DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H16-1231-21**	**Applicant:**	**Mr & Mrs Wright**
Proposal:	Proposed single storey extension to form annexe		
Location:	58 Saxon Close Spalding		
Terminal Date:	25th January 2022		

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 an application seeking planning permission for a single storey front/side/rear extension to create an annexe. The extension would measure 3.9 metres (width) x 12.6 metres (depth) and stand at 4 metres in height (2.2 metres to the eaves). It would comprise 1 bedroom, shower room, kitchen and a living room. The external materials of the extension would match the existing dwelling.

Site Description

The site comprises a two storey detached dwelling located on Saxon Close. It is located within the Spalding settlement boundary. The property is buff brick built with white door/window frames. It has a single attached garage to the side and a gravelled driveway to the front/side. The site abuts a parcel of open space to the east. The rest of the immediate area is primarily residential dwellings of

similar size/style.

History

H16-0625-93 - Extension including replacing flat roof to garage with pitched roof - Approved 01/09/93.

Consultation Responses

No consultation responses received.

Planning Considerations

Design and layout

Paragraph 130 of 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. Policies 2 and 3 of SELLP 2019 amongst other matters seek to ensure that development respects the character and appearance of the area and the relationship to existing development and land uses.

The proposed annexe would comprise 1 bedroom, shower room, kitchen and a living room. It would have a separate access but would still be linked to the existing house via an internal opening. The gross floorspace is adequate per each room to ensure good living conditions to the annexe occupier. The parking and amenity areas would be shared with the main dwelling.

The scheme is considered acceptable given its relatively modest footprint, single storey nature of the extension and use of sympathetic external materials. It is considered that the proposal would not materially harm the character or appearance of the existing dwelling or the locality. Overall, the size and external appearance of the proposal would not be at odds with the existing dwelling on the site or the immediate area.

As such the proposed development is on balance considered acceptable in terms of its impact on the character of the existing dwelling and the area therefore it accords with Policies 2 and 3 of the SELLP and the Section 12 of the NPPF.

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.

The majority of the proposed extension would not be visible to the neighbour to the west at no.56 Saxon Close as it would be blocked by the applicant's existing two storey house. Only a small section of the front projecting element would be visible to this neighbour (2.2 metres). However, this would be located approximately 11 metres from the shared boundary with this property. Given the single storey nature and small front projection this separation distance is considered sufficient as to not result in any overbearing impact or unacceptable overshadowing.

There are no neighbours immediately to the east of the application site.

The proposal is not considered to increase noise levels from the site as the proposed annex would be ancillary to the existing dwelling on the site therefore there would not be an intensified use of the site and no new activities would be introduced.

As such, the proposals are not considered to unacceptably harm the residential amenity of adjacent neighbours by reason of unacceptable overshadowing or overlooking.

Parking

In connection with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum requirements for car parking provision. The proposed scheme would create an additional bedroom on the site. It is not

clear how many bedrooms the existing dwelling contains. However, a maximum of 3no off-street parking spaces would be required for the site. At least 3no parking spaces would be retained in the driveway to the front/side. As such the scheme is considered to comply with the current parking standards.

Planning Balance

The principle of an attached annexe that is incidental to the enjoyment of a dwelling is acceptable.

The scale and height of the extension is on balance acceptable in relation to the plot and the host dwelling. The proposed materials would deliver an external appearance matching with the current fabric of the building. It is considered that the development would not harm the amenity of residents nearby. The additional bedrooms are not anticipated to increase the pressure on the car parking demand within the curtilage.

On balance, no adverse impact of granting permission would significantly and demonstrably outweigh the benefits of doing so, when assessed against the planning policies taken as a whole.

Conclusion

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.

Taking into account the above, this application accords with Policies 2, 3, 36 and Appendix 6 of South East Lincolnshire Local Plan (2019) as well as Section 12 of the National Planning Policy Framework (2021).

Accordingly, it is recommended to approve this application via delegated powers.

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

The application can be approved under delegated powers.