DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H16-0280-23**	**Applicant:**	**Mr J Coddington**
Proposal:	Proposed Two Storey Rear Extension		
Location:	16 Claudette Way Spalding		
Terminal Date:	19th 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 two-storey rear extension at 16 Claudette Way. The proposed extension will measure 3.50m (width) by 2.04m (depth). The proposed extension will feature a dual pitched roof, measuring approximately 4.8 metres to the eaves and 6.6 metres to the peak. The eaves height is in line with the existing property. All materials will match the existing property.

Site Description

The site is within the settlement boundaries of Spalding, as outlined in the South-East Lincolnshire Local Plan, 2019 (SELLP), towards the north of the settlement. The area is characterised by residential developments of a variety of ages and design. The property itself is located down a cul-de-sac off of Claudette Avenue.

The property is constructed of red brick, with white cladding to the front. All fixtures are brown UPVC. The roof is tiled with dark brown concrete roof tiling.

The extension is proposed to be located to the property's rear, on the southern portion of the rear elevation. There is a 1.03 metre separation gap to the southern curtilage edge, a 7.32 metre gap to the north and an 8.34 metre gap to the west.

Relevant History

H16-0709-87 - Outline. Residential development of 29.4 acres and 4 acres. Approved 16/02/88

H16-0021-91 - Outline. Residential development & alignment of distributor' road'. Approved 13/03/91.

H16-0813-93 - Full. Residential development (20 houses). Approved 12/10/93.

H16-0755-94 - Condition Compliance. Details of roads and footways, surface water run-off scheme (Conditions 3 & 5 of H16/0813/93). Approved 19/08/94.

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 works will be entirely to the rear of the property, reducing the potential impact on the street scene. As the apex of the roof would be lower than that of the host dwelling, the proposal would be entirely concealed from the street. Therefore, the impact on the character of the area would be limited.

The proposed materials would match the host dwelling, ensuring the development appears well blended.

The proposed scale of the extension is proportionate to the host dwelling. As such the extension would not appear incongruous and would blend seamlessly into the fabric of the house.

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

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 would create no material adverse additional overshadowing. Although there is a minimal distance between the proposal and the southern curtilage, the positioning of the extension means that no significant shadow would be cast onto the southern neighbour. The site visit was completed by the officer at midday, and during the visit all shadowing fell upon the host dwelling. The positioning of the development means that throughout the day, no shade will be cast upon 20 Claudette Way.

The proposed development would result in no unacceptable levels of overlooking. The windows located in the second storey facing west would look onto the property's garden. There is a significantly sized (over 3 metres) hedge to prevent any potential overlooking. The window facing north would overlook the host property's garden. There is the potential the window would offer some

views of 14 Claudette Way, however, any views would be at a significant distance and no material loss of amenity would occur.

The proposal therefore conforms to Policies 2 and 3 in terms of amenity impact.

Planning Balance

The proposal conforms to Policy 2 and 3 of the SELLP. There would be no unacceptable overlooking due to the positioning of windows and the significant distance between the proposal and the relevant neighbouring property. There would be no unacceptable level of overshadowing due to the positioning of the extension relative to the sun and the significant distance between the proposal and its neighbours.

All materials and finishes will match the host, ensuring it appears well blended into the fabric of the property.

The planning balance is therefore in favour of the proposal.

Conclusion

The 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.