DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H09-0882-19**	**Applicant:**	**Mr & Mrs M Gandesha**
Proposal:	Proposed alterations and conversion of conservatory		
Location:	37 Low Lane Holbeach Spalding		
Terminal Date:	29th October 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	1	0	0
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a householder planning application for proposed alterations and conversion of conservatory at 37 Low Lane, Holbeach, Spalding.

Site Description

The location is purely residential. Individually designed detached houses with a wide range of types, designs and ages have been observed in the area.

The site is fairly long and rectangular facing Low Lane which runs to the north. The front garden is laid in gravel and used as a driveway. There is a low brick wall and maintained mature Leylandii

hedgerow on the front boundary. Further hedgerow is on the eastern boundary with No. 35 along with a nearly 2 metre high timber close board fence.

History

None.

Consultation Responses

Holbeach Parish Council

No objection.

Planning Considerations

Principle of development

The site is within the settlement boundaries of Holbeach as set out in the South East Lincolnshire Local Plan (SELLP), 2019. As such, there is no objection to the principle of development for a house alteration and conversion which is intrinsically ancillary to the dwelling. The key policy issues therefore relate to other material considerations as shown below.

Design and layout

The existing conservatory projects from the front elevation of the property and in parallel with the eastern boundary. It has a nearly 1 metre high facing brickwork base wall. The proposed works entail the replacement of the PVC conservatory structure for brick walls raising from the aforementioned base wall.

The roof would be gable pitched tantamount with the existing single-storey element off the eastern elevation of the house. All the elevations would have fenestration as well as on the roofp by the opening of 2 no. Velux roof lights. The external bricks and roof tiles would match those existing in the host property.

The alterations would deliver a high quality design to the building. The replacement of large glass panels and polycarbonate roofing for the proposed materials would maximise the energy efficiency of the house. By virtue of the externals materials and roof layout, the resulting appearance would be in keeping with the main dwelling.

Impact upon the residential amenity

The pitch height of the proposal would be slightly increased in comparison with the existing one of the conservatory. Such material increase would be negligible to the residents of the adjacent property No. 35 in terms of overbearing impact. There would be only views from the ground floor windows which would not create any overlooking effect taking into account the existing boundary treatment. For these reasons, the proposal would not undermine the amenity standards of the residents of the main property and other houses nearby.

Conclusion

Taking into consideration the mentioned above, the proposal is considered to comply 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).

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.