DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H16-0138-21**	**Applicant:**	**Mr M Senior**
Proposal:	Loft conversion with full width dormer window		
Location:	14 Horseshoe Road Spalding		
Terminal Date:	8th April 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
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a householder application seeking permission for a proposed loft conversion with full width dormer window at the property at 14 Horseshoe Road, Spalding.

Site Description

The site is situated within the settlement of Spalding. It accommodates a detached dwelling and sits within a predominantly residential part of Spalding. The dwelling is set back from the road and is situated at the end of a cul de sac. The property has a small gravelled front garden and there is a tarmaced driveway to the side of the dwelling. The rear garden is well proportioned to the size of the dwelling. Properties to the rear are obscured by high laurel hedges.

Dwellings in the area are of a similar age and design.

History

No relevant planning 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 loft conversion will ensure there is a 2m head height to the additional bedroom and bathroom. The full width dormer window is proposed to the rear elevation of the existing gable end roof structure, facing towards to the rear garden to the west.

To accommodate the additional floor, the first floor will have some minor adjustment to create a new stair way. This includes setting back the door to bedroom no.2, which is still considered to be a sufficient size and will therefore be able to accommodate sufficient space for a new stair way to the proposed loft conversion.

The proposed materials for the dormer windows include a lead effect finish to the exterior walls and a flat roof. Due to the positioning of the dormer windows, the proposed materials and flat roof design will not be visible from the road and will therefore not impact upon the character of the area.

Taking the above into account, the proposed loft conversion and full width dormer window 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.

Impact upon Residential Amenity

The proposed windows on both the front and rear elevation to the existing roof structure will not overlook unacceptably to any residential plot. To the east, the closest dwelling is approx. 40m away and to the west the closest dwelling is approx. 18m away but is angled away from 14 Horseshoe Road. Therefore, the proposal will not have a material overlooking impact.

The proposed roof conversion is not considered to have any adverse material impact upon neighbouring properties in terms of overshadowing and being overbearing due to the positioning and minor scale of the dormer.

Taking the above into account, the proposal 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.

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 proposal will 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.