DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H16-0929-20**	**Applicant:**	**Manurq Global Services Ltd.**
Proposal:	Single storey rear extension		
Location:	22 Edward Road Spalding		
Terminal Date:	27th November 2020		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019
National Guidance **National Planning Policy Framework 2019**

Representations:

	Object	Support	No Obj.	Comments

CASE OFFICER ASSESSMENT

Proposal

This is a larger home extension application for a proposed single storey rear extension at 22 Edward Road, Spalding.

Site Description

The property is a semi-detached dwelling situated in a predominantly residential area of Spalding. The dwellings in the surrounding area are of a similar age and design, mostly with large and long gardens to the rear. The dwelling is set back from the road and sits directly opposite Poplar Court. There is a grassed front garden, with a 1m fence as the boundary treatment. To the side elevation of the dwelling, there is a concrete driveway which leads to the 2m fence and gate of the rear garden. The rear garden is spacious and long, with a mixture of concrete, gravel and grassed surfaces. There is no overlooking to the western boundary due to the high conifer hedges which provide natural privacy onto the rear garden of this property.

History

No relevant planning history.

Consultation Responses

No consultation responses received.

Planning Considerations

Para G of Class A, Part 1, Schedule 2 of the General Permitted Development Order 2015 (as amended) (GDPO) states that development would not be permitted if "the enlarged part of the dwellinghouse would have a single storey and (i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or (ii) exceed 4 metres in height".

The proposed extension would project from the rear elevation by a maximum of approx. 5.3m, with a maximum overall height of approx 2.7m, with the extension being flat roofed. These measurements meet the requirements of Class A, Part 1, Schedule 2 of the General Permitted Development Order 2015 (as amended).

The agent has confirmed that the proposed materials to match the existing materials including the facing brickwork and UPVC windows and doors.

It would comply with all other requirements in the regulations pertaining to area of curtilage covered and would not extend beyond the principal elevation or a side elevation fronting a highway.

Conclusion

In light of the above considerations the proposal is considered to be in accordance with Class A, Part 1 of Schedule 2 of the General Permitted Development Order 2015 (as amended).

The recommendation is therefore to approve.

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.