DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H03-0910-19**	**Applicant:**	**Mr L Rochford**
Proposal:	Front porch extension and garage conversion		
Location:	10 Counter Drain Drove Tongue End Spalding		
Terminal Date:	5th November 2019		

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	0	0	0
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a full application for a front porch extension and garage conversion at 10 Counter Drain Drove, Tongue End. The garage will be converted into a living space with a bay window replacing the existing garage door. Both the bay window and porch extensions will be constructed from facing brickwork. The remainder of the dwelling is faded render.

Site Description

The proposal is within defined settlement limits and the surrounding area is characterised by dwellings of varying ages and design.

History

H03-0812-04

Full - Two storey extension to rear of dwelling and extension to side to form double garage and front porch - Refused - 27 July 2004.

H03-1094-04

Full - Two-storey extension to side and rear of dwelling - Approved - 07 October 2004.

H03-0502-06

Full - Ground floor extension to rear of dwelling - Approved - 01 June 2006.

H03-0572-12

Full - Two-storey side extension and detached garage - Refused - 17 August 2012 - Appeal Withdrawn

H03-1055-12

Full - Two-storey side extension (re-submission of H03-0572-12) - Approved - 14 February 2013

Consultation Responses

None

Planning Considerations

- Design

Design

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.

Whilst the majority of the building is render, this is now patchy and it is considered that brick to compliment the existing attached dwelling to the west will now not detract from the built character of the application site.

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.