DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	H23-0243-20	**Applicant:**	Mr A Robinson
Proposal:	Proposed flat roof single-storey rear extension with roof lantern		
Location:	Pink Cottage Drove Road Shepeau Stow		
Terminal Date:	22nd April 2020		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

National Guidance

National Planning Policy Framework 2019

Representations:

	Object	Support	No Obj.	Comments

CASE OFFICER ASSESSMENT

Proposal

This is an application to determine whether prior approval is required for a proposed flat roof single-storey rear extension with roof lantern at Pink Cottage, Drove Road, Shepeau Stow, Spalding.

Site Description

The site is located within a small cluster of dwellings disconnected from the built-up area of Shepeau Stow. All the properties are dwellings of varied designs, appearances and ages.

The site is greatly set back from the frontage onto Drove Road. A track runs to the side of the adjoining property Summerlea and provides access to the application site.

The property is a two-storey detached cottage with pink coloured render finish on the external walls. The principal elevation faces Drove Road as the remainder properties of the southern frontage.

History

None.

Consultation Responses

None.

Planning Considerations

Para G of Class A, Part 1, Schedule 2 of the General Permitted Development Order 2015 (as amended) (GDPO) states that development would not be permitted if "the enlarged part of the dwellinghouse would have a single storey and:

(i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or
(ii) exceed 4 metres in height".

It also states that "development is permitted by Class A subject to (a) the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse"

The proposed extension will protrude a maximum of 6.06 metres from the original wall of the dwellinghouse. Both the maximum height and eaves will be 3 metres. The external materials will be similar to those in the existing property. These features meet the requirements of Class A, Part 1, Schedule 2 of the General Permitted Development Order 2015.

Conclusion

No representations have been received.

Having regard to the mentioned above, the proposals constitute permitted development in accordance with Class A of Part 1 of Schedule 2 of Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Prior approval therefore will not be required from the Local Planning Authority before the commencement of works.

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.