

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H15-0607-19 **Applicant:** Mr M Stacey

Proposal: Extensions to dwelling - approved under H15-0012-19. Modification of Condition 2 to allow amendments to previous approved plans.

Location: The Birches 79 Water Gate Quadring

Terminal Date: 26th 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

The proposal is for the amendment of condition 2 of application H15-0012-19 to include amended plans. The original plans showed that there would be a bedroom extension over the existing flat roof to the rear of the property, as part of these works a veranda would be included roughly at the centre of the south east elevation of the first floor. The amended plans propose to utilise this space as an expansion to the original 1st floor extension to be used as a dressing room and an en-suite to the bedroom extension agreed in the original permission. Additionally, there are several layout changes proposed to the plans, including; The removal of the separate bathroom in the bedroom in the approved single-storey extension, as well as the addition of a plant room off the hydrotherapy pool and the changing of the hydrotherapy pool's WC to a shower room; the addition of a boiler room in

the southern corner of the approved garage and the redesigning of the layout of the first floor of the southern wing of the original property from a bedroom, store room and bathroom, to a larger bedroom with dressing room and en-suite bathroom.

Site Description

The site context is characterised by ribbon development on both sides of Watergate. Agricultural land predominates the area beyond the residential curtilages. An IDB drain limits the site to the north and east running beyond the dwelling house to the south. There is a front/side yard for turning and parking. From the rear/side elevation to the south, two detached units (a shed and a garage) are on the site. Further south there is a greenhouse and a tank. Opposite the western boundary, the adjoining property No. 67.

History

H15-0012-19

Consultation Responses

None received.

Planning Considerations

Design and Layout

The Local Planning Authority does not seek any changes to the design or layout of the proposals. The proposed plans show that the works will be of a design which is in keeping with the rest of the property and the character of the surrounding area. As the extension is on the rear elevation of the property, it cannot be seen from the street.

For the reasons above, it is not considered that the amended plans would have a significant impact upon the character of the property or surrounding area.

Residential Amenity

It is not considered that the proposed amended plans would have a negative effect upon the residential amenity of the surrounding properties. This is because the proposed enlarged 1st floor rear extension would not overlook any residential properties, with views only out onto open agricultural land.

Conclusion

For the reasons listed above, the proposal to amend condition 2 of application H15-0012-19 is considered acceptable. Therefore, the application is recommended for approval.

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.