DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H09-0580-19**	**Applicant:**	**Mr & Mrs A Rafel**
Proposal:	Proposed garage conversion		
Location:	15b Fishpond Lane Holbeach Spalding		
Terminal Date:	2nd August 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. Achieving well-designed places

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 householder planning application that seeks permission for proposed garage conversion at the property located at 15b Fishpond Lane, Holbeach, Spalding.

Site Description

The location is purely characterised by residential development. The application site is a residential corner plot on the junction between Fishpond Lane and Rathkenny Close. The property is aligned with the building line of houses along Rathkenny Close. It is a two-storey modern 'brick-and-tile' house. The rear garden is grassed and extends to the west, being bounded to the south by the footwalk on Fishpond Lane.

History

H09-0010-19 - Extension and alterations - Approved

Consultation Responses

None.

Planning Considerations

Layout and design

The house currently has a side-gabled single-storey attached garage on the northern side elevation. Planning permission has been recently granted under application ref. H09-0010-19 to accommodate a first-floor extension above the garage. The garage remained as such in that application.

The proposed development hereby assessed is to seek permission to convert the garage into a family room. The development would be acceptable given the use of the property.

The garage door would be replaced with French Doors with side panel windows. Brick infilling would be undertaken in the remaining gap. The access from the rear of the garage to the garden would remain. Partial internal wall demolition is proposed to ensure access between the proposed new family room and the remainder of house rooms. It is confirmed that the materials would match those existing in the building. The detailing of the development (lintel above the door) would be tantamount to the existing.

Impact upon the residential amenity

No detrimental effect is anticipated should the proposed conversion be carried out. There are no windows proposed on the north facing elevation so there should be no issues of overlooking from the adjacent property and it would be creating additional internal amenity space for the property without the loss of any garden space.

Conclusion

In light of considerations above, the proposed development is in accordance with Policy 1, 2, 3 of South East Lincolnshire Local Plan, 2019 and Section 12 of National Planning Policy Framework, 2019.

It is therefore recommended to approve this planning application via delegated powers.

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.