therefore considered to be acceptable in this instance.

Planning Balance

As detailed above, Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

The proposal represents appropriate development within the defined settlement boundary. The development hereby proposed does not materially harm the character or appearance of the locality, or amenity of nearby residents, and provides adequate parking, whilst conforming with the South East Lincolnshire Local Plan and the provisions of the National Planning policy Framework when viewed as a whole.

In this instance, there are no material considerations that weigh against the proposal and as such, the planning balance is in favour of the development.

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

Taking the above considerations into account, the proposal is considered to be in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan (SELLP) (2019), along with the identified sections contained within the National Planning Policy Framework (NPPF) (December 2023). There are no significant factors in this case that indicate against the proposal and outweigh the consideration in favour of the proposal and the policies referred to above.

Recommendation

Based on the assessment detailed above, it is recommended that the proposal should be approved under Delegated Authority.