DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H01-1104-19**	**Applicant:**	**Mr & Mrs G Mawhinney**
Proposal:	Extensions and alterations to dwelling		
Location:	17 Milfoil Lane Cowbit Spalding		
Terminal Date:	23rd January 2020		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development

National Guidance

National Planning Policy Framework 2019

Section 12 of the National Planning Policy Framework (2019)

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	1	0	0
WARD MEMBER	0	0	0	0
IAN MARSHMAN, HISTORIC ENVIRONMENT OFFICER	0	0	0	1
RESIDENTS	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is an application for extensions and alterations to a dwelling at 17 Milfoil Lane, Cowbit. The proposal seeks to provide an extended bedroom and en-suite to the side elevation of the dwelling at

the south, and sitting room with a roof lantern to the north and east. A small extension to the water closet and utility room, adjacent to the sitting room, will also be provided. Brick and tiles would be to match those of the existing dwelling and would be conditioned as such. The proposed sitting room extension is to be blocked and rendered. The exact render colour would be addressed by condition.

Site Description

The proposal is within defined settlement limits and the surrounding area is characterised by dwellings of a similar age and varying design. A private road serving the host properties and two additional properties is sited to the north of the site.

History

H01-0586-88

Outline - Residential development - Approved - 05 April 1989

H01-1288-92

Outline - Residential development including details of means of access - Approved - 10 March 1993.

H01-0403-93

Modified Agreement - Cancellation of agreement limiting number of dwellings prior to access and drainage works - Refused - 01 July 1993.

H01-0519-95

Full - Collector road to provide access to Phase One of development - Approved - 05 July 1995.

H01-0882-99

Outline - Residential development - Approved - 23 May 2000.

H01-0027-00

Full - Residential Development - Approved - 13 April 2000.

Consultation Responses

Historic Environment Officer

No archaeological impact.

Cowbit Parish Council

Support

Member of the public - 1

- Materials out of keeping

- Tree close to sitting room development

- Disruption during building works (Not a material planning concern)

Planning Considerations

Principle of development

The principle of development in this location is considered acceptable. The property can be extended without overdeveloping the site or impacting the amenity of the occupant. There is not considered to be any material harm to neighbouring residential amenity from overlooking or

overshadowing. The design, scale and layout is considered to be appropriate for the site and does not materially impact the character of the dwelling or the surrounding area.

Materials out of keeping

There is not considered to be a material impact from the proposed render serving the sitting room extension. There are other examples of render / part rendered properties in the vicinity and the use of render in this location is not considered to materially impact the character of the dwelling.

Tree close to sitting room development

The tree close to the sitting room development is nearby but not immediately adjacent to the extension. The trees and greenery adjacent to property are not protected and there are no intentions shown by applicant to remove them in the near future.

Conclusion

In light of the above considerations the proposal is considered to be in accordance with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan, 2019, as well as Section 12 of the National Planning Policy Framework, 2019.

A delegated approval is considered to be appropriate.

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.