DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H16-0165-20**	**Applicant:**	**Mr W Thomas**
Proposal:	Proposed single storey rear extension including alterations		
Location:	2 Fleur Drive Spalding		
Terminal Date:	15th April 2020		

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 for a proposed single storey rear extension including alterations at 2 Fleur Drive, Spalding.

Site Description

The site accommodates a detached dwelling and is located on the eastern side of Fleur Drive. Directly to the west, on the other side of the road, is open green space.

There are also similar styled detached dwellings along the east of Fleur Drive, including mainly two brick types being used, with the dwellings mostly being the same size.

The dwelling has a small grassed front garden, with no boundary treatment. The driveway is to the side of the dwelling and is shared with no.3 Fleur Drive.

History

None relevant.

Consultation Responses

No responses.

Planning Considerations

Layout and Design

The proposed extension would extend off of the current dining area to the rear of the property and would replace the existing porch/bay window area. It would include bi-fold doors that would be on the north-west elevation and a window opening on the north-eastern elevation. This would overall enhance the living space for the residents.

The roof would be a flat roof design, including a large roof lantern which would add natural light to the dining area. The external fabric would be a white render and would compliment the existing brickwork of the original dwelling. Therefore, the proposed materials of construction for the extension are deemed as acceptable.

Furthermore, the proposed extension is to the rear of the dwelling and would therefore not be visible from public vantage points.

Overall, the layout and design of the proposed extension to the rear of this dwelling will improve the living space and is acceptable in design terms. Therefore it is in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 with regards to their provisions on design.

Size and Scale

The proposed extension would project from the rear elevation by approx. 5m, with a width of approx. 4.5m. The maximum eaves height would be approx. 3.2m. Having regard to the scale and height of the house which is a large detached two storey dwelling, it is considered that the proposed development would be subservient to the host property. The footprint of the extension would sit well in the rear garden so the form of development would not appear cramped.

The size and scale of the extension is therefore considered to be acceptable and in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 in this regard.

Impacts upon residential amenity

Any consideration of impact upon residential amenity is primarily made in relation to the residents living in the nearest property at No.1 Fleur Drive.

The separation distance between the proposed extension and boundary with No.1 Fleur Drive is approx. 1.07m, which is the same separation distance as the rest of the existing dwelling. In conjunction with the nature of the development (minor single storey extension), this distance is considered sufficient to prevent any adverse overbearing effect on the residents at No.1 Fleur Drive.

With regard to the relationship with the other neighbouring property (No. 3 Fleur Drive), there are no facing windows on that property, therefore there should be no overlooking issues. Furthermore, given the scale of the proposed extension and the fact that there is detached double garage in between the properties there should not be a loss of light or overbearing impact to the rear garden.

Overall, the extension would not significantly impede upon any privacy, daylight or accessibility for the occupiers, and would not warrant any reason for refusal. For these reasons, the development would be acceptable on the grounds of residential amenity, which is one of the material considerations listed in Policy 3 of the South East Lincolnshire Local Plan (2019).

Conclusion

Taking into account the considerations above, the proposal is considered to comply with Policies 2 and 3 of the South East Lincolnshire Local Plan (SELLP), 2019 and Section 12 of the National

Planning Policy Framework (NPFF), 2019.

It is accordingly recommended to approve this planning application via delegated powers.

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.