DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H09-0820-20**	**Applicant:**	**Mr Joof & Mrs Tointon**
Proposal:	Removal of existing flat roof wc and utility and replace with kitchen/sitting area with pitched roof		
Location:	19 East Elloe Avenue Holbeach Spalding		
Terminal Date:	20th November 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 application seeking permission for the removal of an existing flat roof, w/c and utility and replace with kitchen/sitting area with a pitched roof at 19 East Elloe Avenue, Holbeach.

Site Description

The property is a semi-detached dwelling situated in a residential area on a corner plot on the eastern side of East Elloe Avenue.

The dwelling is set back from the road with a grassed front garden with several low shrubs as the boundary treatment to the front. There is a gravelled driveway situated to the south of the dwelling.

The property has a large, spacious garden to the rear and has high hedges surrounding the rear garden which provide privacy for the current residents.

Dwellings in the vicinity are predominantly semi-detached and of similar design.

History

No relevant history.

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 approx. 4m from the existing side elevation. The total depth will be approximately 4.9m. The maximum height of the extension will measure 4.9m. Given these dimensions, the development is deemed to be subservient to the host property in terms of scale, bulk and massing.

The footprint of the extension will be slightly larger than the existing flat roof extension, which the curtilage will easily accommodate having regard to the site area and separation distances with the boundaries. The distances with the southern boundary will range from 4.9m to 7.2m from the front to the rear. These separation distances indicate that the form of development sits well within the site.

Internally, the extension will accommodate a kitchen and family room, with a new opening to the existing living room. The existing kitchen will be changed into a utility room and a w/c. The window and door to the rear elevation will be replaced with a large patio door. The small bathroom window and door will be removed and be replaced with a large window to the front elevation. A door will be added to the side wall from the kitchen. In view of the proposed floor layout, the proposed works are acceptable and the development is in keeping with the residential use of the building.

A gable end roof will be replicating the existing roof structure of the host property and will be a visual improvement when compared to the existing flat roof. The external walls will be facing brickwork and the roof tiles will be concrete tiles to match those existing to the property. The windows and doors will be a white upvc to match those of the existing.

In summary, the form of development has a sufficient sense of scale and hierarchy with the main property. The external appearance is appropriate in terms of visual amenity. The development will meet the functional needs of the householders. For these reasons, the design and layout of the proposals are acceptable and accord with the aforementioned policies at the top of this section.

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.

Impacts upon Residential Amenity

In addition to the above-mentioned distances to the boundary, the extension will be approximately a further 8.5 metres away from the adjacent property No. 21 to the south. At such a distance it is not considered that a single-storey extension of this nature would cause any adverse impact to the occupiers of the dwellinghouse No. 21 in terms of loss of light or overbearing effect. No windows are

proposed facing the direction of the neighbouring 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 residential amenity.

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 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.