DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H22-0298-21**	**Applicant:**	**Mrs I Barker**
Proposal:	Erection of single dwelling		
Location:	Adj. 36 Broadgate Weston Spalding		
Terminal Date:	25th May 2021		

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
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

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
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1

SHDC INTERNAL	0	0	1	0
OTHER STATUTORY BODIES	0	0	1	0
RESIDENTS	0	0	0	1

CASE OFFICER ASSESSMENT

PROPOSAL

This is an outline application (with all matters reserved) for the erection of a single dwelling on land adjacent 36 Broadgate, Weston.

SITE DESCRIPTION

The current use of the land is residential garden and the site lies within the defined settlement limits of Weston. The surrounding area is characterised by dwellings of varying ages and designs. The site is located in Environment Agency Flood Zone 3 and is not subject to increased flood hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping.

HISTORY

H22-0747-14

Outline - Proposed detached dwelling - Approved - 03 December 2014.

CONSULTATION RESPONSES

LCC - County Highways & SUDS Officer

No objections. Requests a utility informative.

SHDC - Environmental Protection Officer

No comments or objections.

South Holland Internal Drainage Board

Requests drainage strategy - This is a matter that can be addressed by condition.

Member of the public

Requests the installation of a minimum of three swift bricks to enhance biodiversity.

PLANNING CONSIDERATIONS

Assessment against SELLP Policy 1 - Spatial Strategy

This proposal is assessed against SELLP Policy 1 titled - Spatial Strategy. The relevant section in this policy is titled Minor Service Centres. This section of the policy states:

Within the settlement boundaries of the Minor Service Centres (as shown on the Inset Maps) development will be permitted that supports their role as a service centre for the settlement itself, helps sustain existing facilities or helps meet the service needs of other local communities.

Development will normally be limited to Allocated and Committed sites and infill.

When assessed against the above the following can be observed:

The proposal is for an infill dwelling, and will help sustain existing facilities within Weston. The proposal is therefore considered to accord with SELLP Policy 1.

Assessment against SELLP Policy 2 - Development Management

This proposal is assessed against SELLP Policy 2 titled - Development Management. This policy states:

"Proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to:
1. size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses;
2. quality of design and orientation;
3. maximising the use of sustainable materials and resources;
4. access and vehicle generation levels;
5. the capacity of existing community services and infrastructure;
6. impact upon neighbouring land uses by reason of noise, odour, disturbance or visual intrusion;
7. sustainable drainage and flood risk;
8. impact or enhancement for areas of natural habitats and historical buildings and heritage assets;
9. impact on the potential loss of sand and gravel mineral resources."

When assessed against the above relevant criteria the following can be observed:

1. The size, scale and layout cannot be fully assessed at this stage as this is an outline application with all matters reserved. However, given that the surrounding area is characterised by dwellings of varying ages and designs it is anticipated that an appropriate design could be achieved without materially impacting the character and appearance of the surrounding area. The indicative block plan indicates a dwelling of similar scale to others in the vicinity and reasonable separation distances to boundaries.

2. The quality of design and orientation cannot be assessed at this stage as this is an outline application with all matters reserved, and is solely to assess to the principle of development.

3. The proposed materials of construction cannot be assessed at this stage as this is an outline application with all matters reserved, and is solely to assess to the principle of development.

4. The proposal site is already served by an access point and it is considered that a final design can be produced that provides the required minimum number of off road parking places under Appendix 6 of the SELLP.

5. The proposal is not considered to impact existing community services and infrastructure.

6. It is not anticipated that neighbouring land uses would be impacted by noise, odour or disturbance from any proposed dwelling in this location. Potential amenity impacts from visual intrusion cannot be assessed at this stage as this is an outline application with all matters reserved, and is solely to assess to the principle of development.

7. The site is located in Environment Agency Flood Zone 3 and is not subject to increased flood hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping. Therefore, it is considered that a sequential test is not required.

The proposal is considered to accord with SELLP Policy 2.

Sequential test

The site is located in Environment Agency Flood Zone 3 and is not subject to increased flood hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping. Therefore, it is considered that a sequential test is not required.

PLANNING BALANCE

It is considered that a dwelling, if appropriately designed, can be accommodated on this site without materially impacting the character and amenity of the surrounding area. The proposal is considered to accord 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.

CONCLUSION

The application is recommended for 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.