

## DECISION DELEGATED TO DEVELOPMENT MANAGER

**Application No:** H18-0893-19      **Applicant:** Sips Building Services Ltd

**Proposal:** Erection of 2 detached dwellings - outline approval H18-0509-16

**Location:** 101 Bridge Road Sutton Bridge Spalding

**Terminal Date:** 5th November 2019

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### 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      |
| 11         | Distribution of New Housing |
| 30         | Pollution                   |
| 36         | Vehicle and Cycle Parking   |
| APPENDIX 6 | Parking Standards           |

#### National Guidance

#### National Planning Policy Framework 2019

Sections 2, 4, 5, 9, 12 and 14

### Representations:

|                         | Object | Support | No Obj. | Comments |
|-------------------------|--------|---------|---------|----------|
| PARISH COUNCIL          | 0      | 0       | 0       | 0        |
| WARD MEMBER             | 0      | 0       | 0       | 0        |
| HIGHWAYS & SUDS SUPPORT | 0      | 0       | 0       | 1        |

### CASE OFFICER ASSESSMENT

## **Proposal**

Outline planning permission was granted for residential development (2 dwellings) on 20 September 2016. Reserved matters approval is now sought for 2 no. 3 bed dwellings.

This application was submitted on 6 September 2019 within the time frame.

## **Site Description**

The site is currently vacant land located to the rear of 101 Bridge Road (semi-detached house). A house is located to the west and commercial premises (Colin Whitmore) to the east. Access is via a private roadway.

## **Consultation Responses**

LCC Highways/ SUDs - No objections.

## **Previous Decisions**

H18-0509-16 - O/A - Residential development (2 dwellings) - Granted 20 September 2019.

## **Planning Considerations**

The determining issue is whether the proposal satisfactorily complies with the reserved matters.

Existing residential development is generally varied within the locality in terms of type, design, appearance, age and external materials. The dwellings would be constructed in a mixture of red brickwork, weatherboard cladding and cream render. It is considered that the proposed development would not materially harm the appearance of the street scene or character of the area.

Semi-detached houses are located to the north, commercial premises (Colin Whitmore - furniture and furnishings suppliers) to the east and a house to the west. Residential properties are situated to the rear. The dwelling on plot 1 has a blank elevation facing south, whilst the property on plot 2 has 2 bedroom windows at first floor level facing south and a landing window facing west at first floor level. The raised patios on the original plans have now been omitted.

It is considered that the amenity of neighbouring residents would not be materially harmed in terms of overlooking, lack of privacy, overshadowing, overbearing effect, noise and disturbance, etc. This is subject to appropriate boundary screening given that finished floor levels need to be raised to address flood risk.

Vehicular access is a private roadway. Each plot has two parking spaces. The County Highways Authority has raised no objections on highway safety grounds.

Foul water would be disposed of to the mains sewer. Surface water would be disposed of via soakaways at the rear of the site.

In terms of flood risk, finished floor levels would be 1 metre above existing ground level as required by virtue of the outline permission.

## **Conclusion**

The proposal satisfies the reserved matters.

## **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.