

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H04-0395-20 **Applicant:** Mr B Nichols
Proposal: Extensions and Alterations
Location: 36 Orchard Close Donington Spalding
Terminal Date: 15th July 2020

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

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
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	1	0

CASE OFFICER ASSESSMENT

Proposal

This is a householder application for extensions and alterations at 36 Orchard Close, Donington.

Site Description

The property is a detached two storey dwelling, which is surrounded by other properties of similar age and design.

The dwelling is set back from the road, with a large gravelled driveway and grassed front garden with no boundary treatment. It is situated on a spacious plot, with a large rear garden that overlooks open farmland. There is approx. 1.8m high fencing on all 3 sides to the rear.

History

No relevant history.

Consultation Responses

Councillor S C Walsh - No observations

Planning Considerations

Size and Scale

The proposed development includes a two-storey extension projecting from the rear elevation. It would extend out by approx. 3.6m from the rear elevation and be approx. 8.6m wide. The ridge height would be marginally lower than existing. There would also be two new single-storey extensions for a log store and as part of the dining area. The log store will be built off the eastern side elevation of the dwelling, and would project approx. 1.3m eastwards and be the full depth of the existing garage. The other single -storey element would be to the rear, adjacent to the new two-storey extension and is small scale.

Taking into account the size of the existing property and plot, the size and scale of the proposed development is considered acceptable and in accordance with Policies 2 and 3 in the South East Lincolnshire Local Plan, 2019 in respect of this.

Layout and Design

The proposed rear extensions will accommodate a new dining/family area at ground floor and a larger bathroom, as well as new dressing room and ensuite at first floor. This is in keeping with the residential use of the property.

The proposal is for external materials to match the existing materials including the brick type, roof tiles and PVCu windows. The proposed roofing to the rear extension will be a gable roof design, as well as a lean-to style roof to the side of the rear extension on the southern elevation, which is a single storey. Both roof designs blend in well with the host dwelling.

Taking the above into account, the proposed layout and design is considered to be acceptable and accords with Policies 2 and 3 in the South East Lincolnshire Local Plan, 2019 in this regard.

Impact upon Residential Amenity

The proposed extensions to the rear are not considered to be overbearing in nature due to the large rear garden and distance from adjoining boundaries (6.2m to the west and approx. 6.5m to the east). The log store off the eastern elevation would only be single-storey with a lean-to roof so should also not be overbearing.

In addition, overlooking is not considered to be an issue. The new windows to the rear elevation will effectively replace the existing and there are no dwellings to the rear of the dwelling. There will be an additional window to the family bathroom, which would be situated to the eastern elevation. However, this does not cause any issues of overlooking as it would be obscure glazed.

As the rear of the property is south facing it is not considered that overshadowing of neighbouring properties will be an issue. The extension to the east of the dwelling, which is proposed as a log store, will not have an overshadowing effect due to the single-storey nature.

The proposal therefore complies with Policy 3 in the South East Lincolnshire Local Plan, 2019, in regard to residential amenity and is deemed as acceptable.

Conclusion

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

The recommendation is therefore 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.