DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H11-0182-20**	**Applicant:**	**Mr & Mrs T Smith**
Proposal:	Proposed demolition of attached garage & conservatory and replace with rear/side extension		
Location:	14 Windsor Gardens Long Sutton Spalding		
Terminal Date:	27th April 2020		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
04	Approach to Flood Risk
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Sections 12 and 14

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

Proposal

Planning permission is sought for demolition of an attached garage & conservatory and its replacement with a rear/side extension to be used as a lounge/sitting area, plus study/additional bedroom.

Site Description

The site is located on a residential estate and is occupied by a bungalow and attached single garage. The neighbouring properties are also bungalows (nos. 12 and 16).

Planning History

No recent history.

Representations

Long Sutton Parish Council - No response.

Public - No responses received.

Planning Considerations

The main issues in this case are:

- Principle;
- Character/appearance;
- Impact upon nearby residents;
- Highway issues.

Principle

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

The site is inside Long Sutton Settlement Limit as defined in the South East Lincolnshire Local Plan (SELLP), 2019. Policy 1 (Spatial Strategy) of the SELLP indicates that within Main Service Centres, including Long Sutton, development will be permitted that supports their role as a service centre for the settlement itself, helps sustain existing facilities or helps to meet the service needs of other local communities.

The proposal is in accordance with Policy 1 of the South East Lincolnshire Local Plan, 2019

Character/Appearance

The proposal is sympathetic to the character/appearance of the existing bungalow and would be constructed in materials to match that existing. It would be sited approximately 0.5m from the side boundary and the neighbouring bungalow has a small side entrance lobby abutting the boundary. However, the latter is essentially additive in nature and is subservient to the main element. Beyond it, the spacing between the 2 properties would increase to over 2 metres. Overall, it is considered that the proposal would not materially harm the street scene or the character or appearance of the locality.

The proposal is in accordance with Policies 2 and 3 of South East Lincolnshire Local Plan, 2019 in this respect.

Impact upon nearby residents

The proposal is set at the side and also at the rear. The south eastern elevation facing no. 16 is blank.

The entrance lobby serving no. 16 has windows on its north western elevation. However, it also has windows/openings on its south western and north eastern elevations. Other windows are set further back. No objections have been received from neighbouring residents. Whilst the proposal would have some impact upon no. 16 in terms of overshadowing and blockage of light, the extent is not considered to be such as to justify refusal.

Given the above, it is considered that the proposal would not materially harm the amenity of nearby residents in terms of overlooking, lack of privacy, noise and disturbance, etc.

The proposal is in accordance with Policies 2 and 3 of South East Lincolnshire Local Plan, 2019 in this respect.

Highway Safety

The proposal involves the removal of a single garage. However, ample parking is available at the front of the property. The proposal is therefore in accordance with Policies 2, 3 and 36 of South East Lincolnshire Local Plan, 2019 in this respect.

Conclusion

The proposed development is in accordance with Policies 1, 2, 3 and 36 of the South East Lincolnshire Local Plan, 2019 and Section 12 of the National Planning Policy Framework, 2019.

It is therefore recommended that the application be determined under 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.