

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H16-0954-19 **Applicant:** Mr T Eccles
Proposal: First floor and rear extension with alterations
Location: 147 Pennygate Spalding
Terminal Date: 27th 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

CASE OFFICER ASSESSMENT

Proposal

This is an application for first floor and rear extensions with alterations at 147 Pennygate, Spalding. The proposal seeks to provide a lounge / diner extension at ground floor level that projects 4.5 metres from the original rear wall. The ground floor extension / alterations are unaltered from those approved under application H16-0780-18. Within the existing and proposed roofspace, two bedrooms, a shower room and a store are sought. A rear elevation window will serve one bedroom with a front elevation window serving the other bedroom. Three rooflights will be installed in the eastern roof slope with two rooflights in the western roof slope.

The previously approved application under H16-0780-18 sought a study at first floor level in the proposed extension with one less rooflight required and the rear elevation window remaining.

The northern (rear) and western (side) elevations are to be facing brickwork, with the southern (front) and eastern (side) to be rendered. A confirmatory email received 02 October 2019 states that

the roof will project no further than the existing and will be sited solely on land within the applicant's ownership.

Site Description

The proposal is within defined settlement limits and the surrounding area is characterised by dwellings of varying ages and design.

History

H16-0976-13

Full - Two-storey rear extension - Approved - 10 February 2014.

H16-0780-18

Full - Rear extension and alterations - Approved - 11 September 2018.

Consultation Responses

None

Planning Considerations

- Principle of development
- Impact on residential amenity

Principle of development

The two previously approved applications on this site in 2012 and 2018 were for a similar two storey proposal. The application under H16-0780-18 sought a study at first floor level in the proposed extension with one less rooflight required and the rear elevation window remaining. The design, scale and layout is considered to be appropriate for the site.

Impact on residential amenity

There is not considered to be any material harm to neighbouring residential amenity from overlooking or overshadowing and there is not a material impact on the character of the surrounding area. Other than the use of the first floor extension element altering from a study to a bedroom there is not a material difference from the proposal approved in 2018 as they are both habitable rooms.

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.