DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H11-0677-23**	**Applicant:**	**Mr & Mrs P Chown**
Proposal:	Proposed Extension		
Location:	23 Midsummer Gardens Long Sutton Spalding		
Terminal Date:	25th September 2023		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019	
02	Development Management
03	Design of New Development

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
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a householder application seeking permission for a proposed extension at 23 Midsummer Gardens.

Site Description

History

No relevant planning history.

Consultation Responses

South Holland Internal Drainage Board

No comments.

Whilst the site falls below our threshold for commenting, I'd like to ensure the applicant is aware of the riparian watercourse/s adjacent to the site and the associated riparian responsibilities. Guidance on owning a watercourse is
available on the Government website https://www.gov.uk/guidance/owning-a-watercourse. Please note that consent would be required from the Board for any alterations or discharges to a watercourse, more information can be found on our website - https://www.wlma.org.uk/.

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, that they are visually attractive, as a result of good architecture, and are sympathetic to local character. 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 extension will protrude from the rear elevation by 4.3m and will have a width of 3.8m. It will be the same height as the existing rear elevation of the garage and slightly smaller than the main dwelling is. This will provide an adequate amount of additional floor space for the residents and can be considered as proportionate and acceptable. The design of the extension incorporates a gable roof which is in keeping with the host dwelling and the houses in the area and this is therefore acceptable.

The materials the development will be made of include the wall being cladded white composite shiplap where as the existing wall is made from bricks. It could be considered that by using this material the development will look out of place when compared to the existing house, however as the extension will be taking place at the rear it won't be visible from the highway and therefore should not impact the locality or the street scene.

Impacts Upon Resident Amenity

Paragraph 130 of the NPPF amongst other matters, seeks places with a high standard of amenity for existing and future users. Policies 2 and 3 of the SELLP set out residential amenity and relationship to existing development and land uses as main considerations when making planning decisions.

There will be no overlooking concerns following an approval as there is only one window facing a neighbouring property but there is adequate bushes and a high enough fence to reduce this impact and limit any potential overlooking that could arise. The window going at the rear elevation would have no impact on neighbouring properties due to its positioning and there being no dwellings behind. The single storey nature of the extension makes any overlooking very unlikely as the windows are at ground floor level and therefore there should be no material impact.

In regards to potential overshadowing this would also be very minimal due to there being trees and bushes on both sides of the elevations, this would benefit the proposal in such a way that it would reduce the potential impact and provide cover to neighbouring properties. The development would not be overbearing on the area or locality. Naturally, after the initial construction, which itself would take place over a short period of time, minimal additional noise pollution would be caused as a result of the development.

Planning Balance

The proposed rear extension would not materially harm the character or appearance of the area. There would be minimal overshadowing and overlooking as a result due to their being trees and bushes on the boundaries between the neighbouring properties. The overall design and materials being used are in keeping with the property in which the application is going.

This proposal is therefore considered to be in accordance with Polices 2 & 3 of the SELLP and Section 12 of the NPPF

Conclusion

The recommendation is 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.