DECISION DELEGATED TO HEAD OF PLANNING

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| **Application No:** | **H03-0308-23** | **Applicant:** | **Mr A Berry** |
| **Proposal:** | Proposed Single Storey Side Extension | | |
| **Location:** | 16 Barley Grove Deeping St Nicholas Spalding | | |
| **Terminal Date:** | 7th August 2023 | | |

**Planning Policies**

**South East Lincolnshire Local Plan - Adopted: March 2019**

| | |
|---|---|
| 02 | Development Management |
| 03 | Design of New Development |

**National Guidance**

**National Planning Policy Framework 2021**

Section 12 - Achieving well designed places

**Representations:**

| | Object | Support | No Obj. | Comments |
|---|---|---|---|---|
| PARISH COUNCIL | 0 | 0 | 0 | 0 |
| WARD MEMBER | 0 | 0 | 1 | 0 |
| HIGHWAYS & SUDS SUPPORT | 0 | 0 | 0 | 1 |
| WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD | 0 | 0 | 0 | 1 |

CASE OFFICER ASSESSMENT

**Proposal**

This is a householder application seeking permission for a single storey side extension at 16 Barley Grove. The development would measure at 2800mm in height, 3000mm (front width) and 4000mm (rear width).

## Site Description

The site is within the settlement boundary of Deeping St Nicholas, as outlined within the South East Lincolnshire Local Plan, 2019 (SELLP). The dwelling is a three storey house and is of a similar size to other houses in this area as many other dwellings are three storeys. It is made of brick with a tiled roof and white uPVC windows. It is the end property down a private drive that it shares with four other dwellings. There is a boundary fence on all surrounding the property with a shed to the side in the garden which will be removed to make room for the proposal.

## History

No relevant planning history.

## Consultation Responses

Councillor A Harrison

Received no objections and cannot see any reason to refuse permission.

Lincolnshire County Council Highways

No objection.

Welland & Deepings Internal Drainage Board

No comment.

## Planning Considerations

Layout, Design, Size and Scale

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, that they are visually attractive, as a result of good architecture, and are sympathetic to local character. 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 development will have a flat roof and be 2800mm in height, the other measurements are 3000mm width at the front and 4000mm width at the rear and it will run the same length as the house front the front to the back. The width of the extension increases towards the rear and therefore comes out at a slight angle to allow more space internally. Whilst flat roofed extensions would not be supported, in this instance the positioning of the extension on the corner of the cul-de-sac and largely hidden by the host dwelling, the proposed design is acceptable and will not impact the overall character of the surrounding area. These measurements are considered to be proportionate to the dwelling in terms of scale, size and bulk.

The materials being used for the development will match the existing for the most part, the dwelling is made of red brick for the walls and the extension will be made of red brick on the front elevation with the side and rear elevations to be made from rendered block work. The windows will match the existing as both will be made of white uPVC. The roof on the existing property is grey clay tile, however the roof on the development will be EDPM rubber membrane with proposed 2m x 1m roof lantern in the centre. Overall, most of the materials being used are in keeping with the area and therefore ensures that there won't be any visual discrepancies.

At the side of the property there is a small garden shed, it appears that this will be demolished or relocated to make way for the single storey side extension as it will protrude in the direction in which the shed is currently situated. Following on from the addition of the extension two windows will be removed to create an opening and access between the dwelling and the extension with RSJ being installed in this area. To make up for the potential loss of light internally there will be the addition of a window at the front and the rear, there will also be a roof light in the ceiling. A hedge to the south-east will have to be trimmed to create more space in this specific area and therefore allow room for the extension to be built. Finally, the fence at the front of the property will be removed and the new

extension will act as the boundary treatment and will be level with the front elevation of the existing dwelling.

Impact upon Resident Amenity

Paragraph 130 of the NPPF amongst other matters, seeks places with a high standard of amenity for existing and future users. Policies 2 and 3 of the SELLP set out residential amenity and relationship to existing development and land uses as main considerations when making planning decisions.

There will be the addition of two new windows on the proposed extension, one at the front and one at the rear. The window at the rear will be facing into the garden and the window on the front elevation will face in the same direction as already existing windows on this side towards a house across the road. There is an adequate distance to this property and as the development is single storey in nature it is safe to assume that it would not lead to material or unacceptable overlooking into neighbouring properties.

Based on similar reasons as already mentioned, no overshadowing will occur based on the proposal. It is an adequate distance from any neighbouring property and will be situated on the other side of the house from existing neighbours. This further benefits it as it will ensure that no overshadowing is casted onto other residents. Therefore, there will be no material loss of amenity.

Planning Balance

The proposed single storey side extension will not materially harm the character or appearance of the area. There will be no material adverse impact upon residential amenity that will arise from overshadowing or overlooking. The design, layout, size and scale will be in keeping with the local area.

It is therefore in accordance with Policies 2 & 3 of the SELLP and Section 12 of the NPPF, the planning balance is therefore in favour of the proposal.

## Conclusion

The recommendation is for a delegated approval.

## 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.