

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H16-0835-20 **Applicant:** Mr & Mrs M West
Proposal: Proposed first floor extension to existing dwelling
Location: 5 Vernatts Green Spalding
Terminal Date: 23rd November 2020

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

Section 12- Achieving well designed places

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

Proposal

The proposal is to build over the existing attached side garage and utility room to create an additional bedroom, ensuite and study. There would be one small obscure glazed window to the first floor side elevation to serve the ensuite, with one window each to the front and rear elevations. The extension would have the same ridge height of the existing house, be in line with the existing rear wall, with a gable feature to the front above the garage. The extension would be built in matching bricks and tiles.

Site Description

The property is a detached house on a modern housing estate. It has a single storey sun room extension to the rear and the loft has been converted to a fourth bedroom with roof lights to the front

and rear roof slopes. The front garden has largely been block paved with two dropped kerbs. The property to the south is a house of the same design whilst to the north is a white rendered "chalet" style property. The rear garden is enclosed by close boarded fencing with residential properties and gardens to the rear.

History

None relevant.

Consultation Responses

None.

Planning Considerations

Layout, Design, Size and Scale

Paragraph 127 of the National Planning Policy Framework (NPPF), 2019 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 first floor extension would be built of matching materials and reflect the existing design of the original house, with the gable feature to the frontage reflecting the existing front elevation which has a similar albeit smaller feature to the front bedroom window.

Having regard to the existing dimensions of the house, the proposed addition is considered to be acceptable in terms of scale, mass and bulk.

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, 2019 in terms of layout, design, size and scale.

Impacts upon Residential Amenity

The proposed extension would have windows to the front, side and rear elevations. The side window would be to an ensuite and be obscure glazed and given the distance to the side boundary with the property to the south remains the same and the rear window would be in line with the existing rear elevation, it is not considered there would be additional overlooking which would be harmful to the adjacent properties either to the south or rear.

It is therefore not considered that there would be a material adverse impact on residential amenity in terms of overlooking, loss of light or being overbearing.

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, 2019 in terms of residential amenity.

Parking Provision

The proposal together with the existing loft conversion would increase the number of bedrooms from the original 3 to 5. As the frontage is all hard surfaced with the vast majority block paved and with two dropped kerbs, there is sufficient room to park 3 or 4 cars. This meets the requirements set out in Annexe 6 (Parking Standards) of the SELLP.

Conclusion

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

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.