DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H16-1199-19**	**Applicant:**	**Mr K Frith**
Proposal:	Proposed attached indoor swimming pool, changing rooms and plant room (re-submission of H16-0342-19)		
Location:	Heatherdown Elm Lane Spalding		
Terminal Date:	5th February 2020		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

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
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This application is a re-submission of approved application ref. H16-0342-19 - A proposal for attached indoor swimming pool, changing rooms and plant room at Heatherdown, Elm Lane, Spalding.

The proposed alterations to the previous development are the following works:

· Removal of solar panels on the roof
· Depth reduction of rear single-storey element due to removal of one toilet and reduction of storage floorspace
· Change of type of steps into the swimming pool
· Alterations to the internal layout of changing rooms, openings and landing between the swimming pool and the remainder of the building rooms
· Main part of extension has been repositioned slightly eastwards

Site Description

The site location is purely countryside. Elm Lane is across agricultural fields further to east of the built-up area of Spalding. Heatherdown is an inverted L shape large dwelling which sits well in a vast site. The garden is laid in grass. There are significantly tall mature trees on the site boundaries which conceal the dwelling from the adjacent open fields. The site access also leads to small-scaled offices to a few metres to east which are under the applicant's ownership. The nearest adjacent property Bellevue Farm is located 200 metres to the north-west.

History

H16-0342-19 - Proposed attached indoor swimming pool, changing rooms and plant room - Approved

H16-0542-13 - Office re-build and renovations (retrospective) - Approved

Consultation Responses

None.

Planning Considerations

Design and layout

The proposed works would be minor alterations to the approved extension to accommodate swimming pool, changing rooms and plant room. The main part of the extension would be moved slightly eastwards and the western projection from this would decrease in size. The impact this would have on the design would be minimal as the proposed elevations remain largely the same. The external materials would remain as approved. For these reasons, it is not anticipated any detrimental impact by the reason of scale and design quality.

Residential amenity

The nature of the proposed alterations are negligible to create any adverse effect on the amenity standards of residents. There are no other properties immediately adjoining the western and northern boundaries which are the sides most affected by the extension.

Conclusion

Taking into account the mentioned above, the proposed development is considered to be in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan (SELLP), 2019 and Sections 12 and 15 of the National Planning Policy Framework (NPPF), 2019.

It is accordingly 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.