

Appendix 1

Decision notice from
Jan Pldr 1
21/00887/FUL

- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 10.2. Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.
- 10.3. There are no known equality implications arising directly from this development.
- 10.4. The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

11. Conclusion

- 11.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 and S70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 11.2. The application site is located outside the settlement boundary of a Rural Hamlet (Botcheston). Policy 13 of the Core Strategy outlines that Rural Hamlets have limited, if any services and generally rely on Key Rural Centres or surrounding urban areas for schooling, employment and the provision of goods and services. Because of the limited services in these hamlets, development will be confined to infill housing development. The location of the proposed development is not considered to be 'infill' development within the rural hamlet, instead being development in the open countryside, albeit adjacent to existing development. ??
- 11.3. Weighed against the potential conflict with the Development Plan is the Government's commitment to significantly boosting the supply of housing through the Framework. The proposal would result in the delivery of one self-build dwelling which weighs in favour of the application providing a small contribution to the Borough's overall housing supply. The proposal would result in economic benefits through the construction of the scheme, creation of jobs and constructions spend, albeit for a temporary period. Additionally, the residents of the proposed development would provide ongoing support to local services. However, given the scale of the proposal this benefit is small. There are no known environmental benefits from the proposed development.
- 11.4. The development has not received objections from any statutory body or from the relevant council consultees. The proposed access and parking facilities are considered to be adequate and in compliance with Policies DM17 and DM18 of the SADMP.