

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H04-0319-20 **Applicant:** Mrs E Wilkins
Proposal: Single storey rear extension
Location: 17 Flinders Road Donington Spalding
Terminal Date: 10th October 2020

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 of the National Planning Policy Framework (2019)

12 - Achieving well-designed places

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

This is an application for a single storey rear extension at 17 Flinders Road, Donington. The proposal seeks to provide an sun room extension that projects 4.5 metres from the original rear elevation wall. The sun room will be 4.48 metres wide, have an eaves height of 2.2 metres and an apex height of 3.6 metres. Materials are to match those of the existing dwelling and would be conditioned as such

Bi-fold doors will be sited on the western elevation with rooflights in each roofslope. A log burner will be sited in the sunroom with a flue leading off the eastern elevation. The flue does not exceed the

highest part of the highest roof and projects upwards 1.85 metres above the sun room roof apex.

Site Description

The proposal site is within defined settlement limits. Buildings of a similar age and design are sited to the north and west on Flinders Road, with buildings of varying ages and design beyond the rear garden on Town Dam Lane.

History

H04-1472-03

Full - Two-storey side extension to dwelling - Approved - 14 January 2004.

Consultation Responses

SHDC - Councillor Walsh

Support

Planning Considerations

Principle of development

The proposed works are sited on residential land within defined settlement limits. Planning permission is required because the extension projects in excess of 4 metres from the original rear wall.

Impact of development

There is not considered to be an impact from the development. Bricks and tiles are to match those of the existing dwelling and would be conditioned as such. As the extension is single storey then there is not considered to be an overlooking or overshadowing impact. There is not considered to be a material impact from the siting of the log burner fire flue, which is not sited higher than the highest part of the building. It is located on the side elevation of the dwelling and is 14 metres away from 19 Flinders Road at the nearest point.

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 Section 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 now 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 now 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.