

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H16-0240-23 **Applicant:** Ms T Dinh
Proposal: Proposed Kitchen Extension
Location: 6 Spring Gardens Spalding
Terminal Date: 8th May 2023

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02 Development Management
03 Design of New Development

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 for a flat-roof, rear extension to form a kitchen at 6 Spring Gardens. The extension will measure 2200mm (width) by 4690mm (depth). The height will be approximately 2400mm. The brick work will be painted white to match the host property. The window frames and door would both be constructed from white UPVC, again to match the host.

The extension will be located on the south-west elevation. There will be approximately 2800mm to the boundary.

Site Description

The site is located along the eastern portion of Spring Gardens, on the southern side of the road. The building is a red brick property, with the rear being painted white. To the west of the property is a driveway, shared with 7 Spring Gardens.

The area is characterised by residential dwellings. The property is typical of the dominant style of the area; however, Spring Gardens does have a number of newer residences. The property is within the settlement boundaries of Spalding as outlined in the South-East Lincolnshire Local Plan, 2019 (SELLP).

Relevant History

No relevant planning history

Consultation Responses

No responses received.

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 proposed scale of the extension would be proportionate to the host. The bulk is not deemed excessive and will therefore blend seamlessly into the host.

The brickwork will be painted white to match the host dwelling, again incorporating the extension into the host. All frames will match the existing property, eliminating any potential for the property to appear incongruous.

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

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.

The proposal has a significant distance between itself and the neighbouring property and is also of minimal scale. Therefore, the concerns regarding overshadowing and overlooking are minimal. As the materials and finishes will match the host, the chance of the extension appearing overbearing is minimal.

The extension therefore conforms to Policies 2 and 3 of the SELLP in amenity terms.

Planning Balance

The potential amenity impacts are minimal. The extension would cause no additional overshadowing or overlooking due to its positioning and size. The proposed extension would be well blended into the fabric of the host and have little detrimental impact on the aesthetics of the property.

The planning balance therefore is in favour of the proposal.

Conclusion

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.