

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H16-0764-22 **Applicant:** Mr P Claridge
Proposal: Single storey side extension
Location: 11 Wygate Meadows Spalding
Terminal Date: 27th September 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 planning permission for a proposed single storey side extension to the property at 11 Wygate Meadows, Spalding.

Site Description

The detached dwelling is situated within the defined settlement limits of Spalding, according to the South East Lincolnshire Local Plan, 2019. The dwelling is situated within a residential cul de sac and shares a private drive off Wygate Meadows. The dwelling has a double detached garage set to the side of the property and has a 1.8m high feather board fencing around the perimeter of the garden. There is a small grassed front / side garden which is set along the west and north sides of the property. Dwellings within this cul de sac are set on a similar sized plots and ages, with a variety of designs.

History

No relevant planning applications.

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 proposed single storey side extension will protrude from the south side elevation by approx. 9.1m by a depth of approx. 6.1m. Whilst it is a large extension and effectively doubles the width of the dwelling, given that these are large dwellings on large plots, it is not considered that it would be so out of keeping in terms of scale that would justify refusing the application.

The proposed hipped roof is considered to be acceptable in terms of visual amenity, given that it could be viewed from the shared drive to the west.

The external materials include facing brickwork on walls, concrete roof tiles and UPVC in fenestration to 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.

Internally, the purpose of the development is to gain further internal floor space for a games room, which will have an entrance from the existing living room and will include bi-fold doors facing the rear garden.

Although this is a large scale single storey extension, it provides an additional amenity space for the current residents and still allows sufficient outdoor amenity space to the existing garden.

Overall, the proposals will ensure good living conditions for the house occupiers and is in keeping with the residential use of the property.

Taking the above into account, the proposed single storey side 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.

Although this is a large single storey side extension, it is positioned where it would not be overbearing or cause overshadowing upon any neighbouring property.

The proposed windows to the front elevation would be of a tantamount frontage relationship with those opposite and are in a similar set back to the windows to the original front elevation of the dwelling. The bi-fold doors would be no closer to the property to the rear than the dwellings existing rear windows.

Taking the above into account, the proposed single storey side 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 side 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.