DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H16-0101-23**	**Applicant:**	**Mr G Thurston**
Proposal:	Proposed extensions & alterations including new gates, wood burner and external flue		
Location:	20 Melville Way Spalding		
Terminal Date:	16th May 2023		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
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

Proposal is for a rear and side extension to 20 Melville Way. The side extension will be located on the western elevation and will connect onto the rear extension. The rear extension stretches the length of the property, before extending beyond the eastern elevation to join onto the dwelling's garage. The extension is split into three sections: a western utility room, measuring between 2400mm and 2950mm (width) and 5500mm (depth); a rear western patio area, covered by a glazed roof, measuring approximately 5700mm (width) by 3800mm (depth); and a rear eastern family room, measuring 6750mm (width) by 3800mm (depth). All materials and fittings are to match the existing property.

The proposal also includes a five-bar gate to the front of the garage and a flue emerging from the

eastern side elevation.

Between the western extension and the curtilage will be an approximate 1 metre distance. To the rear curtilage is a far more significant distance of between 9 and 17.9 metres.

Site Description

The site is within the settlement of Spalding, as outlined in the South-East Lincolnshire Local Plan (2019). The property is part of a larger housing project still under construction. The wider area is characterised by dwellings in a contemporary style that pay homage to Georgian architecture. The area has an open plan feel to the front, with limited boundary treatments separating front borders.

The property itself is a red brick, detached dwelling of considerable proportions. The roof has been tiled in a pale red, consistent with the detached garage that is located to the east. All windows frames are white UPVC, with grey concrete accentuations above and below the sash windows. A white overhang is located above the front door, which is painted black. A 1.8-metre-high close board fence has been erected to the rear of the west and eastern elevations.

Relevant History

H16-0571-09 - Outline. Erection of 2,250 dwellings, district centre, 2 local centres, primary school, public open space, access and estate roads. Approved 18/05/12.

H16-0464-14 - Reserved Matters .Phase I covering part of the northern neighbourhood comprising 312 dwellings, including associated infrastructure and public open space. Approved 21/10/14.

H16-0927-15 - Non-material amendment. Erection of 2,250 dwellings, district centre, 2 local centres, primary school, public open space, access and estate roads - approved under H16-0571-09. Modification of Condition 1 to extend the time period for the submission of reserved matters to 20 years. Approved 25/05/16.

H16-0123-20 - Non-material amendment. Phase 1 covering part of the northern neighbourhood comprising 312 dwellings including associated infrastructure and public open space - approved under H16-0464-14. Amendments to dwelling substitution, layout and design. Approved 27/02/20.

Consultation Responses

Welland and Deepings Internal Drainage Board

"Thank you for your consultation on the above application. If for any reason soakaways are not to be used for surface water disposal, I would wish to be re-consulted at that time."

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 materials proposed would be consistent with the host dwelling, ensuring visual consistency.

The estate is still under construction in parts, and therefore, additions to properties are limited. As such, any extension would, to some extent, look out of keeping with the existing built form. However, the proposed extensions are not excessive in size, and it can be assumed that overtime more development will occur in the area, naturalising the proposed extension.

The size of the extensions is relative to the existing property and would not be excessive. The rear extension would be largely obscured by the front of the property and would therefore have no impact upon the street scene. The western side extension would alter the street scene, but not to the detriment of the character of the area. The design of the roof on this western extension would be

in keeping with host property, again reducing the potential for visual dissonance. Again, the extension to join the garage to the host would be unique to this property; however, due to the joining of the roof design would not look incongruous.

The flue, while visible from the principal elevation, would have a minor impact upon the character of the area.

The proposed fencing and gates are also not at odds with the character of the estate. No other property in the immediate area has a comparable structure, however, there are numerous similar examples of fencing throughout the estate. While there are no border treatments currently along the street's front, they are prevalent in the more well-established areas. As such, the proposal would not be incongruous to the area.

The proposal conforms to Policy 2 of the SELLP in terms of design.

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.

One proposed window would look directly into the neighbouring dwelling. However, the proposed fence would prevent this overlooking. There is already a window in this location, further reducing the potential for additional overlooking. Other than this window, there would be no additional potential overlooking as a result of this development.

Furthermore, the potential for overshadowing is limited due to the single storey nature of the development, the separation distance to neighbouring dwellings and the positioning of the extensions.

The proposed extensions and gates would not have an overbearing effect. The fence and gate are well enough set back enough to prevent them being a focal point.

Only wood would be burnt within the wood burner, and therefore, the fumes from the flue would be non-toxic and would not be harmful. As a result, the amenity impacts of the flue and wood burner would be minor. The approval of the flue subject to non-harmful burning would be inline with the recommendations of environmental health.

The proposal conforms to Policies 2 and 3 of the SELLP in terms of amenity impact.

Planning Balance

The proposal conforms to Policies 2 and 3 of the SELLP. The extension would appear well blended into the fabric of the house and would be in keeping with the character of the area.

The proposal would not result in additional overlooking. There is only one window that could have caused concern; however, due to the boundary treatments and the fact that the window would be in a similar position to an existing window (just moved further out), the concern over this point is minimal.

The potential for overshadowing is similarly low, due to the separation distance and size of the development.

The fencing would ordinarily fall under permitted development and would not have an overbearing impact upon the area; therefore, there are no strong reasons to refuse their construction.

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.