DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H09-0364-20**	**Applicant:**	**Mrs S Tuck**
Proposal:	Proposed rear single storey extension		
Location:	Gregory Cottage Hurn Bank Holbeach Hurn		
Terminal Date:	15th June 2020		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

National Guidance

National Planning Policy Framework 2019

Class A of Part 1 of the General Permitted Development Order 2015 (as amended)

Representations:

	Object	Support	No Obj.	Comments

CASE OFFICER ASSESSMENT

Proposal

This is a larger home extension application for a proposed rear single storey extension at Gregory Cottage, Hurn Bank, Holbeach Hurn. The proposal seeks to provide an extension that projects 5.18 metres from the original rear wall, is 6.1 metres wide, with a 3 metres eaves height and a 4 metre maximum height. The roof will be flat and the brick is to match that of the existing dwelling. One window will be sited on the proposed east elevation, one window to the northern rear elevation and French doors are to be sited on the west elevation.

Site Description

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

History

None

Consultation Responses

None received as result of the consultation exercise.

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".

The materials of construction match those of the existing dwelling and the dimension match permitted development requirements, save for the projection length from the original rear wall. 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

In light of the above considerations the proposal is considered to be in accordance with Class A of Part 1 of the General Permitted Development Order 2015 (as amended).

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.