

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H16-0714-21 **Applicant:** Mr & Mrs D Roberts

Proposal: Proposed two storey rear extension including alterations and garage conversion

Location: 23 St Annes Way Spalding

Terminal Date: 26th August 2021

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
28	The Natural Environment
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

CASE OFFICER ASSESSMENT

PROPOSAL

This is a householder application seeking permission for a two storey rear extension to create a family room on the ground floor and a master bedroom on the first floor. The extension would measure 5 metres (depth) x 4 metres (width). Part of the existing garage is proposed to be converted into a playroom and a utility. The external material would match the existing dwelling.

SITE DESCRIPTION

The property is a detached two storey detached dwelling on located on St Annes Way in Spalding.

The dwelling is white rendered buff brick built with white door/window frames. There is a double attached flat roofed garage to the side and a driveway to the front. The rear garden is enclosed by a high boundary hedge.

RELEVANT PLANNING HISTORY

No relevant planning history.

REPRESENTATIONS

No representations 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 proposed garage conversion would result in minor external changes to include a window on the front elevation and a small window on the rear elevation. They changes are considered minor and would not significantly change the overall appearance of the dwelling.

The proposed two storey rear extension, although quite large, is considered to be proportionate to the size of the existing dwelling and the plot. There would be no prominent views of the rear extension from the public realm therefore no unacceptable impact would result on the street scene. In addition, sufficient outdoor amenity space would be retained therefore the proposed extensions would not result in overdevelopment of the site. The use of matching external materials would further ensure the extension is in keeping with the character of the existing dwelling.

As such the extensions would on balance comply with the aforementioned policies on design, layout and impact upon the character of the local area.

Impacts upon Residential Amenity

The proposed alterations associated with the garage conversion are considered minor and would not unacceptably impact neighbouring amenity.

The closest neighbour to the proposed development is no.21 St Annes Way located to the north-east of the application site. The closest part of the proposed extension would be located at least 10 metres from the shared boundary with this neighbour. This separation distance is considered sufficient as to not result in any overbearing impact or unacceptable overshadowing on this neighbour. One first floor window is proposed in the side elevation facing this neighbour. To avoid overlooking and loss of privacy a condition is appended for this neighbour to be obscure glazed.

With regards to the neighbour to the west of the application site at no.25 St Annes Way the closet part of the proposed extension would be located at least 7.5 metres from the shared boundary with this neighbour. This separation distance is considered to be sufficient as to not result in any overbearing impact or unacceptable overshadowing. Furthermore no windows are proposed at first floor level in the side elevation facing this neighbour therefore there are no overlooking or loss of privacy concerns.

The proposed extension would be located at lest 4 metres from the rear boundary and given the relationship with this neighbour and orientation of the property no overbearing impact or unacceptable overshadowing would result on this neighbour.

As such the proposal would accord with Paragraph 130 of National Planning Policy Framework (2021) and Policies 2 and 3 of South East Lincolnshire Local Plan (2019).

Parking

In connection with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum requirements for car parking provision. The proposed scheme would not increase the number of bedrooms in the property therefore the parking requirement for the site would remain the same. 3no parking spaces are required for the dwelling and the driveway and remaining garage can accommodate these. As such the scheme complies with the current parking standards.

Planning Balance

On balance, the proposal will not materially harm the character or appearance of the locality or amenity of nearby residents. The planning balance is therefore considered to be in favour of the proposal.

CONCLUSION

In light of the considerations above, the proposal is considered to be in accordance with Policies 2, 3 and 36 of the South East Lincolnshire Local Plan (2019) and Section 12 of the National Planning Policy Framework (2021).

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.

RECOMMENDATION

The application can be approved under delegated powers.