

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H16-0988-19 **Applicant:** Mr & Mrs S Gibbons

Proposal: Side extension to kitchen incorporating conversion and new roof to garage to form utility/cloakroom and internal alterations

Location: 14 Halmer Gardens Spalding

Terminal Date: 28th November 2019

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

CASE OFFICER ASSESSMENT

Proposal

This is a householder application for a proposed side extension to kitchen incorporating a conversion and a new roof to garage to form utility/cloakroom and internal alterations at 14 Halmer Gardens, Spalding.

Site Description

The dwelling is a semi detached property along a cul de sac road, the property is set back and has a driveway and front garden. The site has approx. 1m picket fence as the treatment boundary. The houses surrounding this property are of a similar style and brick type.

On the opposite side of the road are a row of bungalows, however they are of the same brick type. The property is situated on a quiet road. The garage of the property is of a similar style to the garage adjacent to the property.

History

None relevant.

Consultation Responses

No responses

Planning Considerations

Layout and Design

The proposed development will create a larger kitchen, a ground floor WC with a utility area.

The garage will still be in place, but will have decreased in size to accommodate the additional rooms and internal alterations to the original property.

There will be two velux windows on the roof of the single storey side extension, in replacement of the current kitchen window which is facing northwards.

The facing bricks have been proposed to match the existing, as well the roof to be replaced with slate to match the existing roof of the dwelling, instead of the current black felt. Windows are all to match the existing white wood or white UPVC materials.

The proposed extension would be located to the rear of the garage and to the side of the dwelling, therefore the visibility would be minimal.

Given the above, it is considered that the layout and design of the proposed development is acceptable.

Size and Scale

The proposed extension will extend towards the main rear wall of the property by approximately 2.7m in length.

It is a single storey development and the extension is considered to be fairly minor as it only projects 2.7m from the existing rear wall of the garage and approx. 2.1m from the existing side elevation. The roof will have a lean to design with two Velux windows above the kitchen and utility area.

In light of this, the proposed development is considered to be of an acceptable scale and is subservient to the originally property.

Impact upon Residential Amenity

The velux windows have been incorporated to allow natural light into the new extension but there should be no overlooking/privacy issues given that there are no windows on the facing elevation of the adjacent property.

For this reason, and due to the positioning and single storey scale of the extension, there would be no material loss of light to the neighbouring property nor would it be overbearing in nature.

The proposed extension sets out to create more space for the internal kitchen, this will also include the addition of a utility space and a WC downstairs, which will benefit the residents.

This proposal is therefore acceptable and does not impose upon residential amenity.

Parking

The addition of the utility room and WC within the garage would effectively render the garage unusable for vehicles. However, 2 vehicle parking spaces are available within the curtilage of the property which would comply with Policy 36 and Appendix 6 of the Local Plan which requires 2 vehicle parking spaces for properties with up to 3 bedrooms.

Conclusion

In light of the considerations above, the proposed side extension to kitchen, incorporating conversion and new roof to garage to form utility/cloakroom and internal alterations to this dwelling is in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) and of Section 12 in 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.