DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H03-0636-22**	**Applicant:**	**Mrs M Winston**
Proposal:	Single Storey Side Extension to Create Accessible Bathroom		
Location:	28a Coronation Avenue Deeping St Nicholas Spalding		
Terminal Date:	22nd August 2022		

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	1	0
WARD MEMBER	0	0	0	0
RESIDENTS	0	0	0	1

CASE OFFICER ASSESSMENT

PROPOSAL

This is a householder application seeking permission for a single storey, flat roof side extension to a detached house to create an accessible bathroom. The extension would measure 4.49 metres (depth) x 2.69 metres (width) and stand at 2.8 metres in height. The extension would have a felt/fibreglass flat roof with facing brickwork to match the existing house. It would be set in 0.34 metres from the side boundary with 28 Coronation Avenue.

SITE DESCRIPTION

The application site is located on Coronation Avenue in Deeping St Nicholas. The site is located within the Deeping St Nicholas settlement boundary. The dwelling is red brick built with white door/window frames. The immediate area is primarily residential comprising semi-detached houses.

RELEVANT PLANNING HISTORY

H03-0718-15 Erection of Dwelling- Approved 02/10/15.

REPRESENTATIONS

Deeping St Nicholas Parish Council

No observations.

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; 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 extension would have a flat roof which is not considered ideal, however, given its small side projection and setback from the front elevation it would not appear overly prominent in the street scene. It would therefore not appear unduly incongruous within the street scene and would not materially harm the character/appearance of the locality. The extension would be set back from the front elevation and in line with the rear elevation of the existing dwelling therefore there would be an element of subservience. The proposed use of matching external elevational materials would ensure the extension is in keeping with the existing dwelling.

There would remain sufficient space to park 2 cars.

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

Impacts upon Residential Amenity

Paragraph 130 of the National Planning Policy Framework (2021) amongst other matters seeks places with a high standard of amenity for existing and future users. Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) set out residential amenity and relationship to existing development and land uses as main considerations when making planning decisions.

The closest neighbour to the proposed development is 28 Coronation Avenue. The proposal would bring the extension to within 0.34 metres of the boundary, however, given the modest height of the proposed extension the proposal is not considered to result in any overbearing impact or unacceptable overshadowing. There are no side facing windows proposed to result in any overlooking.

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

Planning Balance

The proposal will not materially harm the character or appearance of the locality or amenity of nearby residents. 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 and 3 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

It was considered by chairman's panel on 5th August as a delegated approval. It is therefore, deemed that the application be approved under delegated powers.