DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H04-0501-21**	**Applicant:**	**Mr Redman**
Proposal:	Proposed two storey side extension, single storey rear extension and garage conversion		
Location:	12 Chestnut Avenue Donington Spalding		
Terminal Date:	1st July 2021		

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 2019

Section 12- Achieving well designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	1	0	0
RESIDENTS	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a householder application seeking permission for a proposed two storey side extension, single storey rear extension and garage conversion to the property at 12 Chestnut Avenue, Donington.

Site Description

The site is situated within the settlement of Donington, according to the South East Lincolnshire Local Plan 2019.

The semi detached dwelling is located in a predominantly residential part of Donington, surrounded by dwellings of a similar age and design. The property is on the western side of Chesnut Avenue and is set back from the road. The dwelling has a long driveway which is situated to the front and south side of the dwelling. There is also a small front garden and a detached garage that is set back from the dwelling, which is typical of the dwellings in the area. The rear garden has side access and is a spacious size.

History

No relevant planning history.

Consultation Responses

Cllr J L King- Support- Looks a suitable extension for a growing family and would appear to be in keeping in this area.

Member of the public (1 comment) - Recommendation for a planning condition requiring the installation of a minimum of 4 swift nest bricks to provide enhancement for biodiversity.

Planning Considerations

Layout, Design, Size and Scale

Paragraph 127 of the National Planning Policy Framework (NPPF), 2019 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 rear extension will protrude approx. 4.4m from the rear elevation with an overall width of approx. 6.6m. A new link will then be created to the existing garage, which will be converted and extended to become a bedroom. The garage will be widened by approx. 1.7m and a similar depth to existing. The two storey side extension will project from the southern side elevation by approx. 2.1m, with a large proportion at ground floor level remaining open and supported by 3 posts. Having regard to the existing dimensions of the house and plot it sits within, the proposed rear extension and two storey side extension are acceptable in terms of scale, mass and bulk.

Facing brickwork on walls, concrete roof tiles and UPVC fenestration will match those existing in the property. Thus, the development will appear well blended with the fabric of the house and visual amenity will not be undermined.

A flat roof is proposed to the extensions to the rear but due to their positioning will not impact adversely on the overall character of the surrounding area and is considered acceptable. The side extension roof structure will be formed as a gable roof, with a dormer window which will compliment the existing roof.

Internally, the purpose of the development is to gain further internal floor space for enlarging and creating new rooms inside the house. This includes an open plan kitchen, living and dining space, as well as a ground floor bedroom with an additional shower room to the ground floor. The first floor extension will add a study room or 5th bedroom, enlargement of the bedroom 3 and a large shared family bathroom. Overall, the proposals will ensure good living conditions for the house occupiers and are in keeping with the residential use of the property.

Taking the above into account, the proposed extensions are deemed to comply with Policies 2 and 3 in the SELLP, 2019 and Section 12 in the NPPF, 2019 in terms of layout, design, size and scale.

Impact upon Residential Amenity

Paragraph 127 of National Planning Policy Framework (2019) amongst other matters seeks places with a high standard of amenity for existing and future users. Policies 2 and 3 of 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 proposed ground floor windows include an obscured glazed window to the front elevation at ground floor of the side extension. There will also be an additional small raised window to the side elevation from the additional living space. To the rear of the proposed extension, an addition of a small window facing the rear garden and also an additional French doors and window from the proposed bedroom. The ground floor windows are not considered to create an overlooking aspect as the only existing facing window to the south is obscure glazed and there is a minimum 21 separation distance to the property to the rear. To the first floor extension, there is a proposed window to the bathroom which is obscure glazed and a window to the side elevation to a study. The latter would face the neighbouring obscure glazed window.

It is not considered that the proposed extensions would be overbearing or cause overshadowing of neighbouring property. The extensions to the rear are single storey in scale and the side extension faces an obscure glazed window.

Taking the above into account, the proposed extensions are deemed to comply with Policies 2 and 3 in the SELLP, 2019 and Section 12 in the NPPF, 2019 in terms of residential amenity.

Parking Provision

In connection with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum requirements for car parking provision. 3 no. car spaces must be provided within the curtilage for dwellings of more than 3 no. bedrooms.

There are two spaces maximum within the curtilage of the property, with no on-plot turning. There is an option for on-street parking which, on balance, would be acceptable.

Planning Balance

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise.

The proposed extensions do not materially harm the character or appearance of the locality or amenity of nearby residents. It is therefore considered to be in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

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.

Conclusion

The recommendation is for a delegated approval.