DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H16-1005-19**	**Applicant:**	**Mr M A Kadir**
Proposal:	Proposed two-storey extension and alterations (re-submission of H16-0510-19)		
Location:	12 Osier Road Spalding		
Terminal Date:	9th December 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. Achieving well-designed places

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

This is a re-submission of the householder planning application ref. H16-0510-19 for proposed extension and alterations to the property at 12 Osier Road, Spalding.

The reason for the re-submission is the replacement of the two front gable elements and hipped roof proposed with a side gable roof.

Site Description

The site is within the settlement boundaries of Spalding as shown in the Inset Map 2 of South East Lincolnshire Local Plan, 2019.

The location is purely residential characterised by individually designed houses accessed by a cul-

de-sac street layout. The site is on the southern side of Osier Road. The pattern observed along the street scene is of traditional 'brick-and-tile' two-storey houses with flat roofed garage on the side. The applicant's property is one of them. There is limited variety in design and appearance along the road.

History

H16-0510-19 - Proposed extension and alterations - Approved

Consultation Responses

None

Planning Considerations

Layout and design

The external materials and internal layout would remain as previously approved. No material alterations are being proposed with this re-submission other than the aforementioned roof.

The roof alteration would not create any detrimental impact upon the building appearance and wider street scene in comparison with the proposal formerly approved. There are other examples of such roof types along Osier Road so it would not be contrary to the established pattern of design in the vicinity.

Impact upon residential amenity

The proposed new roof arrangement would not have a material adverse impact on neighbouring properties. It would come closest to no. 14 adjacent but there are no windows on the facing side elevation. The proposed development would come no closer to no. 10 than the existing dwelling, the ridge height would not be significantly altered and the only window on the facing elevation of that property is to a landing.

Conclusion

In light of the above, the proposed development is considered to be in accordance with Policies 1, 2 and 3 of South East Lincolnshire Local Plan, 2019 and Section 12 of the National Planning Policy Framework, 2019.

It is therefore recommended to approve this application via delegated powers.

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.