DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H08-0568-20**	**Applicant:**	**M Helly**
Proposal:	First floor side extension		
Location:	252 Siltside Gosberton Risegate Spalding		
Terminal Date:	9th September 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	1	0

CASE OFFICER ASSESSMENT

Proposal

This is an application for a first floor side extension at 252 Siltside, Gosberton Risegate. The proposal seeks to provide a first floor extension above the existing utility and kitchen. The extension will contain a bedroom and an en-suite. Windows will be sited to the front and rear elevations. This is considered to represent a standard frontage situation. Brick and tiles are to match those of the existing dwelling.

Site Description

The proposal is within defined settlement limits and the surrounding area is predominately rural, characterised by linear development of varying ages and design.

History

H08-1859-88

Outline - Residential development - Approved - 18 January 1989.

H08-1014-90

Full - Erection of three dwellings (two houses, and one' bungalow) - Approved - 31 October 1990.

Consultation Responses

SHDC - Councillor Walsh

No objections.

Planning Considerations

Principle of development

The proposal is for residential development on residential land within defined settlement limits. The principle of development in this location is considered acceptable.

Impact of development

There is not considered to be any material harm to neighbouring residential amenity from overlooking or overshadowing. The windows to the front and rear are considered to constitute standard frontage development. The garden of 250 Siltside that is already overlooked will not see a material increase in overlooking as a result of this proposed extension. 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 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 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.