

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H23-0670-19 **Applicant:** Mr & Mrs M Lakey

Proposal: Single-storey extensions with room in roof - Modification to Condition 2 of H23-0732-18 - Alterations to previously approved drawings

Location: Copelade Lodge Little Lane Whaplode

Terminal Date: 2nd September 2019

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
07	Improving South East Lincolnshire's Employment Land Portfolio

National Guidance

National Planning Policy Framework 2019

NPPF 2019

- 2. Achieving sustainable development
- 4. Decision-making
- 6. Building a strong, competitive economy
- 12. Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	1	0	0
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

Proposal

Single-storey extensions with room in roof. Modification to Condition 2 of the householder planning consent ref H23-0732-18 - Alterations to previously approved drawings.

The proposed changes are as follows;

- Double doors to east gable of first floor extension to act as fire escape in place of window.
- Moving east of porch and front door.
- Alterations to garage door configuration,
- New roof over garage and extension to allow home office to be created for the applicants company.
- Temporary office on site while works are being carried out.
- New septic tank to front garden area.

Site Description

Copeland Lodge is a detached bungalow in a large garden plot, accessed from Little Lane. The dwelling was originally approved as an agricultural dwelling however the agricultural condition was subsequently removed following a submission of proof that the dwelling had not been used as such.

The extension approved under reference H23-0732-18 has commenced.

History

H23-0718-18 Copelade Lodge. Change of use of land from paddock to builders yard (retrospective). Erection of fencing and the installation of a septic tank. Refused. Appeal dismissed 25 June 2019.

H23-0732-18 Copelade Lodge. Single-storey extensions with room in roof. Approved 6 Sept 2018.

Consultation Responses

Whaplode Parish Council - Support.

No third party representations have been received.

Planning Considerations

Principle of the development

The principle of the extension of this residential dwelling was accepted by the planning consent granted under reference H23-0732-18.

The application the subject of this report now seeks to enable part of the extension to be used as a "home office" in connection with the applicants business. Provided the use and scale of the home office are limited to that appropriate to a dwelling, rather than a fully fledged commercial office, this would be considered acceptable.

The extent of the home office would accommodate the ancillary office currently situated within a temporary office/portacabin located at the front of the property. This portacabin does not benefit from planning permission. This application seeks the retention of this poracabin until the works have been completed.

The applicant has not set out that staff would visit the site, and it would not be expected that trade employees of the business, nor trade vehicles, would visit the site - this would not sit within the use as a home office. No consent has been south to change the use of this property, or part of it, to a commercial use; rather, a home office is sought, that would be ancillary to the main use of the dwelling. For this reason, and given the fact that Little Lane is not considered to be suitable for further commercial uses, conditions are set out to restrict the use to a home office.

The installation of a septic tank to front garden area is considered to be acceptable.

Impact on visual appearance of area

The built form of the development is similar to that approved, and given the size and the spacious feel of the curtilage, it is not considered that the proposal would lead to a cramped form of development. The scale of the extensions would still be domestic in scale.

Impact on amenity of adjoining residents

No neighbouring residents would be adversely affected by this proposal. The surrounding residential properties are at such a distance that no loss of day light or sun light, and no intrusive overlooking would be caused.

Conclusion

In light of the above considerations the proposal is considered to be in accordance with policies 2, 3 and 7 of the South East Lincolnshire Local Plan as well as the National Planning Policy Framework, 2019.

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.