

## DECISION DELEGATED TO DEVELOPMENT MANAGER

**Application No:** H16-0480-21      **Applicant:** Mr M Adams  
**Proposal:** Single storey extension to garage  
**Location:** The Glasshouse 2a Beechfield Gardens Spalding  
**Terminal Date:** 30th June 2021

### Planning Policies

#### South East Lincolnshire Local Plan - Adopted: March 2019

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        |
| SHDC INTERNAL | 0      | 0       | 0       | 1        |

### CASE OFFICER ASSESSMENT

#### Proposal

The is a householder application seeking permission for a proposed single storey extension to the garage at The Glasshouse, 2a Beechfield Gardens, Spalding.

#### Site Description

The site is situated within the settlement of Spalding according to the South East Lincolnshire Local Plan, 2019.

The detached property was built in 2013 (H16-0398-11) and is situated to the rear of 4 Beechfield Gardens and to the south-east of the Beechfield Medical Centre. The dwelling and detached garage are situated on a spacious plot which is L-shaped. The property is not largely overlooked and has a

long driveway and vegetation which screens the property from the road. Dwellings in the area are a variety of ages and design.

## **History**

H16-0398-11- FULL- Proposed detached dwelling and garage including vehicular access- Approved 06-09-11

H16-0119-12- NMA- Proposed detached dwelling and garage, including vehicular access - approved under H16-0398-11 - change from copper rainscreen panels to facing brickwork to match brickwork on building within inner courtyard at high level only- Approved 19-03-12.

H16-1173-17- TPO Tree Works- Works to Spalding TPO No. 1, 1962- Approved 31-01-18.

## **Consultation Responses**

Diane Fairchild, Conservation and Tree Protection Assistant- Cannot foresee that it will have a detrimental effect on any significant trees. Care will require to be taken of adjacent trees during construction works, ideally as recommended in British Standard BS 5837: 2012.

## **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 proposed extension to the garage will protrude approx. 3m from the north-eastern side elevation with a depth of approx. 4.2m. Having regard to the existing dimensions of the garage, dwelling and entirety of the plot, the proposed extension is acceptable in terms of scale, mass and bulk.

The proposed materials include clay roof pantiles, facing brickwork, fenestrations and rainwater good to match the existing. Thus, the development will appear well blended with the fabric of the house and visual amenity will not be undermined.

The monopitched roof structure proposed on the extension will match the original monopitched roof structure of the garage. Thus the proposed roof structure will compliment the design as it currently stands.

Taking the above into account, the proposed extension is deemed to comply with Policies 2 and 3 in the SELLP, 2019 and Section 12 in the NPPF, 2019 in terms of layout, design, size and scale.

### Impact upon Residential Amenity

The proposed window to the side elevation of the extension faces towards the north east and extensive driveway to the property and will therefore not have a detrimental impact in terms of overlooking.

It is not considered that there would be an overbearing or overshadowing impact upon any nearby residential properties due to the single storey nature of the proposal.

Taking the above into account, the proposed extension is deemed to comply with Policies 2 and 3 in the SELLP, 2019 and Section 12 in the NPPF, 2019 in terms of residential amenity.

### Planning Balance

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the

determination must be made in accordance with the development plan unless material considerations indicate otherwise.

The proposed single storey extension will not materially harm the character or appearance of the locality or amenity of nearby residents. It is therefore considered to be in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 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.

### **Conclusion**

The recommendation is for a delegated approval.