DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H16-0510-19**	**Applicant:**	**Mr M A Kadir**
Proposal:	Proposed extension and alterations		
Location:	12 Osier Road Spalding		
Terminal Date:	12th August 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. Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0
RESIDENTS	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a householder planning application for proposed extension and alterations to the property at 12 Osier Road, Spalding. The purpose of the development is in line with the residential use of the building.

The proposal works would include one first-floor extension above the garage and lobby, one flat roofed rear extension and both internal and external alterations such as wall demolition, new structural beams and new openings.

Site Description

The site is within the settlement boundaries of Spalding as shown in the Inset Map 2 of South East Lincolnshire Local Plan, 2019.

The location is purely residential characterised by individually designed houses accessed by a cul-de-sac street layout. The site is on the southern side of Osier Road. The pattern observed along the street scene is of traditional 'brick-and-tile' two-storey houses with flat roofed garage on the side. The applicant's property is one of them. There is limited variety in design and appearance along the road.

History

None

Consultation Responses

None

Planning Considerations

Layout and design

The existing property has a single-storey flat roofed element on the eastern side elevation and partially on the front elevation. It accommodates a garage at the front and one toilet at the rear. The proposed first-floor extension would be above this element. It would be as high as the existing two-storey gable pitch front element and would fill exactly the footprint of the existing flat roofed element.

The rear extension would project 3 metres from the original rear wall of the building and would extend the full width of it. The maximum height would be approximately 2.80 metres. Having regard to the dimensions of the house, it is concluded that both extensions would be subservient to the host property in terms of scale, mass and bulk.

The first-floor extension would have a gable pitched element on the front elevation being tantamount to the existing one. As a result, a double pitched roof would be formed on top of the pair of gables which would relate well with the main hip roof of the building. The pitch of both elements would be visibly below the main roof ridge. On the rear elevation, the highest part of the proposed extension would be well below the lowest part of the upstairs windows. The rear enlargement would be flat roofed and this feature would be acceptable in view of the discreet scale of the extension. A lantern would be incorporated on the flat roof to enhance the enjoyment of daylight inside the extension.

The external materials are proposed to match the existing ones as closely as possible. Therefore, the visual amenity would be preserved after carrying out the proposal.

On balance, the design and layout of the development would not detract from the local character of the area, would confer a sense of scale and hierarchy in relation to the host property and would somewhat enhance the existing building which is currently vacant.

Impact upon residential amenity

No first-floor fenestration is anticipated on the side elevation of the property. The proposed fenestration is only on both rear and front elevation at a great distance of the opposing windows.

A nearly 2 metre high timber close board fence bounds the plot on both sides. This would be reasonable to obscure views of the rear extension from the adjacent properties given the scale of the extension and the separation distances with the boundaries.

For these reasons, the development would not cause any adverse effect to the residents of the adjacent houses.

Conclusion

In light of considerations above, the proposed development is in accordance with Policy 1, 2 and 3 of South East Lincolnshire Local Plan, 2019 and Section 12 of National Planning Policy Framework, 2019.

It is therefore recommended to approve this application via delegated powers.

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.