

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H23-1111-19 **Applicant:** Mrs A Barsley
Proposal: Residential development (re-submission of H23-1108-16)
Location: Adjacent: 106 Broadgate Whaplode Drove Spalding
Terminal Date: 8th February 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
10	Meeting Assessed Housing Requirements
11	Distribution of New Housing
17	Providing a Mix of Housing
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Section 5. Delivering a sufficient supply of homes
 Section 11. Making effective use of land
 Section 12. Achieving well-designed places
 Section 14. Meeting the challenge of climate change, flooding and coastal change

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
IAN MARSHMAN - HISTORIC ENVIRONMENT OFFICER	0	0	0	1

SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a re-submission of a previously approved full planning application for residential development at land adjacent to 106 Broadgate, Whaplode Drove, Spalding.

Site Description

The site is located within linear development extending along the western side of Whaplode Drove. The site has been previously developed. There is an old brick barn adjacent to the footpath and in close proximity to the bungalow at No. 108 to the south. There is two-storey dwelling with no rendered walls at No. 106 to the north. The site access has a dropped kerb and the drive is fairly paved. A range of outbuildings, metallic shelves and a cart have been observed during the site visit which indicates that the last use of the land was for a nursery. Overgrown trees and hedgerows are across the site.

History

H23-0241-17 - Details of external materials, external boxes, gas flues and soil vent pipes, landscaping, boundary treatment and details of archaeological investigation (Conditions 3, 4, 5, 6 & 8 of H23-1108-16) - Approved

H23-1108-16 - Residential development - resubmission of H23-0819-16 - Approved

H23-0819-16 - Residential development - erection of dwelling - Refused

Consultation Responses

Whaplode Parish Council

No objection.

Cllr Allan Beal

No objection.

Lincolnshire County Council as Local Highway and Lead Local Flood Authority

No objection. Permission subject to informative notes.

County Historic Environment Officer

No objection.

South Holland IDB

No objection.

Planning Considerations

The proposed development entails some alterations in comparison with the approved H23-1108-16 and condition compliance application ref. H23-0241-17 as follows:

- Increase of width of ground floor en-suite from 1.20m to 1.82m
- New internal layout and distribution walls for store and pantry
- Opening and ventilation schedules
- Now showing the position of soakaways and treatment plant

The alterations are minor and, as such, no substantial change would take place for the approved development under applications ref. H23-1108-16 and H23-0241-17.

The standards of design and layout, residential amenity, highway safety and parking provision as well as the impact upon the local character would remain acceptable. In principle, the addition of soakaways and a treatment plant would be in accordance with the promotion of SUDS for a more sustainable water management without increasing flood risk and ground pollution.

Conclusion

Taking into account the mentioned above, the proposal is considered to be in accordance with Policies 1, 2, 3, 4, 10, 11 and 17 and Appendix 6 the South East Lincolnshire Local Plan (2019); and Sections 5, 11, 12 and 14 of the National Planning Policy Framework (2019).

It is therefore recommended to approve this planning application via delegated powers.

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.