DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H05-0525-19**	**Applicant:**	**Mr C Mackman**
Proposal:	Extension and alterations - re-submission of H05-0288-19		
Location:	8 Greenfields Holbeach Spalding		
Terminal Date:	17th July 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
RESIDENTS	1	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a householder application for extensions and alterations at 8 Greenfields, Holbeach. The proposal seeks to convert an existing garage to provide a home study with a family room and kitchen extension to the rear of the property. A first floor side extension seeks to provide an extended bedroom, a Jack & Jill en-suite and a new bedroom. Proposed brick and tile is to match that of the existing dwelling and would be conditioned as such. The application seeks to widen the proposed side extension for the purposes of providing stronger foundations to support the first floor element of the extension. The side extension will project out a further 200mm.

Site Description

The proposal is within defined settlement limits and the surrounding area is characterised by dwellings of a similar age and design.

History

H05-0288-19

Extension and alterations - Approved - 13 May 2019.

Consultation Responses

Member of public comments

Concerns about positioning of ground floor window for home study.
Increased proximity to adjacent dwelling.

Planning Considerations

Increase proximity to adjacent dwelling
Overlooking from study in converted garage

The increase in width brings the extension closer to the adjacent dwelling but this is not considered to have a matter impact on amenity. There are no side elevation windows in the adjacent property and the extended building stills allows sufficient side excess to the rear of the property.

With regard to overlooking from the proposed study, the window would face the front elevation lounge window of the adjacent property. The applicant intends to install a 1.8 metre high fence on this boundary and has agreed to the imposition of a condition to obscure glaze the fenestration that serves the door that serves the study.

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.