

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H18-1222-18 **Applicant:** Mr & Mrs J Cooper
Proposal: Residential development
Location: Adjacent: Rylton House Mill Lane Sutton Bridge
Terminal Date: 4th March 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
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)

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1
WARD MEMBER	0	0	0	0
PLANNING LIAISON OFFICER - FLOOD RISK ASSESSMENT	0	0	0	1
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SHDC INTERNAL	0	0	1	0
OTHER STATUTORY BODIES	0	0	1	0

RESIDENTS	2	1	0	1
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CASE OFFICER ASSESSMENT

Proposal

This is an outline application for residential development on residential garden land adjacent Rylton House, Mill Lane, Sutton Bridge.

The indicative proposal seeks to provide two dwellings to the south of Rylton House that are individually accessed off Mill Lane. The habitable floor level of the dwellings will be raised 2 metres above existing ground level with sleeping accommodation at first floor and above.

Site Description

The proposal is within defined settlement limits and the surrounding area is characterised by dwellings of varying ages and design.

History

None

Consultation Responses

Environmental Protection Officer

No comments.

Environment Agency

Requests that habitable rooms are set no lower than 2 metres above ground level and that permitted development rights are removed for all habitable rooms.

Sutton Bridge Parish Council

Requires a robust flood risk assessment.

County Highways & SUDS Officer

Requests standard access informative.

Member of public concerns

Out of keeping.

Loss of wildlife.

Forcing sub water toward adjacent properties.

Potential height of properties from indicative plans.

Lack of a footpath.

Loss and maintenance of height of non-preserved trees. (Carries minimal planning weight)

Disturbance from headlights of vehicles exiting new dwellings. (Carries minimal planning weight)

Planning Considerations

Drainage

The County Highways & SUDS Officer has raised no concerns regarding this matter.

Lack of a footpath

The County Highways & SUDS Officer has raised no concerns regarding this matter.

Policy/principle of development

The proposal is located within the defined settlement limits of Sutton Bridge and the proposed dwellings constitute legitimate frontage infill.

Flood risk and impact of mitigation measures.

The agent seeking to address streetscene and height concerns has submitted an indicative sketch. It is considered that an appropriate design can be brought forward at the reserved matters that address flood risk concerns without having a material impact on the streetscene or the amenity of neighbouring properties.

Conclusion

In light of the above considerations the proposal is considered to be in accordance with Policies 1, 2, 3, 4, 10, 11 and 17 of the South East Lincolnshire Local Plan, 2019, as well as Sections 5, 12 and 14 of the National Planning Policy Framework, 2019.

A delegated approval is considered to be appropriate.

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 to grant permission 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 to grant permission 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 to grant permission is considered to be a

proportionate response to the submitted application based on the considerations set out in this report.