DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H16-0689-21**	**Applicant:**	**Mr & Mrs Ayton**
Proposal:	Proposed rear extension		
Location:	4 Columbus Close Spalding		
Terminal Date:	19th August 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

NPPF 2021
Section 12- Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0
WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD	0	0	0	1
RESIDENTS	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a householder application seeking permission for a proposed rear extension to the property at 4 Columbus Close, Spalding.

Site Description

The site is situated within the settlement boundary of Spalding, according to the South East

Lincolnshire Local Plan, 2019. The detached bungalow is sited on a spacious plot at the end of the cul-de-sac of Columbus Close. A detached garage is situated to the south of the dwelling, with a large driveway and a grassed front garden. There is side access to the rear of the dwelling to the west of the property. The rear garden is a good size and is typical of the surrounding residential development in the area. The rear garden has high hedges surrounding.

History

No relevant planning history.

Consultation Responses

Public comment (1 no. summarised):
- Comments that the proposed looks very nice and will not affect them.

Welland & Deepings IDB:
- A relaxation of the Board's 9m byelaw should be made in advance of any works on site.

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 rear extension will protrude from the rear elevation by a maximum of 4m and a minimum of 2.1.. The overall width of the extension will match the existing width of the dwelling which is approx. 12.8m. Having regard to the existing dimensions of the house and plot it sits within, the proposed rear extension is acceptable in terms of scale, mass and bulk.

The external walls are proposed in a rendered finish, with roof tiles and white upvc to match the existing. Overall, the proposed external materials are considered to appear well blended with the fabric of the housing and visual amenity will not be undermined.

A part hipped and part flat roof will be formed over the proposed extension. 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 enlarging and creating new rooms inside the house. This includes enlarging the existing second bedroom with an en-suite with fitted wardrobes. The existing kitchen and dining room will become an open plan kitchen, dining and living space.

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 rear 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.

The proposed windows to the rear elevation will be similarly situated to the existing windows, just

further out, with the addition of a roof lantern to the proposed living space. The proposed windows are not considered to have a detrimental impact upon overlooking of neighbours, due to the single storey nature of the proposal and the northern and western boundaries being well screened. The property to the north-east on Shackleton Close is over 20m away.

It is not considered that there would be an overbearing or overshadowing impact upon neighbouring properties, due to the single storey nature and reasonably small scale of the proposal.

Taking the above into account, the proposed rear 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 rear 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.