DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H16-1217-21**	**Applicant:**	**Mr M Kadir**
Proposal:	Erection of two storey rear and side extension - retrospective - Re-submission of H16-1005-19.		
Location:	12 Osier Road Spalding		
Terminal Date:	20th January 2022		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

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 retrospective householder planning application for the erection of two storey rear and side extension.

It is a re-submission of a previously approved application (H16-1005-19) which proposed some minor alterations to include the following:

·Changing one first floor window on the front elevation
·Removal of one ground floor window in the side elevation
·Increasing the size of the roof lantern on the ground floor rear extension
·Reduce the width of the driveway

·1.8 metre high timber fence along the north-west and south-east boundaries
·Reduce depth of ground floor rear extension from 3.2 metres to 3 metres

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

H16-1005-19 - Proposed two-storey extension and alterations (re-submission of H16-0510-19) - Approved

Consultation Responses

None received.

Planning Considerations

Layout and design

Paragraph 130 of the National Planning Policy Framework (NPPF), 2021 establishes that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area; are visually attractive as a result of good architecture and sympathetic to local character and history, including the surrounding built environment and landscape setting; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, among other considerations. Likewise, Policy 2 of the SELLP states that design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable.

The proposed changes are relatively minor and would not significantly change the overall appearance of the previously approved scheme.

As such the proposed development is considered to comply with the aforementioned policies on design, layout and impact upon the character of the local area.

Impact upon residential amenity

The proposed changes are minor and do not result in any unacceptable impact on neighbouring amenity.

As such the proposal would accord with Paragraph 130 of National Planning Policy Framework (2021) and Policies 2 and 3 of South East Lincolnshire Local Plan (2019).

Parking

In connection with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum requirements for car parking provision. The proposed changes would not change the parking requirement for the site but would reduce the width of the driveway slightly. However, 2no off-street parking spaces would still be retained in the driveway and one in the garage therefore the scheme is considered to comply with the current parking standards

Planning Balance

The proposal will not materially harm the character or appearance of the locality, amenity of nearby residents or result in highway implications. The planning balance is therefore considered to be in

favour of the proposal.

CONCLUSION

In light of the considerations above, the proposal is considered to be in accordance with Policies 2, 3 and 36 of the South East Lincolnshire Local Plan (2019) and Section 12 of the National Planning Policy Framework (2021).

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.

RECOMMENDATION

The application can be approved under delegated powers.