DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H23-0723-19**	**Applicant:**	**Haycroft Homes Ltd**
Proposal:	Residential development - approved under H23-0761-17. Modification of Condition 2 to allow amendments to previously approved plans		
Location:	Land Adjacent And Part Rear: 355 High Road Whaplode Spalding		
Terminal Date:	6th December 2019		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
17	Providing a Mix of Housing

National Guidance

National Planning Policy Framework 2019

Section 12 - Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1
WARD MEMBER	0	0	0	1
HIGHWAYS & SUDS SUPPORT	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This application is seeking to amend the plans previously approved under application ref. H23-0761-17. The proposal is to amend Plots 30-33 from 2 x 2-bed houses and 2 x 3-bed bungalows to 4 x 3-bed bungalows.

This would result in Plot 31 being moved from the south-eastern corner of the site to the north of

Plot 32. Both dwellings in Plots 30 and 31 would become detached as a consequence.

Site Description

A previously greenfield site. Development has commenced and is progressing well with a number of dwellings having already been built.

History

H23-0793-19 - Details of specification and phasing in relation to landscape management plan (Condition 15 of H23-0761-17) (approved October 2019)

H23-0343-19 - Details of roads and footways, design and location of cycle storage, Management Plan for open space and outdoor play areas and boundary treatment (Conditions 3, 12, 16, and 19 of H23-0761-17) (approved May 2019)

H23-0786-18 - Details relating to Refuse Management Plan submitted (Condition 21 of H23-0761-17) (approved August 2018)

H23-0761-17 - Residential development comprising 33 dwellings - approved under H23-0508-16. Modification of Condition 2 to allow amendments to previously approved plans (approved June 2018)

H23-0508-16 - Residential development comprising 33 dwellings (approved February 2017)

Consultation Responses

Cllr Beal - As this is to amend the existing approved plans to basically change 2 houses to 2 bungalows do not see any issues. However, when re-consulted on revised plans (which included the proposal to reduce the widths of the garages on Plots 31 and 33) comments that do have an issue with the reduction of the garages. With modern vehicles tending to be larger than previous, this is likely to lead to more vehicles being parked on the road and footpaths with the resulting congestion on this estate.

Whaplode Parish Council - Originally submitted comments of support but when re-consulted on revised plans commented that if the width of the garages are reduced will cause more cars to be parked on the road or verges.

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

Planning Considerations

The widths of Plots 32 and 33 would be reduced in size as a result of the proposed amendment, however they are currently large plots with a considerable area of external amenity space. The reduction in size would therefore not have a harmful impact on the standard of amenity space.

The separation distances between Plots 31-33 would be no less than any of the other approved dwellings, with approx. 2.3m in between.

The eastern facing elevations of Plots 31 and 32 would sit approx. 14-16m from the rear elevations of Plots 27 and 29. Given that it would be a ground floor first floor relationship between facing windows these distances are considered to be acceptable.

2 on plot parking spaces would be provided for each unit, plus the garage space. This would be in accordance with Policy 36 (and associated Appendix 6) of the Local Plan which requires 2 vehicle parking spaces for dwellings with up to 3 bedrooms. The proposed amendment would actually result in an increase to the number of vehicle parking spaces available from 10 to 14 for the 4 plots in question.

Conclusion

Taking the above into account, the proposal is considered to be in accordance with Policies 2, 3 and 36 of the South East Lincolnshire Local Plan (2019) as well as Section 12 of the National Planning Policy Framework (2019).

The recommendation is therefore for a delegated 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.