DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H23-0281-19**	**Applicant:**	**J Andrews & D Barnes**
Proposal:	Residential development - erection of dwelling - outline approved H23-0196-16		
Location:	Off Broadgate Whaplode Drove Spalding		
Terminal Date:	9th May 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	1	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
IAN MARSHMAN - HISTORIC ENVIRONMENT OFFICER	0	0	0	1
SHDC INTERNAL	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a reserved matters application for residential development - erection of dwelling - outline approved H23-0196-16 at Off Broadgate, Whaplode Drove. The proposal seeks to provide an infill frontage dwelling in the middle of a row of linear development. The proposed ground floor will contain a lounge, hallway, cupboard, study / playroom, dining room, kitchen, water closet and utility room. At first floor level four bedrooms, an en-suite and bathroom are to be sited. Proposed materials are to be addressed by condition.

Site Description

The proposal is within defined settlement limits and the surrounding area is characterised by dwellings of varying ages and design. To either side of the proposal are two-storey houses with a paddock area of a nearby dwelling immediately to the rear with arable agricultural land beyond. Dwellings and agricultural building are to be found on the opposite side of Broadgate. The site is within Flood Zone 1 of the Environment Agency Flood Maps and not subject to increased flood hazard or depth on the 2115 South Holland Strategic Flood Risk Mapping.

History

H23-0196-16

Residential Development - erection of dwelling - Approved - 04 April 2016.

H23-0787-04

Erection of dwelling and garage - Refused - 22 July 2004. Appeal Dismissed - 07 February 2005.

Consultation Responses

Whaplode Parish Council

Support

Historic Environment Officer

"This office has approved the specification for an archaeological scheme of works that has been submitted in support of this application. We look forward to the archaeological work being carried out and receiving copy of the final report in due course."

County Highways & SUDS Officer

"To reduce to a minimum, the number of individual access points onto Broadgate, can you please request that turning on site should be provided so that the property does not require two access points."

Environmental Protection Officer

"I have reviewed the submitted document 'Proposed residential development land off Broadgate, Whaplode Drove, Spalding, Lincs. Geoenvironmental Desk Study' report ref 0600/1 dated February 2019 and recommend discharge of condition 6 of H23-0196-16 in full."

Planning Considerations

Additional vehicular access

The request from the County Highways & SUDS Officer to not create a new access was politely declined by the applicant. The adjacent property has an in / out access and therefore the proposed access does not create a detrimental precedent and is considered to improve manoeuvrability on site, thereby facilitating easier entrance and exit, not impacting highway safety.

Design and impact upon character of surrounding area

The proposed design is not considered to harm the character of the surrounding area and makes a positive architectural contribution.

There is not considered to be any material harm to neighbouring residential amenity from overlooking or overshadowing. The design, scale and layout is considered to be appropriate for the site and does not materially impact the character of the dwelling or the surrounding area.

Conclusion

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.

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.