DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H05-0521-19**	**Applicant:**	**Mr Lee Wright**
Proposal:	Proposed single-storey rear extension		
Location:	Etna House Lowgate Road Fleet Hargate		
Terminal Date:	24th July 2019		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

National Guidance

National Planning Policy Framework 2019

Representations:

	Object	Support	No Obj.	Comments

CASE OFFICER ASSESSMENT

Proposal

This application seeks prior approval notification for proposed single-storey rear extension to the property Etna House at Lowgate, Fleet Hargate, Spalding.

Site Description

The site location is within the settlement boundaries of Fleet Hargate as set out in the Inset Map 16 of South East Lincolnshire Local Plan, 2019. The site is on the edge of the Conservation Area. The locality is characterised by residential development.

History

H05-0949-09 - Proposed detached garage - Approved
H05-0769-10 - Detached double garage (retrospective) - Approved

Consultation Responses

None

Planning Considerations

Para G of Class A, Part 1, Schedule 2 of the General Permitted Development Order 2015 (as amended) states that development would not be permitted if "the enlarged part of the dwellinghouse would have a single storey and (i) extend beyond the rear wall of the original dwellinghouse by more

than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or (ii) exceed 4 metres in height".

Etna House is a detached dwelling. The proposed extension would protrude 8 metres from the original rear wall of the building. It would be flat roofed with the highest point being approximately 3.35 metres above the ground level. For these reasons, the proposed development complies with the requirements of large house extensions laid down in the General Permitted Development Order 2015 (as amended)

Conclusion

No representation has been made. In light of considerations above, prior approval should be granted for the proposed development according to General Permitted Development Order 2015 (as amended).

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.