DECISION DELEGATED TO DEVELOPMENT MANAGER

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H15-0575-21**	**Applicant:**	**Miss K Jackson**
Proposal:	First floor extension with exterior in cream render - retrospective		
Location:	4 Water Gate Quadring Spalding		
Terminal Date:	27th July 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
RESIDENTS	0	1	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a householder application seeking permission retrospectively for a first floor extension and a cream render exterior, to the property at 4 Water Gate, Quadring.

Site Description

The proposal site is within the defined settlement limits of Quadring. The surrounding area is characterised by buildings of varying ages and design. Crossroads Nurseries is sited beyond the

rear boundary to the north, with no.2 Water Gate to the west, Water Gate to the south and 6 Water gate to the east, with parking provision to the north of both 2 and 4 Water Gate.

History

No planning history relevant.

Consultation Responses

Public Comment:
No concerns and is a delicate balance of building finishes in the surrounding locality.

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 first floor rear extension protrudes approx. 2.5m from the original rear elevation, with a width and height of approx. 2.8m. Having regard to the existing dimensions of the house, the extension is acceptable in terms of scale, mass and bulk.

A flat roof is formed on the extension. 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.

A cream render finish to the exterior is proposed which is considered to be acceptable. Due to the extension being situated to the rear, it will not have an detrimental impact upon the character of the street scene and there are other properties in the vicinity with an element of cream render. The white upvc in fenestration and rainwater goods all match the existing.

Taking the above into account, the extension is 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.

Impact upon 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.

The window to the rear of the extension will not overlook neighbouring dwellings with Crossroads Nursery being situated directly to the north.

In addition, the extension is not considered to be overbearing or impact light levels to neighbouring properties. It projects no further to the rear than the two storey rear projection to which it adjoins, is no wider than the ground floor footprint and has a flat roof.

Taking the above into account, the retrospective extension is deemed to comply with Policies 2 and 3 in the SELLP, 2019 and Section 12 in the NPPF, 2021 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 first floor extension and proposed cream render finish does 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.