DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H04-0652-20**	**Applicant:**	**G Bemrose & J Jenkins**
Proposal:	Extension & Alterations		
Location:	39 Ash Court Donington Spalding		
Terminal Date:	5th October 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- Acheiving well designed places.

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

This is a householder application for proposed extensions and alterations to the property at 39 Ash Court, Donington.

Site Description

The property is a detached bungalow situated in a predominantly residential part of Donington. The bungalow is set back from the road and had a large grassed front garden with a 1m high hedging as the boundary treatment to the western boundary. The rear garden is good size, considered the size of the bungalow. The garage is well set back, therefore there is a large driveway.

The plot is relatively narrow, and the bungalows in that area are situated on similar plots, all of

which are a similar age and design.

History

No relevant planning history.

Consultation Responses

Cllr S C Walsh- Concerns over blockage of natural light for neighbours, overlooking concerns.

Planning Considerations

Layout and Design

The proposed extension and alterations include several changes. Firstly, the lounge to the front section of the property would be extended in the form of a bay window feature to the front of the bungalow. Secondly, the kitchen at the front will be replaced with a bedroom and the kitchen will be moved to the rear section of the dwelling, where the second bedroom was originally situated. The current master bedroom to the rear will be extended, and an ensuite created. The extension off of the original master bedroom will include a roof window to add natural light, as well as more storage space. Lastly, the new kitchen will be extended to accommodate a new dining area which will have French doors opening to the rear elevation onto the garden. There will also be a roof window to allow natural light into the proposed extension.

The proposed roof design for both extension will be a gable roof which will compliment well the original gable roof design. The layout of the proposed extension and alterations will not add any additional height to the property, and will all be of a single storey design.

Additional windows will be added to the northern and southern elevations in the proposed kitchen and master bedroom.

Size and Scale

The proposed front extension would project approx. 1.3m from the existing elevation and be approx. 2m in width.
The rear extension is proposed to be a maximum width of approx. 5.1m and a maximum length of approx 4m in the dining room and a minimum length of approx. 2.9m in the master bedroom. The height of the extensions is lower that the original dwelling.

The proposed size and scale of the extensions are therefore considered to be subservient with the host property.

Therefore the proposal complies with Policies 2 and 3 in the SELLP, 2019 in terms of size and scale and are therefore deemed as acceptable.

Impacts upon Residential Amenity

It is not considered that the proposed extensions would have a material adverse impact on residential amenity.

The proposal is for a minor single storey (bay window) extension to the front and a small extension to the rear. Furthermore, the existing garage lies between the proposed extension and the property to the north, meaning that the extension is approx. 5m away from that property. In terms of height, the ridgeline on the rear extension would be staggered but both would be lower than the existing ridge height of the main dwelling and would be subservient to the host property. It is therefore not considered that the rear extension will have a detrimental overshadowing or overbearing impact on neighbouring properties.

There will still be sufficient amenity space in the rear garden for the current residents to enjoy, and the proposed extension will help to combine both the indoor with the outdoor space due to the French doors which will open out of the proposed dining room.

As the host property and neighbouring properties are all bungalows it is deemed that this proposal would not result in detrimental overlooking.

Therefore, taking the above into account, it is not considered that the proposed extensions will have an adverse impact upon residential amenity, and it therefore complies with Policies 2 and 3 in the South East Lincolnshire Local Plan, 2019 and Section 12 in the NPPF, 2019 in this regard.

Conclusion

In light of the considerations above the proposed development is 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 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.