DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H16-0577-21**	**Applicant:**	**Mr & Mrs S Slinger**
Proposal:	Extension & alterations to dwelling		
Location:	79a Bourne Road Spalding		
Terminal Date:	15th July 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	1	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a householder proposal seeking permission for a rear extension with alterations to the dwelling at 79a Bourne Road, Spalding.

Site Description

The site is situated with the settlement boundary of Spalding according to the South East Lincolnshire Local Plan, 2019. The detached dwelling is set back from the main road on the southern side of Bourne Road. The property has a large block paved driveway, with double attached garage to the dwelling. There is side access to the rear of the property, the rear garden is of a spacious size and there are dwellings to the rear of the property which are approx. 30m away from the rear elevation. Dwellings in the area are a variety of ages and design.

History

No planning history relevant.

Consultation Responses

Cllr A M Newton- Support. Does not appear to adversely affect any neighbour.

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 single storey rear extension will protrude from the rear elevation by approx. 5m, with a width of approx. 6.8m. Having regard to the existing dimensions of the house and the plot it sits within, the proposed single storey extension is acceptable in terms of scale, mass and bulk.

Facing brick walls and UPVC windows are proposed to match existing. The doors are proposed to be aluminium bi folds and the roof will be a flat roof. As much as flat roof extensions are not considered favourable, due to it being to the rear of the dwelling it will not impact on the overall character of the surrounding area and is considered acceptable.

Internally, the purpose of the development is to gain further internal floor space for creating a new open plan kitchen and dining area to the rear of the property. There will also be alterations to the side entrance door, which will be moved to the new utility room to incorporate a new downstairs w/c. Overall, the proposals will ensure good living conditions for the house occupiers and are in keeping with the residential use of the property.

Taking the above into account, the proposed single storey rear 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

Paragraph 127 of National Planning Policy Framework (2019) amongst other matters seeks places with a high standard of amenity for existing and future users. Policies 2 and 3 of South East Lincolnshire Local Plan (2019) set out residential amenity and relationship to existing development and land uses as main considerations when making planning decisions.

The proposed single storey rear extension will have bi fold doors to the eastern side elevation, which is not considered to have any overlooking impact to the properties to the east given the closest direct facing elevation is approx. 19m away. The windows to the rear elevation will also not have an overlooking impact as there is an approx. 30m separation distance to the first floor windows of properties to the south.

The proposed extension would not be unduly overbearing or cause overshadowing to neighbouring properties due to the single storey nature of the extension and the positioning of neighbouring properties further forward than 79a Bourne Road.

Taking the above into account, the proposal 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 proposal 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.