DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H03-0134-20**	**Applicant:**	**Mr & Mrs S Buttress**
Proposal:	Proposed two storey side extension		
Location:	2 Denniss Cottages Main Road Deeping St Nicholas		
Terminal Date:	15th April 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)

12 - Achieving Well Designed Places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a householder application for a proposed two storey side extension at 2 Dennis's Cottages, Main Road, Deeping St Nicholas. The proposal seeks to provide a kitchen at ground floor level with two bedrooms and an en-suite at first floor level. There will no be longer a west facing side elevation first floor window once the proposal is completed. The proposed extension is slightly set back from the principal elevation and is subservient in height to that of the existing dwelling. The existing dwelling is brickwork and the side elevation external wall with be smooth cream render, The proposed roofslate is to match that of the existing dwelling.

Site Description

The proposal is outside defined settlement limits and the surrounding area is characterised by non-nucleated linear development of varying ages and design.

History

None

Consultation Responses

None

Planning Considerations

Principle of development

The proposal is on residential garden land and designed to be subservient in scale to that of the existing dwelling. The principle of development on this land is considered acceptable.

Impact of development

There is not considered to be any material harm to neighbouring residential amenity from overlooking or overshadowing. The dwelling to the west is 20 metres away from the proposed extension. The new west facing side elevation no longer has a first floor window, and other first floor fenestration is in accordance with a standard frontage situation. Whilst the proposal external material does not match the existing dwelling; 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.

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.

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.