DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H23-0658-19**	**Applicant:**	**Miss E Convertino**
Proposal:	Residential development - erection of one dwelling - re-submission of H23-0962-18 - outline approval of H23-0670-17		
Location:	102 Broadgate Whaplode Drove Spalding		
Terminal Date:	27th August 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
11	Distribution of New Housing
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Sections 2, 4, 5, 9, 11, 12 and 14

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

CASE OFFICER ASSESSMENT

Proposal

Reserved matters approval is sought for a 4 bed bungalow. The application is a re-submission of H23-0962-18 (the southern boundary has been re-aligned).

Representations

Whaplode Parish Council - Support

LCC Highways - No objections. Request highway notes

Material Planning Considerations

The site has the benefit of outline planning permission for a dwelling and garage, with all matters reserved for subsequent approval (ref. H23-0670-17). The principle of residential development upon the site has therefore been established.

Reserved matters approval is now sought for a detached bungalow with an integral garage and half hipped roof. It would be constructed in Hampton Rural Bland Bricks with a Quinn Western Slate (Graphite) roof.

A chalet is located to the south with a gable facing the road, and thereafter a cottage. Bungalows are situated to the north. Existing dwellings along Broadgate are generally varied in terms of age, design and appearance. It is considered that the proposed development would not materially harm the street scene.

The proposed bungalow is positioned fairly central within the plot and has blank gables facing north and south. It is considered that the amenity of neighbouring residents would not be materially affected in terms of overlooking, lack of privacy, overshadowing, overbearing effect, noise and disturbance, etc.

The Highways Authority raises no objections on highway safety grounds.

Flood risk - The site is located in an area of no hazard within the South East Lincolnshire Strategic Flood Risk Assessment, 2017. The proposal therefore satisfies the sequential test.

Drainage - Foul water would be disposed of to a package treatment plant and thereafter a drainage field. Surface water would be disposed of to soakaways. Percolation tests have been carried out and are satisfactory.

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.

Recommendation - That the application be approved under delegated powers.