

## DECISION DELEGATED TO DEVELOPMENT MANAGER

**Application No:** H16-0460-19      **Applicant:** Mr & Mrs S Austin

**Proposal:** Proposed single storey flat roofed extension to house with associated alterations

**Location:** 62 Pinchbeck Road Spalding

**Terminal Date:** 26th July 2019

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### Planning Policies

#### South East Lincolnshire Local Plan - Adopted: March 2019

|    |                           |
|----|---------------------------|
| 01 | Spatial Strategy          |
| 02 | Development Management    |
| 03 | Design of New Development |
| 29 | The Historic Environment  |

#### National Guidance

#### National Planning Policy Framework 2019

National Planning Policy framework (NPPF) February 2019

The NPPF constitutes guidance for Local Planning Authorities and decision takers both in drawing up plans and as a material consideration in determining applications.

Paragraph 11 - The Presumption in Favour of Sustainable Development

### Representations:

|                                                  | Object | Support | No Obj. | Comments |
|--------------------------------------------------|--------|---------|---------|----------|
| WARD MEMBER                                      | 0      | 0       | 0       | 0        |
| IAN MARSHMAN,<br>HISTORIC<br>ENVIRONMENT OFFICER | 0      | 0       | 0       | 1        |
| SPALDING CIVIC<br>SOCIETY                        | 0      | 1       | 0       | 0        |
| RESIDENTS                                        | 0      | 1       | 0       | 0        |

## **CASE OFFICER ASSESSMENT**

The proposal is for a proposed single storey flat roofed extension to house with associated alterations.

The host dwelling is a large and very attractive period property at 62, Pinchbeck Road, Spalding.

The site is within the Spalding Conservation Area.

### **History**

n/a

### **Consultations**

#### **Spalding Civic Society**

-Support

difficult to comment, owing to the barely legible drawings and text - in such cases, could the Planning Department send the application back and ask for better presentation?? The Authority usually rejects flat-roofed extensions to pitched-roof buildings, but in this case the design is well thought-out and therefore acceptable.

#### **Historic Environment Officer, Lincolnshire County Council**

-Comments

No archaeological input required.

### **Residents**

Support

We have no objection to the proposed extension but would like to suggest that the sycamore tree at the bottom of the Applicants garden be greatly reduced in height/width. This enormous tree would give ourselves, our neighbours and the applicants better daylight and would if it gets any bigger have an impact on house insurance premiums. The tree drops leaves in the Autumn and self seeds numerous pods which cause a nuisance to adjoining gardens. This tree is far too big now to be towering over three summer houses and needs attention and this should be considered in connection with this planning application before the tree blows down or branches fall onto our summer houses. Please ask the applicant to give this consideration, we have in the passed raised it but nothing was done, and now the enormity of the tree looms over us.

### **Assessment**

The proposal is considered to be acceptable in all regards and to have no material adverse impact.

The design is acceptable in size and scale, windows and doors are appropriately sited and designed, and the flat roof design sits comfortably with the style of the host dwelling.

The modest size of the extension is completely subservient to the large host dwelling and is placed on the side with minimal impacts to the overall appearance of the building and would not have an adverse effect on the character and appearance of the locality.

Adjacent occupiers would not be materially or unacceptably detrimentally affected.

In light of the above considerations the proposal is considered to be in accordance with policies;

02 Development Management

## 03 Design of New Development

### 29 The Historic Environment

of the South East Lincolnshire Local Plan, 2019, as well as the National Planning Policy Framework, 2019.

It is recommended that the application be APPROVED under delegated powers.

### **Recommendation**

APPROVE.

### **Additional Considerations**

#### Public Sector Equality Duty

In making your decision you 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 is only one factor that needs to be considered, and may be balance 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 your decision, you 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.

You are referred specifically to Article 8 (right to respect for private and family life), 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 interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.