

## DECISION DELEGATED TO DEVELOPMENT MANAGER

**Application No:** H16-0193-20      **Applicant:** Mr P Coulthard  
**Proposal:** Proposed side extension and alterations  
**Location:** 4 Clover Way Spalding  
**Terminal Date:** 23rd October 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 side extension and alterations to 4 Clover Way, Spalding.

#### Site Description

The dwelling is situated on the eastern side of Clover Way, which is in a suburban part of Spalding. There is a local food store opposite, on the western side of Clover Way. There are several bungalows along Clover Way on the eastern side of the road with similar character and designs as this dwelling. There are two storey detached dwellings situated to the west of Clover Way, within the cul-de-sac.

The property has a large gravelled driveway and front garden, with a small mature hedge as the boundary treatment along the frontage. The rear of the property is currently bounded by close board hedging.

## History

None relevant.

## Consultation Responses

None received.

## Planning Considerations

### Design and Layout

The proposed extension will be a single storey extension off the northern elevation of the dwelling. It will provide an additional bedroom, along with a shower room and a utility cupboard.

Both tiles and brick used for the proposed extension are to match the existing dwelling. The design of the roof of the proposed extension is to be a side gabled roof, to match the existing roof design making it coherent with the rest of the dwelling. The extension is to be subservient to the host dwelling, making it of a suitable design and layout for the rest of the property.

Taking the above into account, the proposed layout and design is considered to be in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 and is deemed acceptable.

### Size and Scale

The proposed extension would project from the northern elevation of the existing dwelling by approx. 3.8m and would have a depth of approx. 9.4m, therefore extending past the existing rear elevation of the property by approx. 4.3m. The extension will be approx. 1.6m away from the northern boundary.

Having regard to the scale and height of the house, it is considered that the proposed development would be subservient to the host property. Furthermore, the house as extended would sit well within what is a good sized plot, thus meaning that the form of development would not appear cramped.

Taking the above into account, the size and scale of the extension is considered acceptable and is thus in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

### Impact upon residential amenity

Any consideration of impact upon residential amenity is made in relation to the residents living in the nearest property at No.6 Clover Way.

The separation distance would be reduced due to the proposed extension, which would be approx. 1.6m away from the northern boundary. 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.6 Clover Way, especially as this is a minor single storey side extension.

It is not considered that the proposed extension would cause a material loss of light to the neighbouring property. Although the separation distance between No. 4 and No. 6 Clover Way will be reduced, the window on the south facing elevation of No. 6 only belongs to a bathroom, which is a non-habitable room. Furthermore, the nearest window on the rear elevation of No.6 is also for a bathroom.

Given the single storey nature of the extension and neighbouring properties, it is not considered that there would be a material adverse impact in terms of overlooking.

For these reasons, the development would be acceptable on the grounds of residential amenity which is one of the material considerations listed in Policies 2 and 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 (NPPF), 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.