DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H22-1212-19**	**Applicant:**	**Datum 1**
Proposal:	Demolish existing packhouse and erect 3 new bungalows - approved under H22-0891-18. Modification of Condition 2 to allow amendments to previously approved plans.		
Location:	Land Adjacent: 50 Moulton Chapel Road Cowbit Spalding		
Terminal Date:	6th February 2020		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
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 and 12 of the National Planning Policy Framework (2019)

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	1	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SHDC INTERNAL	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is an application to demolish existing and packhouse and erect 3 new bungalows - approved under H22-0891-18. The applicant seeks modification of Condition 2 to allow amendments to previously approved plans. The proposal seeks to provide three bungalows of varying design constructed from Hailsham Autumn Mixture brick with Rustic Red Redland Grovebury Roof Tiles. Plot 1 and 3 are to have detached garages and the garage at plot 2 will be integral to the bungalow.

The bungalow at plot 1 will contain three bedrooms, an en-suite, bathroom, utility and a combined lounge, dining and kitchen area. Plot 2 will contain three bedrooms, a garage, en-suite, bathroom and combined lounge, dining and kitchen area. Plot 3 will contain three bedrooms, an en-suite, bathroom, utility and a combined lounge, dining and kitchen area.

Compared to the plans previously approved under reference H22-0891-18, the floor plans are not altering, but the roof layout and proposed brick have changed.

Site Description

The proposal is outside of defined settlement limits and the surrounding area is semi-rural characterised by buildings of varying ages and design. The building on site has been demolished and the land cleared, prepared for development.

History

H22-0851-15

Prior Approval - Change of use of pack-house, general and cold store building into 2 dwellings - Approved - 23 October 2015

H22-1124-15

Full - Proposed new field access - Approved - 25 January 2016

H22-0915-16

Full - Change of use of pack-house, general and cold store building into 3 dwellings - Approved - 08 November 2016.

H22-0891-18

Full - Demolish existing packhouse and erect 3 new bungalows - Approved - 26 October 2018

Consultation Responses

County Highways & SUDS Officer

No objections. Requests standard access and utility informatives.

Environmental Protection Officer

Requests full contaminated land condition.

Weston Parish Council

No observations

Planning Considerations

- Principle of development

- Impact on character of surrounding area and residential amenity

Principle of development

The principle of development has been previously established under reference H22-0891-18. Whilst the development is in the open countryside, it has an extant permission for development that was granted in the context of the lack of a five year housing supply and the opportunity for the visual betterment of a dilapidated site.

Impact on character of surrounding area and residential amenity

The proposed roof amendments are considered to simplify the overall appearance of the roof design of all three plots and therefore are considered to be of a more traditional design. The proposed brick is in fairly common use in the area and does not appear out of keeping with the character of nearby buildings and properties.

There is not considered to be an impact on residential amenity arising from the proposal. The site is not considered to represent over development and has a generous distance to properties at 50 Moulton Chapel Road to the west which is 18 metres, and 58 Moulton Chapel Road to the east which is 32 metres.

The proposal is considered to represent an improvement on that of the previously approved plans.

Conclusion

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