DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H04-0766-22**	**Applicant:**	**Kempston Associates**
Proposal:	Two storey side extension with garage and single storey rear extension		
Location:	8 Malting Lane Donington Spalding		
Terminal Date:	3rd October 2022		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
28	The Natural Environment
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

Section 12- Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
BLACK SLUICE INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a householder application, seeking permission for a proposed two storey side extension with garage and a single storey rear extension to the dwelling at 8 Malting Lane, Donington.

Site Description

The detached dwelling is situated within the defined settlement limits of Donington, according to the South East Lincolnshire Local Plan, 2019. The dwelling is situated on a spacious corner plot on the junction of Malting Lane and Chestnut Avenue, being set back from both of these roads. Malting Lane is mostly characterised by frontage development with most dwellings also set back from the road, varying in ages, size and design.

There is a large grassed front garden and space to the side of the dwelling, where there is also access to the rear garden.

History

H04-0810-19- FULL- Approved on 07-10-19- Two-storey side extension and single-storey rear extension.

Consultation Responses

Black Sluice IDB

The applicant's main proposal regarding the extension to the property does not affect the nearby pipeline. However, the Board notes that the applicant may be considering a new gate and wall, as well as additional planting, along the frontage of the property. If this is the case, then the applicant must submit an application to relax the Board's byelaw, and have received written consent from the Board, prior to any works taking place.

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 two storey extension will extend the overall width of the dwelling to approx. 10.4m. Attached to this will be a new single storey garage measuring approx. 6.2m deep by 4.7m wide. A single storey rear extension is also proposed, measuring approx. 2.5m deep by 10.4m wide. Two bay windows will be introduced to the front elevations on the ground floor and two front balcony bays to the first floor.

Overall, having regard to the existing dimensions of the house and plot it sits within, the proposed development is acceptable in terms of scale, mass and bulk.

The roof will match the roof pitch / ridge to the original dwelling, but be extended to form a hipped roof. The single storey rear extension will consist of a flat roof design. As much as flat roof extensions are not considered favourable, due to it being to the rear of the dwelling it will not impact on the overall character of the surrounding area and is considered acceptable. The attached garage will also have a pitched roof, which is considered to compliment the proposed pitched roof of the original dwelling.

The proposed materials include a white k render to the external walls, anthracite pvcu windows, concrete double roof tiles to match the existing. The proposed materials will create a modern and contemporary look to the dwelling and will have a positive input to the surrounding visual amenity. Rendered external walls can also be seen at no.14 Malting Lane.

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 additional reception room, a utility room, w/c, and a new kitchen and dining room to the ground floor. To the first floor, an additional bedroom will

be created with an ensuite, and a new ensuite bathroom to one of the existing front bedrooms. The attached garage will accommodate a single car space, with a new front elevation garage door.

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 two storey side extension and garage and the single storey rear extension are deemed to comply with Policies 2 and 3 in the SELLP, 2019 and Section 12 in the NPPF, 2021 in terms of layout, design, size and scale.

Residential Amenity

Paragraph 130 of 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 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.

It is not considered that the proposal would overshadow or be overbearing to the neighbouring properties. Neither have side facing windows and the extension to the rear is only single storey. The dwelling would come no closer to the property to the north than existing and the dwelling to the south is separated by a road.

The rear elevation of the dwelling to the rear of the property (No.20 Chestnut Avenue) measures approx. 24m away. It is considered to have a sufficient separation distance, and would therefore, not have a detrimental impact upon overlooking upon residential amenity. The only side facing window faces south toward the road.

Taking the above into account, the proposed two storey side extension with garage and single storey rear extension are deemed to comply with Policies 2 and 3 in the SELLP, 2019 and Section 12 in the NPPF, 2021 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 with more than 3 no. bedrooms. The drive to the front is sufficient to accommodate at least two cars, with one single garage also.

Therefore, the proposed parking provision complies with Policy 36 and Appendix 6 in the SELLP, 2019.

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 two storey side extension with garage and single storey rear extension will 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.

Conclusion

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.