DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H04-0887-20**	**Applicant:**	**Miss J Ward**
Proposal:	Single storey side extension		
Location:	37 Gleed Avenue Donington Spalding		
Terminal Date:	4th December 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	0	0

CASE OFFICER ASSESSMENT

PROPOSAL

This is a householder planning application for a single storey flat roofed extension to the side of a semi-detached house. The extension would have dimensions of 6.443m by 4.94m and be constructed from brick with a felt/fibre glass flat roof. The extension would provide a bathroom, kitchen and dining room, with the existing dining room converted to a ground floor bedroom. These accessibility adaptions are required to meet the needs of a disabled person.

SITE DESCRIPTION

The property is a semi-detached house on a large corner plot. There is an existing single storey side addition, with white rendered walls and an asbestos corrugated sheeting roof. This is an established residential area characterised by semi-detached houses on relatively large plots.

RELEVANT PLANNING HISTORY

None.

REPRESENTATIONS

None.

PLANNING CONSIDERATIONS

Principle of development

The site is within the settlement boundaries of Donington as set out in the South East Lincolnshire Local Plan (SELLP), 2019. The principle of a house extension that is incidental to the enjoyment of a dwelling house is acceptable.

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 key material considerations are addressed below.

Design and layout

Paragraph 127 of 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 aim of the proposed development is to adapt the property to meet the functional needs of a disabled person. The proposed extension would have a width of 6.443 metres with a depth of 4.94 metres to the side of the house, set back from the front elevation but in line with the rear wall. Given this, and the single storey nature of the extension, it is considered that it would be subservient to the existing dwelling. Furthermore, it would not impact on the existing parking arrangements. It is therefore acceptable in terms of scale and size.

Flat roof side extensions are not usually preferred because of their unappealing appearance in conjunction with visibility from public vantage points. However, given the long established side addition, such a feature has been part of the property for many years and the proposal would represent an improvement. Therefore, on balance, it is not considered that there is a justifiable reason to refuse the proposal on design grounds.

In summary, the scale and height of the proposed extension is commensurate with the building and adjoining development. The extension would be constructed from bricks to match the existing house and would not detract from the visual amenity in the setting of the property. The development would meet the functional needs of the house occupier. For these reasons, this application complies with the aforementioned policies on design, layout and impact upon character of the local area.

Residential Amenity

The proposed extension is single storey in nature, therefore it is not considered that there would be a material adverse impact in terms of overshadowing or the development being overbearing for the neighbouring property, given the orientation of the plots and distances between the houses. Accordingly, the development complies with residential amenity which is one of the key principles of design and development management as set out in Policies 2 and 3 of SELLP (2019).

CONCLUSION

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

The application was referred to Chairman's Panel on 13 November 2020, where a delegated approval was agreed.

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.