DECISION DELEGATED TO DEVELOPMENT MANAGER

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| **Application No:** | **H16-0702-20** | **Applicant:** | **Mr M Oluwatosin** |
| **Proposal:** | Two storey rear extension | | |
| **Location:** | 100 London Road Spalding | | |
| **Terminal Date:** | 30th October 2020 | | |

**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**

Sections 12 and 16 of the National Planning Policy Framework (2019)

**Representations:**

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

CASE OFFICER ASSESSMENT

**Proposal**

This full planning application is for the creation of a two storey rear extension at 100 London Road, Spalding.

The proposed extension would be flat roofed in style and would protrude from the existing rear by 4m, and would feature a new rear door and windows, in UPVC, matching the extant material in the rear elevation.

Furthermore, the proposal includes the installation of 3 rooflights on the extant, southern roof pitch as well as a single-ground floor window on the Southern elevation.

**Site Description**

100 London Road is a semi-detached late C19th property, sitting within the prominent riverfront portion of the Spalding Conservation Area, right on the southern boundary.

The building itself, in addition to its surroundings is not particularly characterful or noteworthy and all properties in the immediate area have varying degrees of late C20th alterations/interventions. The area in general is characterised by a range of C19th, 20th and 21st residential development, and the adjacent riverfront.

## History

H16-0936-08

Conversion of single dwelling into one pair of dwellings to include rear extensions. Approved on 09-02-09

H16-0207-09

Details of external doors and windows (Conditions 4 and 5 of H16/0936/08). Approved on 30-03-09

## Consultation Responses

None received.

## Planning Considerations

Heritage Impact

The Local Planning Authority does not consider this application to present any risk to the character or value of the Spalding Conservation Area. Whilst the design, nor the materials are particularly high quality given the conservation area setting, given that neighbouring properties have been allowed or have achieved similar developments via permitted development rights, it would be unreasonable to hold this proposal site to a higher standard. As the proposed extension is so similar to neighbouring developments, it is considered that this proposal would have a neutral impact upon the value or character of this portion of the Conservation Area.

Furthermore, the proposed extension would not be visible from public elements of the Conservation Area, as St Thomas' Road (the only public realm area that this would be viewable from) is not within the Conservation Area for Spalding, with London Road, to the front of the property the only public, Conservation Area land where 100 is visible from.

For the above reasons, due to the minimal impact this proposal would have upon its immediate surroundings, this application is considered to help to preserve the historic environment, in accordance with Section 16 of the National Planning Policy Framework (2019)

Design and Layout

The Local Planning Authority seeks no amendment to the design or layout of the proposals. The design of the extension is considered acceptable in its setting as outlined above in the 'Heritage Impact' portion of this report. The proposed layout is deemed appropriate to serve the suggested use of the extension

Residential Amenity

The Local Planning Authority does not consider there to be any risk of a negative impact upon neighbouring residential amenity presented by this application. This is because the proposal does not include any new windows which will enhance the risk of overlooking to any property. Furthermore, as the extension only seeks to protrude from the rear elevation by 4m which will still not be flush to the rear of the neighbouring properties, so no overshadowing risk is present. Moreover, no objections have been received from local residents.

## Conclusion

For the reasons listed above, this application is found to be in accordance with Policies 1, 2, 3 and

29 of the South East Lincolnshire Local Plan (2019) as well as Sections 12 and 16 of the National Planning Policy Framework (2019). Therefore, this application is recommended for approval.

## 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.