

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H16-0048-23 **Applicant:** Mrs A Janulaityte
Proposal: Proposed two storey extension and alterations
Location: 92 West Elloe Avenue Spalding
Terminal Date: 16th March 2023

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02 Development Management
03 Design of New Development
28 The Natural Environment
36 Vehicle and Cycle Parking
APPENDIX 6 Parking Standards

National Guidance

National Planning Policy Framework 2021

Section 12 - Achieving Well Designed Places

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a full application for a rear two storey extension at 92 West Elloe Avenue, Spalding. The extension will involve the removal of the existing conservatory.

The extension will have the same width as the existing dwelling (approximately 8200mm) and have the same height (approximately 5400mm to eaves). The extension will protrude 4500mm from the rear. This amounts to an increase in floor space of roughly 30 square metres.

The proposed extension's roof will be incorporated into the existing to create a large hipped-roof. The materials and finishes will match the existing property.

Two new windows will be created on the second floor, one facing east and one south. The eastern window will have obscured glass. On the ground floor, French doors will be created facing south.

Between the proposed extension and the edge of the eastern curtilage will be a separation distance of 1210mm. The extension will have a 1450mm separate distance to the west. To the south will be a distance of 20820mm.

Site Description

The property is a two-storey, detached house towards the northern end of West Elloe Avenue, approximately 75 metres from West Elloe Bridge. The immediate area is characterised by residential properties; however, to the north is the Bakkavor industrial site. The area is comprised of a mix of housing types, with bungalows neighbouring the property to the east and south, and two-storey houses to the west and north.

The property is constructed of red-brown bricks, with grey roof tiles. The doors and window frames are white UPVC. To the east of the entrance, there is an attached single garage with a white garage door. The curtilage to the front of the property is comprised of a paved driveway and a small, gravelled area. To the rear is a conservatory that will be demolished as part of this extension. There is a sizeable garden with a shed at its southern extremity.

There will be an approximate distance of 3800mm from the extension to the western dwelling's wall and 3600mm to the eastern dwelling's wall.

Relevant History

No relevant planning history.

Consultation Responses

No consultation responses received.

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 South-East Lincolnshire Local Plan (SELLP), 2019 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 brickwork and tiling will match the existing dwelling. Furthermore, the design of the extension's roof will be incorporated into the original. This will ensure the design is harmonious with the host dwelling as well as the wider area.

The scale of the extension (as described above) is deemed to be in keeping with the original property and would not be incongruous within the wider area.

Internally, the extension will consist of an additional bedroom and ensuite on the first floor alongside the addition of two dressing rooms. The ground floor alterations will consist of the creation of a new open plan living space. Overall, the proposals will ensure good living conditions for the house occupiers and are in keeping with the residential use of the property.

Taking the above into account, the proposed erection of two storey side extension is deemed to comply with Policies 2 and 3 in the SELLP and Section 12 in the NPPF in terms of layout, design, size and scale.

Impacts Upon Resident Amenity

Paragraph 130 of 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.

The proposed extension is not deemed as overbearing and considered subservient to the host property. It is also not considered that it would have an adverse impact in terms of overshadowing due to being situated a reasonable distance away from the neighbouring properties and not being sited to the south of either dwelling.

The additional eastern window will face onto the neighbouring bungalow. However, the glass will be obscured, preventing overlooking. The southern facing window is also not an overlooking concern due to the substantial distance to the neighbouring property to the south.

Parking Concerns

The addition of the fourth bedroom means an additional parking space will be required. In connection with Policy 36 of SELLP, Appendix 6 sets out the minimum requirements for car parking provisions. Three car spaces must be provided within the curtilage for dwellings with four bedrooms.

The space within the curtilage is sufficient to accommodate this number of cars, provided that the garage is retained.

Planning Balance

The proposed two-storey extension is proportionate in size and bulk to the host dwelling. The materials and design will blend seamlessly into the host, creating no visual disparity with the original dwelling or the wider street scene.

With regards to overlooking, concerns are minimal. The new window facing east will be obscured and the window facing south will look onto the property's garden. The concerns regarding overshadowing are limited.

There is ample room to facilitate the additional required parking space within the curtilage.

Therefore, the planning balance is in favour of the proposal.

Conclusion

The recommendation is for 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.