DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H16-0421-21**	**Applicant:**	**Mr N Wade**
Proposal:	Two Storey Side Extension		
Location:	20 Estella Way Spalding		
Terminal Date:	30th June 2021		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
28	The Natural Environment
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

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
RESIDENTS	0	0	0	1

CASE OFFICER ASSESSMENT

PROPOSAL

This is a householder application seeking permission for two storey side extension to create a carport on the ground floor and a 4th bedroom with an en-suite on the first floor. the extension would have a width of 5.7 metres at the front and 4.8 metres towards the rear. The external materials would match the existing dwelling.

It should be noted that the scheme has been amended with the side extension reduced in width.

SITE DESCRIPTION

The property is a detached two storey dwelling on located on Estella Way in Spalding. The dwelling is red brick built with cream render on the upper half of the front elevation. It has a single attached garage to the side and a paved driveway to the front/side. The site is enclosed at the side and rear with a high level boundary fence and is open along the front. The immediate area comprises similar sized detached dwellings.

RELEVANT PLANNING HISTORY

No relevant planning history.

REPRESENTATIONS

Public

A third party has recommended the installation of a minimum of 3no swift nest bricks be required by a planning condition to provide enhancement for biodiversity.

PLANNING CONSIDERATIONS

Layout, Design, Size and Scale

Paragraph 127 of the National Planning Policy Framework (NPPF), 2019 establishes that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area; are visually attractive as a result of good architecture and sympathetic to local character and history, including the surrounding built environment and landscape setting; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, among other considerations. 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 initial scheme proposed was not considered acceptable from a design perspective as the proposed 7 metre width of the extension was disproportionate to the existing dwelling. In addition, the roof design initially proposed was not in keeping with the roof design of the existing dwelling. As such the scheme has been amended and the width of the extension reduced to 5.7 metres and the roof design altered to follow the shape of the existing roof.

The amended scheme is considered proportionate to the existing dwelling. The side projection, although still quite considered, can on balance be accepted as it does not dominate the existing dwelling. The ridge of the roof sitting lower than the existing roofline would create an element of subservience. Furthermore the use of matching external materials would ensure the extension is in keeping with the existing dwelling. Sufficient outdoor amenity space would be retained therefore the scheme would not result in overdevelopment of the site.

As such the extension would on balance comply with the aforementioned policies on design, layout and impact upon the character of the local area.

Impacts upon Residential Amenity

The neighbours closest to the proposed development are on Belcanto Court to the west of the application site. The prosed development would bring the application site closer to these neighbour, however, the closest part of the extension would still be located some 11.5 metres from the nearest boundaries of these neighbours. This separation distance is considered sufficient as to no result in any overbearing impact or unacceptable overshadowing. In addition, no windows are proposed at first floor level in the side elevation facing these neighbours therefore there are no overlooking concerns.

The proposed extension would not bring the application site any closer to the neighbour to the rear at 14 Avignon Road. As such the relationship with this neighbour would not change.

With regards to the adjacent neighbour at no.18 Estela Way located to the east of the application site the proposals would not be visible to this neighbour as the extension would not extend beyond the front/rear elevations of the application site and would therefore be blocked by the applicants

existing two storey house.

As such the proposal would accord with Paragraph 127 of National Planning Policy Framework (2019) and Policies 2 and 3 of South East Lincolnshire Local Plan (2019).

Parking

In connection with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum requirements for car parking provision. The proposed scheme would increase the number of bedrooms in the property from 3 to 4, increasing the parking requirement from 2no spaces to 3no. the submitted plans show at least 3no parking spaces within the site therefore the scheme is considered to comply with the current parking standards.

Other matters

A third party has recommended the installation of a minimum of 3no swift nest bricks be required by a planning condition to provide enhancement for biodiversity. The comments are noted, and a condition recommended to this effect.

Planning Balance

The proposal will not materially harm the character or appearance of the locality or amenity of nearby residents. The planning balance is therefore considered to be in favour of the proposal.

CONCLUSION

In light of the considerations above, the proposal is considered to be in accordance with Policies 2, 3 and 36 of the South East Lincolnshire Local Plan (2019) and Section 12 of the National Planning Policy Framework (2019).

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.

RECOMMENDATION

The application can be approved under delegated powers.