DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H03-1112-19**	**Applicant:**	**Mr L Rochford**
Proposal:	Details of roof tiles and brick (Conditions 3 & 4 of H03-0910-19)		
Location:	10 Counter Drain Drove Tongue End Spalding		
Terminal Date:	8th 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

CASE OFFICER ASSESSMENT

Proposal

This is a condition compliance application concerning conditions 3 and 4 of a full application under reference H03-0910-19 for a front porch extension and garage conversion at 10 Counter Drain Drove, Tongue End.

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Full - Two-storey side extension and detached garage - Refused - 17 August 2012 - Appeal Withdrawn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

H03-0910-19

Full - Front porch extension and garage conversion - Approved - 29 October 2019

Consultation Responses

None - No consultations required.

Planning Considerations

Condition 3 - Roof tiles to be Agreed

The proposed bricks to be used on the project are Forterra Brick Arden Special. This condition is now considered to have been addressed as the proposed brick is appropriate for the site.

Condition 4 - Brick Type to be Agreed

The proposed roof tiles to be used on the project are Marley Double Roman Roof - Smooth Brown. This condition is now considered to have been addressed as the proposed tile is appropriate for the site.

Conclusion

All conditions concerning application H03-0910-19 are now considered to have been addressed.

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.