

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H16-0173-20 **Applicant:** Mr A Oldfield
Proposal: Extension and Alterations
Location: Delva House 52 West Elloe Avenue Spalding
Terminal Date: 14th 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 extension and alterations to 52 West Elloe Avenue, Spalding.

Site Description

The property in question is set back from West Elloe Avenue on the southern side and has a large front garden with a driveway to the west side of the frontage. There are similar designed dwellings which were built in the same era in the vicinity.

Dwellings along this side of the road are mostly semi-detached properties. Properties to the north of West Elloe Avenue tend to be detached and are a variety of brick types and design. To the south there is a residents car park for the terraced properties to the south-east. Beyond this is the Munro Medical Centre and Fire Station.

History

No relevant planning history.

Consultation Responses

No consultee responses received.

Planning Considerations

Layout and Design

The proposal is for an extension off the western (side) and rear elevations of the property. It will also involve alterations to the property at ground and first floor, transforming a section of the garage into a utility area, as well as enlarging the kitchen and creating an open space kitchen and dining area. The first floor plans propose to build above the garage to create a family room, with alterations to the landing and third bedroom to extend the third bedroom to the rear of the property.

The bricks, roof tiles, windows and doors are proposed to match the existing fabric of the building as closely as possible, with the incorporation of render to the first floor. The roof will be side gable like the existing property, but the ridge height will be marginally lower. Overall, the design would be in keeping with that of the existing dwelling and other existing development in the locality.

Given the above, the layout and design is deemed acceptable and therefore complies with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

Size and Scale

The proposal includes an extension at first floor leading off the existing third bedroom from the rear elevation by approx. 3.6m. There will also be an extension from the side elevation at first floor, above the garage, as well as a two storey element extending in front of the existing garage by approx. 3.3m. In total, the new two storey element will be approx. 8.9m in length with a maximum width of approx. 3.4m.

Internal alterations are also proposed.

The property has a large rear garden which is more than adequate to accommodate the proposal.

Taking into account the size and scale of the host property and surrounding curtilage, the proposed extension is seen as acceptable and therefore complies with Policies 2 and 3 in the South East Lincolnshire Local Plan, 2019.

Impacts upon Residential Amenity

It is not considered that the proposed development would impact adversely upon the residential amenity of occupants of the host dwelling. The garden is of sufficient size to accommodate the proposed development and the proposal would improve the internal living space of the property.

The potential for overlooking and overbearing impact on neighbouring properties is also a consideration. However, there are no windows proposed to be incorporated into the extension on the western or eastern side elevations, therefore meaning there should be no issues of overlooking in those directions. The side extension would come in close proximity to the side elevation of the property to the west, however there does not appear to be any windows to habitable rooms to the side elevation of that property. With regard to the property to the east, it is not considered that it should be adversely affected by the proposed development. The proposed extension to the rear is staggered with the deepest part being furthest away from the neighbouring property and the rear elevations of these properties are south facing, thus benefiting from sunlight for long periods of the day already.

The proposed new rear window to the family room at first floor will not overlook any residential dwellings to the rear of the garden as the only building to the south of the dwelling is the Munro Medical Centre off of West Elloe Avenue, which is shielded by mature trees and shrubbery.

Therefore, when considering the impacts upon residential amenity the proposed development is

seen as acceptable. The extension and alterations comply with Policy 3 in the South East Lincolnshire Local Plan, 2019 with regard to residential amenity.

Conclusion

In light of the considerations above, the proposal is considered to be in accordance with Policies 2 and 3 in the South East Lincolnshire Local Plan, 2019. As well as Section 12 of the National Planning Policy Framework, 2019.

The recommendation is therefore for a 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.