DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H16-0533-20**	**Applicant:**	**Mr & Mrs D Gallacher**
Proposal:	Extension & Alterations		
Location:	66 Pinchbeck Road Spalding		
Terminal Date:	31st August 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
WARD MEMBER	0	0	0	0
RESIDENTS	1	0	0	2

CASE OFFICER ASSESSMENT

Proposal

This is an application for extensions and alterations at 66 Pinchbeck Road, Spalding. The proposal seeks to provide an extension to the rear of the dwelling that projects 3.2 metres from the original rear wall and is 8.5 metres in width. The eaves height is 2.25 metres, with a maximum apex height of 6.25 metres. The extension will house a dressing room, bathroom and utility. A rearranged utility and water closet is sited within the building. There are no new first floor rooms as part of the proposal. Brick and tile is to match that of the existing dwelling and would be conditioned as such.

Site Description

The proposal site is within defined settlement limits and recessed from Pinchbeck Road. The site is bordered by fencing, walls and established hedging. The surrounding area is characterised by dwellings of varying ages and design. The access area beyond the front of the application boundary is within Spalding Conservation Area. Modern bungalows are sited to the side and rear of the proposal at Castlefields.

History

H16-0327-20

Full - Extension to dwelling - Approved - 11 June 2020.

H16-0537-20

Full - Extension to Dwelling - re-submission of H16-0327-20 - Currently undecided

Consultation Responses

Members of the public - 3

Location of water pipes
Potential for new room in the new roofspace with potential for overlooking and overshadowing.
Concrete slab in corner of site not shown on application.
Submitted site location plan and block plan are out of date.
Loss of a non-protected hedge - Requests condition for protection of hedge.

Planning Considerations

Principle of development

The proposal is for residential development on residential land in the defined settlement limits of the largest settlement in the district. The principle of development on this site is considered to be agreeable.

Water pipes

The location of water pipes is a matter for the Building Control team should the application be approved.

Potential new room in roofspace

Should the applicant wish to do so, a new room in the roofspace would not require planning permission. However should such a room be constructed, if windows and rooflights are not sensitively located then this may give rise to a material overlooking impact. Therefore a condition would be place on this application preventing the permitted development installation of first floor windows and rooflights anywhere on the property without the prior approval of the planning department.

Concrete slab adjacent to boundary of 14 Castlefields

This slab has not been constructed upon. However, as the slab is within 2 metres of the boundary, should a structure / building be installed within 2 metres then it cannot exceed 2.5 metres in height at any point.

Site Location Plan and Block Plan are out of date

The submitted plans do accurately show the extent of the proposal site but not Castlefields to the north and east. The Planning Department holds enough information to accurately assess the distance to boundaries and properties from the proposal.

Loss of a non-protected hedge at boundary with 13 Castlefields

The client does not intend to remove the 2.4 metre high leylandii hedge on site. It is not of a

significant age and is not of a species that is considered worthy of preservation.

Impact of development

The separation distance to the 13, 14 and 15 Castlefields from the extension at the nearest point is 6.8 metres, 13 metres and 18 metres respectively. There is not considered to be an overshadowing aspect from the proposal. There is not considered to be an overlooking aspect because no windows or roof lights are to be sited in the new roof.

There is not considered to be any material harm to neighbouring residential amenity from overlooking or overshadowing. 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.