DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H04-0732-20**	**Applicant:**	**Mr & Mrs C Chapman**
Proposal:	Proposed single storey side extension		
Location:	26 Maple Way Donington Spalding		
Terminal Date:	2nd November 2020		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development

National Guidance

National Planning Policy Framework 2019

Section 12 of the National Planning Policy Framework (2019)

12 - Achieving well-designed places

Representations:

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

CASE OFFICER ASSESSMENT

PROPOSAL

This is a householder planning application for a proposed single storey side extension at 26 Maple Way, Donington. The proposal seeks to provide a southern side elevation extension that contains a kitchen, utility and wc. The proposal projects approx. 4.388 metres from the wall and is 0.6 metres from a 0.9 metre high picket fence at the boundary with 24 Maple Way at the nearest point. A blank section of the side elevation wall of 24 Maple Way is a further 1.4 metres beyond. The eaves height of the extension is 2.6 metres with a maximum apex height of 3.84 metres. Materials of construction would be to match those of the existing dwelling.

SITE DESCRIPTION

The proposal is within the defined settlement limits of Donington. The surrounding area is characterised by single storey dwellings of a similar age and design.

HISTORY

None relevant.

CONSULTATION RESPONSES

None received.

PLANNING CONSIDERATIONS

Principle of development

The proposal is within the defined settlement limits of Donington and is for a residential extension on residential land. The principle of development is therefore considered to be acceptable.

This proposal is assessed against SELLP Policy 2 titled - Development Management. This policy states:

"Proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to:
1. size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses;
2. quality of design and orientation;
3. maximising the use of sustainable materials and resources;
4. access and vehicle generation levels;
5. the capacity of existing community services and infrastructure;
6. impactupon neighbouring land uses by reasonof noise, odour, disturbance or visual intrusion;
7. sustainable drainage and flood risk;
8. impact or enhancement for areas of natural habitats and historical buildings and heritage assets; and
9. impact on the potential loss of sand and gravel mineral resources."

When assessed against the above criteria the following can be observed:

1. The size, scale and layout of the proposed extension is considered acceptable for the site. There is no impact on trees from the proposal. The character and appearance of the area will not be impacted by the design or materials of construction, which will be in keeping with/match the existing property and wider area.

2. The proposed design is in keeping with the character of surrounding development. The orientation of the extension is typical for single storey extensions on properties of this type.

3. The materials of construction are to match those of the existing dwelling. Therefore, the proposal does not maximise sustainable materials and resources, as it would be the detriment of the built character of the surrounding area.

4. The proposal will not impact access and vehicle generation levels as it does not result in the reduction of parking facilities.

5. The proposal will not impact community services and infrastructure.

6. Noise, odour and disturbance will not impact 24 Maple Way. There is not considered to be material visual intrusion from the proposal. The proposed kitchen window does not directly face the side elevation window of 24 Maple Way and the proposed extension would sit further back than the window meaning that it would not be unduly overbearing or cause overshadowing.

7. The proposal does not impact drainage or flood risk.

8. The proposal does not impact natural habitats, historical buildings or heritage assets.

9. The proposal does not impact sand and gravel mineral resources.

When assessed against the above the proposal is considered to be in accordance with Policy 2 of the South East Lincolnshire Local Plan. The design does not materially impact the character or amenity of the surrounding area.

Site levels

The topography of the site is flat and this is not considered to increase any overlooking or overshadowing to neighbouring properties.

CONCLUSION

In light of the above considerations the proposal is considered to be in accordance with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan, 2019, as well as Section 12 of the National Planning Policy Framework, 2019.

A delegated approval is considered to be appropriate.

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.