DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H16-0615-21**	**Applicant:**	**Mr & Mrs Spillet**
Proposal:	Proposed Two Storey Side Extension		
Location:	14 St Helena Drive Spalding		
Terminal Date:	30th 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	0	0	0
RESIDENTS	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a householder application seeking permission for a proposed two storey side extension to the property at 14 St Helena Drive, Spalding.

Site Description

The site is situated with the settlement boundary of Spalding, according to the South East Lincolnshire Local Plan, 2019. The property is a detached dwelling situated at the end of the cul-de-sac of St Helena Drive, which comprises a mix of dwelling types and sizes. The dwelling sits within a large plot with garden to the east and a detached garage to the north-east. There are residential dwellings on all sides.

History

No relevant planning history.

Consultation Responses

Member of the public (1 comment) - Recommendation for a planning condition requiring the installation of a minimum of 3 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 proposed two storey extension will protrude from the eastern elevation by a maximum of approx. 4.6m and a overall depth of approx. 4.9m at ground floor. The first floor will be set in from the ground floor. Having regard to the existing dimensions of the house and plot it sits within, the proposed two storey extension is acceptable in terms of scale, mass and bulk.

Facing brickwork on walls, 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 side gable roof will be formed to the cover the first floor extension and a small mono-pitched roof to the section of the ground floor extension which protrudes further. The proposed roof structures are considered to compliment the original pitched roof structure and will be lower than the existing ridge height. Overall, it will not adversely impact on the character of the surrounding area and is considered acceptable.

Internally, the purpose of the development is to gain further internal floor space for enlarging and creating new rooms inside the house. This includes moving the kitchen to the proposed extension and replacing the existing with a study floor. The dining room will be moved in place of the snug. To the first floor, the extension will enlarge bedroom 2, and create an en-suite bathroom. 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 two 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.

Impact upon 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.

There will be windows on the northern and eastern elevations of the first floor of the extension. The northern window will not impact upon privacy of neighbouring property to the north as there is a separation distance of approx. 17m to the opposing elevation and there are no side facing windows on that property. The eastern elevation has a separation distance of approx. 40m from the opposing elevation of the property to the east, which is clearly sufficient to not impact upon the amenity of occupiers.

The ground floor will have bi-fold doors to the northern elevation and a kitchen window to the eastern elevation. These are also not considered to have a detrimental impact upon overlooking

due to being situated at ground floor level and reasons expressed in previous paragraph.

The proposed extension will not have a material overbearing or overshadowing impact given that the gardens to adjoining properties to the east and south are long (20m+) and the property to the north has no facing windows.

The garden of the host property will still be an acceptable size.

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, 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 two 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.