DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H16-0389-19**	**Applicant:**	**Mr & Mrs W Lunn**
Proposal:	Extension and Alterations		
Location:	Wyndcatch 10 Kellet Gate Spalding		
Terminal Date:	5th June 2019		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
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 a householder planning application for extension and alterations to the property Wyndcatch, 10 Kellett Gate, Low Fulney, Spalding.

Site Description

Low Fulney is a hamlet located approximately 2.4km due east from Spalding. Major scale industrial estates and agricultural buildings are the most predominant development in Low Fulney. A few residential buildings are widely sparse along Kellett Gate. The land adjacent to the south hosts the business Lunns Haulage Ltd which is under the applicant's ownership. The neighbouring site has a large haulage yard and a large corrugate sheet store building which is immediately adjacent to the rear boundary as well as the garden of the application's property.

The property is a detached bungalow that lies on a corner plot facing the junction between Kellett

Gate and Mallard Road. The dwelling is fairly set back from the road - The front area has a spacious driveway for car parking and vehicle turning. Turf is across the rear garden.

History

H16-0582-05 - Proposed side extension to existing dwelling - Approved

Consultation Responses

None

Planning Considerations

Principle of development

According to the Inset Map 2 of the South East Lincolnshire Local Plan, no settlement boundaries are set for Low Fulney. Therefore, the site is located within the countryside. Policy 1 of the Local Plan states that "in the Countryside development will be permitted that is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits". Given its ancillary function to the dwelling, the proposed development cannot be located elsewhere within the boundaries of any urban settlement. Therefore, the principle of development for the proposal is acceptable unless planning material and sustainability considerations indicate otherwise according to section 70(2) of the Town and Country Planning Act 1990.

Size and scale

The proposed extension would just exceed 7 metres from the original rear wall of the bungalow. The width would be approximately 8.11 metres. The maximum height would be as much as the main ridgeline across the bungalow. Having regard to the dimensions of the house, it is concluded that the proposed development would be subservient to the host property in terms of scale, massing and bulking.

Design and layout

The purpose of the extension is to increase the internal floor space for an enlarged kitchen, a large combined dining/family room, new utility room, toilet and office. The development would be acceptable given the residential use of the host property and the livings needs of the occupiers.

Should the extension be built the intended development would result in a U shaped bungalow in addition to the existing rear extension approved under planning application ref. H16-0582-05. The resulting form of development would be in keeping with the semi-rural character of the location.

A gable roof would cover the top of the extension. The pitch would be as high as the ridgeline of the bungalow. Bi-fold doors would be back onto the enclosed part of the garden. Two standard-sized windows would be at the rear elevation whereas little windows and a single panel door to the office would be on the side elevation facing the haulage yard. The roof slopes would have 5 no. roof lights to increase the enhancement of daylight for the house occupiers. The layout of the proposed openings is considered appropriate on account of the type of internal rooms.

The external materials comprising facing brickwork, roof tiles and fenestration would match those existing in the dwelling, thus no significant alteration would take place upon the visual amenity.

Impact upon residential amenity

No residential properties are adjacent to the site. The proposal does not include any alteration to the existing boundary. The rear garden is bounded by 2 metre high timber close board fence.
The intended development would not represent the arrival of further residents to the property. The applicant runs the adjacent haulage business so that the noise and disturbance would not affect the other bungalow residents during the operation times as they will be likely out of the house and the applicant would work on site.

Conclusion

In light of considerations above, the proposed development is in accordance with Policy 1, 2 and 3 of South East Lincolnshire Local Plan, 2019 and Section 12 of National Planning Policy Framework, 2019.

It is therefore recommended to approve this 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 to grant permission 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 to grant permission 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 to grant permission is considered to be a proportionate response to the submitted application based on the considerations set out in this report.