DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H23-0697-19**	**Applicant:**	**Mr & Mrs K Jackson**
Proposal:	Residential development - proposed chalet bungalow		
Location:	Off High Road Whaplode Spalding		
Terminal Date:	10th September 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
30	Pollution
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Sections 2, 3, 4, 5, 8, 9, 11, 12 and 14

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

Full planning permission is sought for a large 3 bed house with attached garage. It would be constructed in Crest Abbey Reserve facing bricks with a Marley Edgemere roof.

Site Description

The site is currently vacant but was previously a builders yard. A house is situated to the west and a chalet type property to the east beyond a private roadway that serves business premises and open fields to the rear (north).

Policies/Constraints

The site is within Whaplode Development Boundary as defined in the South East Lincolnshire Local Plan, 2019.

Planning History

H23-0533-15 - Outline- Residential development - Granted 26 October 2015.

Representations

Whaplode Parish Council - Support.

Cllr A Beal - Whilst the concept of a residential property on this site is not an issue, I do question the highways aspect being opposite the farm processing centre but imagine Highways will see no problems.

LCC Highways/SUDS - Does not wish to restrict the grant of permission.

Environmental Protection - No objections Request note.

Public - No comments received.

Material Planning Considerations

The main issues in this case are:
1. The principle of residential development;
2. Character and amenity issues;
3. Highway safety;
4. Other material considerations such as flood risk and contamination.

Principle/Sustainability

The site is inside Whaplode Settlement Limit as defined in the South East Lincolnshire Local Plan (SELLP), 2019.

Policy 1 (Spatial Strategy) of the SELLP indicates that within Minor Service Centres, including Whaplode, development will be permitted that supports their role as a service centre for the settlement itself, helps sustain existing facilities or helps to meet the service needs of other local communities. Development will normally be limited to allocated and committed sites and infill. The proposal satisfactorily complies with this policy.

Character/Appearance and Amenity

The proposal constitutes frontage infilling. A house is located to the west and a chalet to the east. Existing development within the locality is generally varied, including both houses and bungalows of differing styles. It is considered that the proposed house could be satisfactorily accommodated upon the site without materially harming the character or appearance of the locality.

The proposed dwelling has no first floor windows on its side elevations. 1.8m high fencing is located along the western boundary and walling along the eastern beyond the private roadway. It is considered that the proposed development would not materially harm the amenity of neighbouring residents in terms of overlooking, lack of privacy, overshadowing, blockage of light, overbearing effect, noise and disturbance, etc.

Highway Safety

An existing access would be utilised. Issues have been raised to its proximity to a junction and an access to business premises opposite. However, the scheme has satisfactory vehicular parking and turning facilities. The County Highways Authority has been consulted and does not wish to restrict the grant of permission on highway safety grounds.

Other Material Considerations

Flood Risk - The site is located with Flood Zone 2 of the Environment Agency Maps and within an area of no hazard within the South East Lincolnshire Strategic Flood Risk Assessment. The proposal therefore satisfactorily complies with the sequential test.

Drainage - Foul water would be disposed of via the mains sewer. Surface water would be disposed of via soakaways. Ground conditions are considered suitable in Whaplode for the latter.

Contamination - Environmental Protection have reviewed the Geo-Environmental Desk Study and request a note concerning unexpected contamination.

Conclusion

The proposal would provide additional housing within the district and is accordance with local and national policies/advice set out in the South East Lincolnshire Local Plan, 2019 and the National Planning Policy Framework, 2019. No objections are raised on character/appearance, amenity or highway safety grounds. The proposal satisfies the sequential test concerning flood risk.

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 granted under delegated powers.