DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H16-0393-19**	**Applicant:**	**Mr Tim Kirk**
Proposal:	Proposed single-storey rear extension, including alterations		
Location:	34 Stonegate Spalding		
Terminal Date:	7th June 2019		

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
WARD MEMBER	0	0	0	0
RESIDENTS	1	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a householder application for a proposed single storey rear extension including alterations at 34 Stonegate, Spalding. The proposal seeks to provide a single storey extension that projects 5 metres from the original rear wall and is 3.65 metres in width. The proposed eaves height is 2.4 metres and the maximum pitched roof apex height is 3.635 metres. Rooflights will be sited on the south facing roof slope with a window in the western wall and French doors in the north elevation wall. Block / render and tiling is to match that of the existing dwelling and would be conditioned as such.

This application requires planning permission because it projects in excess of 4 metres from the original rear wall.

Site Description

The proposal is within defined settlement limits and the surrounding area is characterised by dwellings of varying ages and design. An granny annexe extension approved under reference H16-0872-03 is provided at the adjacent property of 35 Stonegate immediately to the south. The kitchen and shower room windows of the annexe face the proposal.

History

None

Consultation Responses

Member of public

Requests a flat roof.
Concern about proximity and damage to boundary.
Loss of light.

Planning Considerations

Whilst there will be a loss of light from the proposed extension to the kitchen and shower room windows of the annexe at 35 Stonegate, it is sited to the south and therefore the windows of the annexe are afforded little direct sunlight as the sited on the northern elevation. The proposed extension would be permitted development if set back to four metres from the original rear wall and it is not considered that the extra metre in length materially alters the application at hand with regard to the extent of light loss..

There is not considered to be any material harm to neighbouring residential amenity from overlooking. 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 to grant permission 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 to grant permission 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 to grant permission is considered to be a proportionate response to the submitted application based on the considerations set out in this report.