DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H16-0896-19**	**Applicant:**	**Mr J Elves**
Proposal:	Proposed extension and alterations		
Location:	Netherway Horseshoe Road Spalding		
Terminal Date:	1st November 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	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is an application for proposed extensions and alterations at Netherway, Horseshoe Road, Spalding. Alongside internal alterations the proposal seeks to provide a covered entrance and double garage to the side elevation with a lounge to the front elevation. A first floor extension above the proposed garage projection seeks to provide a bedroom, dressing room, en-suite and bathroom. At first floor level, windows will be sited to the front with a high-level window and two rooflights serving the bathroom and en-suite to the rear.

Site Description

The proposal is within defined settlement limits and the surrounding area is characterised by

dwellings of varying ages and design.

History

H16-1444-89

Full - Erect house with garage and vehicular access - Approved - 11 January 1990

H16-0215-92

Outline - Residential Development including means of access (and position of distributor road) - Approved - 24 June 1994

H16-0307-94

Outline - Erect house with garage and vehicular access - Approved - 12 May 1994

H16-0473-95

Full - District distributor road - phase one - Approved - 27 December 1995

H16-1177-95

Full - District distributor road and junction positions - Withdrawn - 22 February 1996

H16-1180-95

Section 73 - Modification to phasing of residential development and to phasing and location of link road - Approved - 23 January 1996

H16-0157-96

Full - District distributor road, link road and junction positions - Approved - 20 December 1996

H16-0261-96

Section 73 - Removal of limitation on number of dwellings erected prior to road closure - Approved - 10 July 1996

H16-0469-96

Full - Erect dwelling and garage - Approved - 22 July 1996

H16-1145-96

Outline - Residential development including means of access (and position of distributor road) (Renewal of H16/0215/92) - Approved - 16 October 1997

H16-0655-98

Condition Compliance - Fencing details to side & rear of No. 99 Bourne Rd, Spalding (Condition 2 of H16/0473/95) - Approved - 03 August 1998

H16-0510-99

Reserved Matters - Erection of 74 dwellings, estate road and ancillary works - Approved - 24 January 2000

H16-1009-10

Full - Proposed extensions and alterations - Approved - 10 February 2011.

Consultation Responses

Member of the public - 1

Will a boundary fence be erected once the garage has gone? (Agent e-mail 03 October 2019 confirms fencing to match existing will be sited along boundary.)

Planning Considerations

- Principle of development
- Impact on neighbour amenity

Principle of development / Impact on neighbour amenity

There is not considered to be any material harm to neighbouring residential amenity from overlooking or overshadowing. The proposed two-storey extension is subservient in scale to the existing dwelling. 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. Materials are to match those of the existing dwelling and will be conditioned as such.

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.

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.