

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H16-0487-19 **Applicant:** Mr & Mrs Decamps
Proposal: Rear extension with pitched roof over garage
Location: 36 Ladywood Road Spalding
Terminal Date: 8th July 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 is a householder planning application for a rear extension with pitched roof over garage to the property at 36 Ladywood Road, Spalding.

Site Description

The site location is a suburban area characterised by two-storey detached dwelling in fairly spacious plots onto a cul-de-sac street layout.

The property is a traditional 'brick-and-tile' two-storey detached house with in-built garage on the side. The rear garden is grassed and bounded by nearly 2 metre high timber close board fence.

History

None

Consultation Responses

None

Planning Considerations

Principle of development

The site location is within the settlement boundaries of Spalding as set out in the Inset Map 2 of South East Lincolnshire Local Plan, 2019. The principle of development for the proposal is acceptable unless material considerations indicate otherwise as laid down in section 70(2) of the Town and Country Planning Act 1990.

Size and scale

To the rear of the garage, there is a pantry with one toilet and utility room. From the rear, this part of the residential building is visibly stepped back from the remainder of the rear elevation. The proposed development would represent to extend the recessed part in line with the other part of the original rear wall.

The width would remain and the eaves of the extension would be as high as those of the building. The highest part of the development would be in keeping with both the northern side and rear elevations.

Having regard to the dimensions of the existing dwelling, it is concluded that the proposed extension would be subservient to the host property in terms of scale, massing and bulk.

Design and layout

The purpose of the development is to replace the utility room and gaining further internal floor space to enlarge the kitchen. This is considered to be acceptable given the scale of the proposal and use of the building.

The proposal would be single-storey and incorporates a hipped roof which would extend from the front elevation over the garage, northern side elevation to the full rear elevation. The ridge would fall under the bottom part of the upper windows. The external materials would match as close as possible to those existing in the property. Thus, no harm upon the visual amenity would be likely.

For these reasons, the design and layout of the proposal would be acceptable as they would provide a sense of scale and hierarchy of the development to the main building.

Impact upon the residential amenity

There is a 2 metre high timber closeboard fence along both sides and rear boundary lines of the site. A separation distance of 1.17 metre is provided between the northern side elevation and the nearest boundary line. Given that the bulk of the extension is not excessive as a single-storey extension, such boundary treatment and separation distances would clearly mitigate any visual impact of the development to the adjacent residents. No overshadowing neither overlooking would be anticipated.

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.