DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H23-1068-19**	**Applicant:**	**Mr & Mrs J Graves**
Proposal:	Erection of detached dwelling (outline approval H23-0095-19)		
Location:	Corner House Churchgate Whaplode		
Terminal Date:	10th January 2020		

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
30	Pollution
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Sections 12, 14 and 15

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

The site has outline planning permission for residential development (ref. H23-0095-19). Reserved matters approval is now sought for a 3 bedroom garage with attached double garage.

Site Description

The site (some 0.08ha) is presently garden associated with Corner House. Hedging and a footway run along the site's frontage. A new house is situated to the north and garden associated with No. 1 Middle Road to the east. A row of houses are situated opposite.

Consultation Responses

Cllr A. Beal - No objections. One property is preferable to 2.

LCC Highways/SUDS - No objections.

Planning Considerations

The site has the benefit of outline planning permission (ref: H23-0095-19). The principle of residential development upon the site has therefore been established.

Reserved matters approval is sought for a 3 bed bungalow. It would be constructed in Vandersanden Wickford Antique bricks with a Sandtoft Calderdale Edge (dark grey) roof. Whilst the neighbouring properties are two storey there are single storey dwellings within the vicinity, including a bungalow to the south west and also further to the south. Taking this into consideration it is considered, on balance, that the proposal would not materially harm the character/appearance of the street scene/rural locality.

In terms of amenity, windows are positioned on the northern elevation and a garage on the southern elevation. An existing fence is located on the northern boundary and 1.8 metre fencing is proposed along the remaining boundaries at the side/rear. It is considered that the proposal would not materially harm the amenity of nearby residents in terms of overlooking, lack of privacy, overshadowing, overbearing effect, noise and disturbance, etc.

The County Highways Authority does not wish to restrict the grant of permission on highway safety grounds.

The site is within Flood Risk Zone 3 on the Environment Agency Maps. The South Holland Strategic Flood Risk Assessment designates the site as no hazard. The proposal therefore satisfies the sequential test. The outline application stipulates that finished floor levels should be set 300mm above existing ground level.

Foul water would be disposed of via mains drainage and surface water via soakaways.

Conclusion

That the reserved matters relating to the layout, scale, external appearance, access, landscaping, boundary treatment and drainage be approved.

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.