DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H18-0884-20**	**Applicant:**	**Mrs A P Cox**
Proposal:	Details of site levels (Condition 6 of H18-0734-17)		
Location:	Rear Of Bridge Hotel Bridge Road Sutton Bridge		
Terminal Date:	3rd December 2020		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019	
02	Development Management
03	Design of New Development
04	Approach to Flood Risk
31	Climate Change and Renewable and Low Carbon Energy

National Guidance

National Planning Policy Framework 2019

Sections 12 and 14

Representations:

	Object	Support	No Obj.	Comments

CASE OFFICER ASSESSMENT

Proposal

The application is to discharge condition 6 of H18-0734-17 (details of site levels).

Site Description

The site is situated on the corner of West Bank and Wharf Street and is at a lower level than the former. Flats are situated to the north and east, the rear of the former Bridge Hotel is located to the south and existing semi-detached houses are situated immediately to the west.

History

H18-0567-14 - Full - Erection of pair of 2 bed semi-detached houses with access from Wharf Street - Granted 1 September 2014.

H18-0734-17 - Full - Erection of pair of 2 bed semi-detached houses access from Wharf Street -

Granted 11 September 2017.

H18-0883-20 - S73 - Erection of pair of 2 bed semi-detached houses with access from Wharf Street - approved under H18-0734-17. Modification of Condition 2 to allow amendments to previously approved plans - Under consideration.

Consultation Responses

None

Planning Considerations

Development has commenced and ground levels have not been increased. All habitable accommodation (ie, lounge and bedrooms) is on the first floor. The applicant's agent has confirmed that the site levels are consistent with the FRA, which states that habitable floor levels of the development will be positioned at a minimum of 6.50m aOD offering 2.50m freeboard above existing ground levels. These details are considered to be acceptable.

Conclusion

That condition 6 of H18-0734-17 be discharged.

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.