DECISION DELEGATED TO DEVELOPMENT MANAGER
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Application No:	**H05-0257-21**	**Applicant:**	**Mr & Mrs T Twell**
Proposal:	Proposed single storey rear/side extension to existing dwelling		
Location:	27 East Gate Fleet Hargate Spalding		
Terminal Date:	7th May 2021		

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 application seeking permission for a proposed single storey rear and side extension to the dwelling at 27 East Gate, Fleet Hargate.

Site Description

The site is situated within the settlement of Fleet Hargate. The detached dwelling is situated in a predominantly residential area, with dwellings of a variety of ages and design. The rear garden is a reasonable size. A public footway adjoins the north-eastern boundary, beyond which is a pumping station. There is a dwelling to the rear (no.7 Haven Close).

History

No planning history relevant.

Consultation Responses

No consultation responses received.

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 extension will protrude from the south-eastern elevation by approx. 6.7m, with a width of approx. 5.2m. It would project beyond the side elevation by approx. 2m. Having regard to the existing dimensions of the house and plot it sits within, the proposed extension is acceptable in terms of scale, mass and bulk.

Facing brickwork on walls, concrete roof tiles and UPVC in fenestration and rainwater goods 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. The extension would project beyond the side elevation by approx. 2m and would thus be visible from the front, however it is single storey and thus would not have a material adverse impact on the character and appearance of the area.

A pitched roof will be formed to cover the proposed extension and will be in keeping with the existing roof structure of the property.

The purpose of the development is to provide an additional living space/garden room off the existing dining room which will be in keeping with the residential use of the property.

Taking the above into account, the proposed extension is 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

Windows would be situated on the western side elevation and the rear south-eastern elevation. To the western side elevation, bi-fold doors are proposed as well as two rooflights which will allow natural light into the proposed living space. These would be at an angle from neighbouring windows. To the rear south-eastern elevation, four vertical floor to ceiling windows are proposed. The separation distance from the dwelling to the south is approx. 17m, which is considered to be a sufficient separation distance to achieve adequate levels of privacy, given that the proposed windows are narrow.

It is not considered that the proposed extension would be overbearing or result in a material loss of light to neighbouring properties due to the single storey nature of the proposal and separation distances (approx. 4.6m to the south-eastern boundary, 9.4m to the south-western boundary and there is a pumping station to the east).

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

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 single storey rear/side 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.

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.