DECISION DELEGATED TO DEVELOPMENT MANAGER

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| **Application No:** | **H14-1059-19** | **Applicant:** | **Mr Karl Lucas** |
| **Proposal:** | Two-storey side extension | | |
| **Location:** | 4 Wayet Road Pinchbeck Spalding | | |
| **Terminal Date:** | 2nd January 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)

**Representations:**

| | Object | Support | No Obj. | Comments |
|---|---|---|---|---|
| PARISH COUNCIL | 0 | 0 | 0 | 0 |
| WARD MEMBER | 0 | 0 | 0 | 0 |

CASE OFFICER ASSESSMENT

**Proposal**

This is an application for a two-storey side extension at 4 Wayet Road, Pinchbeck. The proposal seeks to provide a small ground floor frontage extension to provide a ground floor water closet. Above the existing garage and kitchen, a bedroom, dressing room and en-suite is to be sited. There are to be no side elevation first floor windows. Materials of construction are to match those of the existing dwelling and would be conditioned as such.

**Site Description**

The proposal is within defined settlement limits and the surrounding area is characterised by buildings of a similar age and varying design. The dwelling is semi-detached, with 2 Wayet Road

situated to the west.

## History

None

## Consultation Responses

## Planning Considerations

- Principle of development

- Impact on neighbour amenity

Principle of development

The site is within defined settlement limits and there isn't a sizeable degree of uniformity to dwellings in the vicinity.

Impact on neighbour amenity

Having calculated the 45 degree angle from the proposed extension, the line extends to the porch of 6 Wayet Road which isn't considered to be a habitable room. Therefore there is not considered to be a material overshadowing or overbearing aspect onto the neighbouring property to the east.

There are no side elevation windows at the ground floor or first floor level of the proposed extension and new fenestration to the front and rear of the extension represents a standard frontage arrangement.

## 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.