DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H16-0592-22**	**Applicant:**	**Mrs J Annetts**
Proposal:	Demolition of existing outbuilding and erection of single storey extension		
Location:	6 West Elloe Avenue Spalding		
Terminal Date:	9th August 2022		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development

National Guidance

National Planning Policy Framework 2021

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 application, seeking permission for the proposed demolition of existing outbuilding and the erection of a single storey extension to the property at 6 West Elloe Avenue, Spalding.

Site Description

The application site is situated within the defined settlement of Spalding, according to the South East Lincolnshire Local Plan, 2019. The dwelling is a semi-detached red brick two storey property, with a gravelled driveway to the front and side of the dwelling. The dwelling is set back from the road and has a high mature hedge as the boundary treatment to the front of the site.

The dwellings along this section of West Elloe Avenue are sited on similarly sized plots and are of a similar age and design.

History

No relevant planning history.

Consultation Responses

No consultation responses received.

Planning Considerations

Layout, Design, Size and Scale

Paragraph 130 of the National Planning Policy Framework (NPPF), 2021 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 existing outbuilding is currently in a poor state of repair and adds no character to the property itself. The proposed extension to be constructed in its place will measure approx. 2.5m wide by 4.9m deep. Having regard to the existing dimensions of the house, the single storey extension is acceptable in terms of scale, mass and bulk.

The external materials include facing brickwork on walls, concrete roof tiles and UPVC in fenestration to match those existing in the property. The proposed roof structure will consist of a mono pitch roof which will be visible from the main road and will be attached to the existing single storey flat roof extension at the rear. Therefore, it would appear to look like a fully a pitched roof from the main road and would be in keeping with the original roof design. Thus, the development will appear well blended with the fabric of the house and visual amenity will not be undermined.

Internally, the purpose of the development is to gain further internal floor space for enlarging and creating new rooms inside the house. This includes the creation of an open plan kitchen diner, with the proposed extension providing a new utility room and downstairs w/c attached to the kitchen.

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 singlet storey extension is deemed to comply with Policies 2 and 3 in the SELLP, 2019 and Section 12 in the NPPF, 2021 in terms of layout, design, size and scale.

Residential Amenity

Paragraph 130 of National Planning Policy Framework (2021) 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 extension will have an obscure glazed window on the rear elevation from the w/c, a new side entrance door and a window on the front elevation from the proposed utility room. The windows placed to the front and rear are tantamount to a typical front and rear relationship with the surrounding properties and would therefore not materially impact upon overlooking.

The proposed extension would not be overbearing or have an adverse impact in terms of overshadowing due to the minor and single storey nature of the development.

Taking the above into account, the proposed single storey extension is deemed to comply with Policies 2 and 3 in the SELLP, 2019 and Section 12 in the NPPF, 2021 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.

Conclusion

The recommendation is therefore for a delegated approval.

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.