DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H16-0381-23**	**Applicant:**	**Mr J Ball**
Proposal:	Proposed side and rear extension and alterations - re-submission of H16-0559-22		
Location:	88 West Elloe Avenue Spalding		
Terminal Date:	14th June 2023		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

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

This is a householder application, seeking permission for a proposed side and rear extension and alterations (re-submission of H16-0559-22) for 88 West Elloe Avenue. The proposed garage at the front of the property would measure at 4002.5mm (length) and 3065mm (width), the rear extension will be 4425mm (width) and 8915mm (length) and the first-floor extension measures at 4425mm (width) and 2314mm (length).

Site Description

The site is within the settlement boundaries of Spalding , as outlined within the South-East Lincolnshire Local Plan, 2019 (SELLP). The dwelling is a detached two storey property that has a

car port on one side. The property is set back from the road and has 1 metre high fence to the front. The dwellings around this area are built on similar sized plots however the designs vary.

History

H16-0559-22 - Proposed two storey side extension and single storey rear extension - Approved

Consultation Responses

No consultation 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 side extension is to change the existing car port to a flat roofed garage, and it will measure at approximately 4002.5mm (length) and 3065mm (width). It will be of a similar height as the existing car port and garage in the rear garden, it will also be level with the proposed first floor rear extension. The rear extension will come out to the same point as the garage on the eastern elevation but will be the full length of the house at the rear, it is 4425mm (width) and 8915mm (length), these will both be at the same height. The proposed first floor extension will come from the rear by approximately 4425mm (width) and 2314mm (length) to add an extension onto the bathroom. The dimensions of the proposal are considered to be proportionate to the existing dwelling and can be seen as acceptable.

In regard to the internal alterations, they are proposing to open up the kitchen into the family area, which is where the extension will be going and placing bi-fold doors which will open into the rear garden. In the kitchen there will be the addition of a pantry and in the hall way the design/opening of the toilet is also changing. On the first floor the design of the upstairs bathroom will be extended as part of the first-floor rear extension. There are also some alterations taking place to the sizes of the bedrooms and changing the layout of the landing.

The materials being used for the side and rear extension ensures that it will be in keeping with the existing dwelling as they are using matching materials and therefore it will blend in and not create any visual discrepancies and not impact the character or local area.

Based on this the proposed side and rear extension complies with Policies 2 & 3 in the SELLP and Section 12 of the NPPF.

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 proposed first floor rear extension is being added on as an extension to the existing family bathroom, it includes two windows facing towards the east. However, as this is being used as a bathroom, they will therefore be obscure glazed, this means there will be no impacts regarding over looking into neighbouring properties. The single storey rear extension has no windows directly facing neighbouring properties, there is the addition of bi fold doors which will allow access into the garden however the nearest property to the rear is around 17m away, so these are not considered to overlook into the existing dwelling to the rear.

The proposed first rear extension is approximately 1 metre away from the neighbouring property to the east. As this is a single storey extension it is not considered that it will impact the existing dwelling and therefore cause no harm.

The proposed first floor rear extension is also not to be considered overbearing or have any overshadowing impact on the bungalow to the west, this property will not be impacted by this however

The proposed first floor rear extension does not appear to have any issues regarding overshadowing or being overbearing to the bungalow to the west of the development, any impacts from overshadowing that the property faces will not be anything new compared to the dwelling as existing.

Taking the above in consideration, the proposed side and rear extension are deemed to comply with Policies 2 & 3 and of the SELLP and Section 12 of the NPPF regarding impacts upon residential amenity.

Planning Balance

The proposed side and rear extension and alterations to 88 West Elloe Avenue will not materially harm the character or appearance of the local area or amenity. It can therefore be considered to follow both Polices 2 and 3 of the SELLP.

Conclusion

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.