DECISION DELEGATED TO DEVELOPMENT MANAGER

| | | | |
|---|---|---|---|
| **Application No:** | **H18-0675-20** | **Applicant:** | **S E King Building Contractors Ltd.** |
| **Proposal:** | Details of design and position of external boxes, gas flues and soil vent pipes (Condition 3 of H18-0704-17) | | |
| **Location:** | Adj. 223 Bridge Road Sutton Bridge Spalding | | |
| **Terminal Date:** | 14th October 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 |
| 17 | Providing a Mix of Housing |

**National Guidance**

**National Planning Policy Framework 2019**

Sections 5, 12 and 14 of the National Planning Policy Framework, 2019.

5 - Delivering a sufficient supply of homes
12 - Achieving well-designed places
14 - Meeting the challenge of climate change, flooding and coastal change

**Representations:**

| | Object | Support | No Obj. | Comments |
|---|---|---|---|---|

CASE OFFICER ASSESSMENT

**PROPOSAL**

This is a condition compliance application for details of design and position of external boxes, gas flues and soil vent pipes (Condition 3 of H18-0704-17) for a new dwelling on land adjacent 223 Bridge Road, Sutton Bridge.

## SITE DESCRIPTION

The approval site is immediately adjacent the western boundary of the defined settlement limits of Sutton Bridge. New dwellings are sited to the east with agricultural land to the south and west, and also to the north on the opposite side of Bridge Road.

## HISTORY

H18-0704-17

Full - Residential development - two dwellings - Approved - 11 September 2017.

## CONSULTATION RESPONSES

None.

## PLANNING CONSIDERATIONS

Compliance with Condition 3 of H18-0704-17

Condition 3 states:

"Details of the design and positions of all external boxes for gas and electricity supplies and of any gas flues and soil vent pipes shall be submitted to and approved in writing by the Local Planning Authority prior to their installation and there shall be no variation from the details so approved.

Reason: To ensure that the Local Planning Authority retains control over these details of the development in the interests of the character and appearance of the development and the visual amenity of the area in which it is set.
This Condition is imposed in accordance with Policy SG14 of the South Holland Local Plan, 2006."

The proposed meter boxes are on the side elevation wall, to the rear of the wc obscure glazed windows and are considered appropriately located for access. The proposed location does not impact on the character of the dwellings.

## CONCLUSION

Condition 3 of H18-0704-17 has now been complied with. The recommendation is one of approval.

## 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.