DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H16-1210-22**	**Applicant:**	**Mr Yearsley**
Proposal:	Single storey rear extension and internal alterations to form accessible bedroom and wet room - re-submission of H16-0823-22		
Location:	109a Pinchbeck Road Spalding		
Terminal Date:	20th March 2023		

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 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 proposed single storey rear extension and internal alterations to form accessible bedroom and wet-room to the property at 109A Pinchbeck Road, Spalding. This is a re-submission of application H16-0823-22.

SITE DESCRIPTION

The site is situated within the defined settlement of Spalding and is a detached dwelling, set back from the main road of Pinchbeck Road. Pinchbeck Road is characterised by frontage residential development along this section of the road. There is a large gravelled driveway to the front of the dwelling with mature hedging and 1m high fencing as the boundary treatment.

RELEVANT PLANNING HISTORY

H16-0823-22- Full- Approved on 04-10-22- Single storey rear extension and internal alterations to form accessible bedroom and wetroom.

REPRESENTATIONS

No consultation responses.

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 extension would extend from the rear elevation by approx. 6.9m by 4m, compared to the previously approved application (H16-0823-22) which was approx. 6.3m by 4m. Overall, having regard to the existing dimensions of the house, the proposed extension is acceptable in terms of scale, mass and bulk.

The external materials include facing brickwork on walls and white UPVC in fenestration would match those existing in the property. Thus, the development would appear well blended with the fabric of the house and visual amenity would not be undermined.

A flat roof is proposed to the rear extension. As much as flat roof extensions are not considered favourable, due to it being to the rear of the dwelling it would not impact on the overall character of the surrounding area and is considered acceptable.

Internally, the purpose of the development is to gain further internal floor space for enlarging and creating new rooms inside the house, to create accessibility for a wheelchair user. This includes the creation of a wheelchair friendly shower room and a bedroom which is easily accessible for the occupier. The rear extension will also have a graded ramp to access it from the side of the property, as well as a graded ramp to access the rear garden.

Overall, the proposals would ensure good living conditions of the house occupiers and would be in keeping with the residential use of the property.

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

It is not considered that the proposal would overshadow, overlook or be overbearing to the neighbouring properties. The proposed single storey rear extension would have a door entrance with an existing small obscure glazed window and the extension to the rear is only single storey.

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

Parking Provision

In connection with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum requirements for car parking provision.

3 no. car spaces must be provided within the curtilage for dwellings with more than 3 no. bedrooms. It is assumed that this dwelling has more than 3 bedrooms, due to the positioning of first floor windows and there being two bedrooms on the ground floor already. The drive to the front is sufficient to accommodate three cars.

Therefore, the proposed parking provision complies with Policy 36 and Appendix 6 in the SELLP, 2019.

CONCLUSION

In light of the considerations above, the proposal is considered to be in accordance with Policies 2 and 3 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

Delegated approval.

N.B. The application was presented to Chairman's Panel on 17th March 2022 and Members were in agreement with a delegated approval.