DECISION DELEGATED TO DEVELOPMENT MANAGER

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| **Application No:** | **H18-0185-21** | **Applicant:** | **Mr & Mrs A Kilbon** |
| **Proposal:** | Proposed Single Storey Rear Extension | | |
| **Location:** | 22 Allenbys Chase Sutton Bridge Spalding | | |
| **Terminal Date:** | 5th April 2021 | | |

**Planning Policies**

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

**Representations:**

| | Object | Support | No Obj. | Comments |
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CASE OFFICER ASSESSMENT

**Proposal**

This is an application to determine whether prior approval is required or not for proposed rear single storey extension to the property at 22 Allenbys Chase, Sutton Bridge, Spalding.

**Site Description**

The site forms part of the built-up area of Sutton Bridge. The area is purely residential. Semi-detached dwellinghouses predominate the character of the area. The property is also of such type and adjoins No. 21. The front drive is fully paved and the rear garden has a trapezoidal shape and is laid in grass.

**History**

None.

**Consultation Responses**

None.

**Planning Considerations**

Paragraph A.1(g) of Class A, Part 1, Schedule 2 of the General Permitted Development Order 2015 (as amended) (GDPO) states that house enlargements not on article 2(3) land nor on a site of

special scientific interest 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".

Paragraph A.2(a) also states that "development is permitted by Class A subject to the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse"

The application is not on article 2(3) land nor on a site of special scientific interest. The dwelling is semi-detached.

After demolishing the existing lobby, the proposed extension would protrude a maximum of 3.3 metres from the original rear wall of the dwelling. The maximum height cannot be measured on the proposed drawings, but it would be 2.9 metres in accordance with the application form.

No details of the external materials have been submitted. An information note shall be added to the prior approval notification to remind the applicant to prevent any non-compliance in this regard.

## Conclusion

No representations have been received.

Having regard to the mentioned above, the proposals constitute permitted development in accordance with Class A of Part 1 of Schedule 2 of Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Prior approval therefore will not be required from the Local Planning Authority before the commencement of works.

## 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.