DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H21-0976-19**	**Applicant:**	**R K Wilson Builders Ltd**
Proposal:	Residential development - erection of 6 dwellings - re-submission of H21-0980-18 (outline approval H21-0859-16)		
Location:	Land Off: Worlds End Road Tydd St Mary		
Terminal Date:	22nd November 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
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Sections 2, 4, 5, 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
NORTH LEVEL INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Reserved matters approval is sought for the erection of 6 dwellings on land off Worlds End Road, Tydd St Mary. It is a variation of a previous reserved matters approval (ref: H21-0980-18), including the addition of chimney stacks.

Site Description

The site is located on the western side of Worlds End Road. It was formerly occupied by dilapidated farm buildings which have been demolished. Harrison House and other residential properties are situated to the north off Hix's Lane. Open land is located opposite and also to the rear.

Site History

H21-0859-16 - O/A - Residential development - Approved 3 February 2017.

H21-0980-18 - RM - Erection of 6 dwellings - Approved 28 November 2018.

Consultation Responses

Tydd St Mary Parish Council - No response.

LCC Highways/SUDS - No objections.

North Level IDB - No objections in principle.

Planning Considerations

The site has outline planning permission for residential development (ref: H21-0859-16) and is within Tydd St Mary Settlement Boundary as defined within the South East Lincolnshire Local Plan, 2019. The principle of residential development upon the site has therefore been established.

The main issue is therefore whether the proposal satisfies the reserved matters.

The proposal is for a mixture of 6 one and two storey dwellings. The three frontage plots would have individual driveways, with the three plots to the rear accessed by a private shared drive. Existing development within the vicinity of the site is somewhat varied in terms of scale and appearance. It is considered that the proposal would not materially harm the character/appearance of the locality.

The house on plot 1 has no windows on its northern elevation at first floor level. The dwelling on plot 6 is a bungalow. Fencing is proposed along the northern boundary. It is considered that the proposal would not materially harm the amenity of nearby residents in terms of overlooking, overshadowing, lack of privacy, noise and disturbance, etc.

The proposal has sufficient parking spaces in accordance with Policy 36 of the SELLP. LCC Highways/SUDS has raised no objections on highway safety grounds.

In terms of flood risk, finished floor levels would be set 300mm above existing ground level at 3.6m aOD, in accordance with Condition 10 of the outline permission.

Details relating to Conditions 7 (contamination) and 9 (footway) are not a reserved matter and will need to be submitted as a separate condition compliance application.

Conclusion

The proposed scheme satisfactorily complies with the reserved matters on outline application H21-0859-16.

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.