DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H04-0794-20**	**Applicant:**	**Mr & Mrs King**
Proposal:	Two storey extension & alterations		
Location:	22 Malting Lane Donington Spalding		
Terminal Date:	16th November 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	0	0	0

CASE OFFICER ASSESSMENT

PROPOSAL

This is a householder planning application for a two storey extension and alterations at 22 Malting Lane, Donington. The proposal seeks to provide a store, utility and kitchen extension at ground floor level with a bedroom and en-suite at first floor level. Proposed fenestration is a frontage / rear arrangement, with no first floor side elevation windows.

SITE DESCRIPTION

The site is within defined settlement limits and the surrounding area is characterised by dwellings of

a similar age and varying design.

RELEVANT HISTORY

None relevant.

CONSULTATION RESPONSES

None received.

PLANNING CONSIDERATIONS

Principal of development

This proposal is assessed against SELLP Policy 2 titled - Development Management. This policy states:

"Proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to:
1. size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses;
2. quality of design and orientation;
3. maximising the use of sustainable materials and resources;
4. access and vehicle generation levels;
5. the capacity of existing community services and infrastructure;
6. impact upon neighbouring land uses by reason of noise, odour, disturbance or visual intrusion;
7. sustainable drainage and flood risk;
8. impact or enhancement for areas of natural habitats and historical buildings and heritage assets;
9. impact on the potential loss of sand and gravel mineral resources."

When assessed against the above criteria the following can be observed:

1. The size, scale and layout is appropriate for the site. No trees are impacted. The character and appearance of the area is not impacted by the proposal given the varied design and size of properties.

2. The design is in keeping with the built character of the dwelling with materials to match. The orientation of the extension is front to rear and does not impact neighbour amenity.

3. Materials are to match those of the existing dwelling. Therefore, the use of sustainable materials is not maximised but the character of the surrounding area is preserved.

4. The proposal will not impact vehicular access of traffic generation levels.

5. The extension will not impact community services and infrastructure.

6. Neighbouring sites will not be impacted by noise, odour or disturbance. Levels of overlooking and overshadowing will not be materially increased by the proposal. There are no side facing windows proposed at first floor and the only side window at ground floor would be for a utility room, which is not classed as a habitable room in planning terms. The side facing window of the neighbouring property to the south is a secondary window that would currently only receive limited light due to its positioning on the northern elevation.

7. The proposal will not impact sustainable drainage and flood risk as it will be sited above an existing single storey section of the dwelling.

8. Natural habitats, historical buildings and heritage assets will not be impacted by the proposal.

9. Sand and gravel mineral resources will not be impacted by the proposal.

The proposal is considered to accord with Policy 2 of the SELLP.

CONCLUSION

The proposal is considered to accord with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan (2019) and Section 12 of the National Planning Policy Framework (2019).

The recommendation is approval.

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.