DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H16-0599-21**	**Applicant:**	**Mr A Haines & Ms L Clarke**
Proposal:	Extension & Alterations to Dwelling		
Location:	15 Meadway Spalding		
Terminal Date:	23rd July 2021		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

NPPF (2021) 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 a proposed extension and alterations to the property at 15 Meadway, Spalding.

Site Description

The site is situated within the settlement boundary of Spalding according to the South East Lincolnshire Local Plan, 2019. The detached dwelling is situated on the northern side of the cul-de-

sac known as Meadway. The property has a driveway suitable for two cars and an attached garage as well as a front garden that wraps around the south-western side of the property. The property is on a good side plot with a large rear garden and with properties being off-set to the rear. Properties along this road are of a similar age and design.

History

No planning history relevant.

Consultation Responses

Member of the public (1 comment) - Recommendation for a planning condition requiring the installation of a minimum of 4 swift nest bricks to provide enhancement for biodiversity.

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 proposal is for a first floor extension above the existing garage, utility and day room, and which projects partly beyond the existing rear elevation (by approx. 1.6m). The utility and day room will be enlarged at ground floor to accommodate the extension above. The extension will be no wider than the existing garage. In addition, a new porch will be created to the front elevation and extend by approx. 1.1m x 2.2m. Taking into account the size of the host dwelling, the proposed extensions of considered acceptable in terms of scale, mass and bulk.

Facing brickwork on walls, concrete roof tiles and white UPVC in fenestration will match those existing in the property. Thus, the development will appear well blended with the fabric of the house and visual amenity will not be undermined.

A pitched side gable roof will be formed to the side/rear extension extension which will compliment the existing roof structure. The porch roof will remain as existing.

Internally, the purpose of the development is to gain further internal floor space for enlarging and creating new rooms inside the house. This includes enlarging the existing ground floor day room and utility room. To the first floor, two additional bedrooms and bathrooms will be created. 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 extension and alterations are 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.

Impact upon Residential Amenity

Paragraph 130 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 windows to the front and rear elevations are not considered to create an overlooking impact as there are no properties directly facing the rear of 15 Meadway and to the front it is tantamount to a typical frontage relationship. The side elevation bathroom windows will be obscure glazed and will not impact the neighbouring property to the north.

It is not considered that there would be an overbearing or overshadowing impact upon the

neighbouring property to the north. There is a separation distance of approx. 2.2m to the opposing elevating, which is a garage, and the side facing windows of that property would appear to be to non-habitable spaces (landing). No. 15 is also set forward on no. 17, meaning that the proposed extension would project no further than the rear elevation of the neighbouring property.

Taking the above into account, the proposed extension and alterations are deemed to comply with Policies 2 and 3 in the SELLP, 2019 and Section 12 in the NPPF, 2021 in terms of residential amenity.

Parking Provision

In connection with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum requirements for car parking provision. 3 no. car spaces must be provided within the curtilage for dwellings with more than 3 no. bedrooms. The drive to the front is capable of accommodating two cars and there is a single garage.

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 extension and alterations 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.