DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H17-0557-19**	**Applicant:**	**Mrs C Lawton**
Proposal:	Proposed extension		
Location:	The Old Chapel 51 Station Road Surfleet		
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

Sections 6 & 12 of the National Planning Policy Framework (2019)

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	1	0	0
WARD MEMBER	0	0	0	0
IAN MARSHMAN, HISTORIC ENVIRONMENT OFFICER	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is an application for a proposed extension at The Old Chapel, 51 Station Road, Surfleet. The proposal seeks to provide a triangular shaped spa area underneath the existing balcony to the rear of the dwelling. The purpose of the spa which will contain a sauna and Jacuzzi is to support the current beauty therapy business use utilising part of the dwelling, which operates Monday to Thursday 10am to 5pm. The proposed construction material is grey timber to match that of the

existing shed building to the side of the proposal site.

Site Description

The proposal is within defined settlement limits and the surrounding area is characterised by dwellings of varying ages and design. The dwelling is considered to represent a non-designated heritage asset and backs onto the River Glen at the rear of the property. The Old Chapel is not a listed building and not in a conservation area.

History

H17-0021-01

Full - Conversion of methodist church to dwelling - Approved - 04 April 2001

H17-1323-01

Full - New window at first floor to s/west elevation and replacement upvc windows to remaining ext windows - Approved - 27 December 2001

H17-1098-05

Full - Side extension to existing dwelling - Approved - 03 October 2005.

Consultation Responses

LCC - Historic Environment Officer

Has no objections to the submitted heritage statement.

Surfleet Parish Council

Support.

Planning Considerations

Proposed use

The proposed use is not considered to detract from the character and setting of the building of which already operates a small scale beauty therapy business in a room to the side of the property 10am to 5pm Monday to Thursday. The building is considered to retain a residential use and character. Therefore it is not considered that the planning department should seek to place controls on the business operation as it currently operates. There is no history with the Environmental Health regarding amenity or health impacts on the surrounding area. In addition, there is no local and national policy that provides specific guidance on the operations of small scale businesses in dwellings, located inside defined settlement limits but outside of primary retail areas.

Proposed design

The proposed extension does not materially impact the character of the building and is not visible from Station Road. It is visible from the navigable River Glen and bank beyond to the rear but the extension to does not materially alter the character of this elevation. The proposed material of grey timber is considered to be appropriate for the extension and does not detrimentally impact the built character of the dwelling.

There is not considered to be any material harm to neighbouring residential amenity from overlooking or overshadowing. The design, scale and layout is considered to be appropriate for the site and does not materially impact the character of the dwelling or the surrounding area.

Conclusion

In light of the above considerations the proposal is considered to be in accordance with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan, 2019, as well as Sections 6 & 12 of the National Planning Policy Framework, 2019.

A delegated approval is considered to be appropriate.

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.