

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H16-1037-20 **Applicant:** Mr P Crossman
Proposal: Proposed Ground Floor Extension
Location: 5 Bentinck Close Spalding
Terminal Date: 14th January 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

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 ground floor front extension at 5 Bentinck Close, Spalding.

Site Description

The site is situated north west within the settlement boundary of Spalding. The detached dwelling is situated to the north of the cul-de-sac of Bentinck Close, off of Cavendish Way.

The surrounding dwellings are detached properties, which are situated on spacious plots and are of a similar age and design.

To the front boundary, there are small mature hedging as the boundary treatment. There is a block paved and gravelled driveway in front of the double garage. There is also a large grassed front garden to the south west of the site.

History

No planning history relevant.

Consultation Responses

No consultation responses.

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 front extension will protrude approx. 1.25m from the front elevation of the original dwelling and align with the existing protrusion of the attached double garage. The proposed width is approx. 5.7m.

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

The mono pitched roof will be formed to cover the proposed extension, and will match what is existing and with what is similarly seen in the design of the neighbouring dwellings.

Facing brickwork on walls, roof tiles and UPVC are proposed to match the existing. The proposed front extension will also include velux windows to the roof, allowing natural light in. A new front door and window will be situated to the front elevation, replacing the existing fenestrations and a new window proposed to the western side elevation. Thus, the development will appear well blended with the fabric of the house and the visual amenity will not result undermined.

Internally, the purpose of the development is to gain further internal floor space by enlarging the existing dining room, including minor alterations to the internal layout by removing the wall to the hallway and creating a small cupboard next to the stairs.

Taking the above into account, the proposed extensions are 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.

Impact upon Residential Amenity

The proposed extension is not considered to be overbearing in nature, due to the single storey element and will be well blended with the original dwelling.

It is not considered to have an adverse impact upon residential amenity due to overshadowing, as the positioning of the extension is to the southeast of the dwelling and will allow in natural daylight and is therefore acceptable.

It is considered that there will be no impact upon overlooking, as the proposed fenestrations will mirror what is existing, with the addition of a new side window to the western elevation. Therefore, the proposed extension will not overlook unacceptably to any residential plot near habitable rooms of other dwellinghouses.

Taking the above into account, the proposed extensions are deemed to comply with Policies 2 and 3 in the SELLP, 2019 and Section 12 in the NPPF, 2019 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 ground floor front extension does 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 therefore for a delegated approval.