DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H21-0582-21**	**Applicant:**	**Mr & Mrs Simmonds**
Proposal:	Proposed Extension		
Location:	6 Draw Dyke Sutton St James Spalding		
Terminal Date:	19th July 2021		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
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
PARISH COUNCIL	0	1	0	0
WARD MEMBER	0	0	0	0
NORTH LEVEL INTERNAL DRAINAGE BOARD	0	0	1	0

CASE OFFICER ASSESSMENT

PROPOSAL

This is a householder application seeking permission for a 1.5 storey side extension to create a kitchen/diner and a wet room on the ground floor and a bedroom in the loft space above. The

extension would measure 6 metres (width) x 7 metres (depth). It would have black feather edged walls and mock slate roof tiles.

SITE DESCRIPTION

The property is a semi-detached two storey dwelling located on Draw Dyke, Sutton St James (Tydd St Mary Parish). The site is outside any settlement boundary and within the open countryside. The property is red brick built with white door/windows frames. There is a large gravelled driveway to the side. The immediate area is mainly open countryside with a couple of dwellings to the east of the site.

RELEVANT PLANNING HISTORY

No relevant planning history.

REPRESENTATIONS

Tydd St Mary Parish Council

Support the application.

PLANNING CONSIDERATIONS

Principle of development

The site outside any settlement boundary but as it is within the residential curtilage of the existing dwelling the principle of a house extension that is incidental to the enjoyment of a dwellinghouse is acceptable.

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 key material considerations are addressed below.

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.

It is accepted that the proposed extension has a rather large side projection and almost doubles the footprint of the existing dwelling. However, the site is big enough to comfortably accommodate the proposed extension without resulting in overdevelopment of the site and would also retain an adequate amount of outdoor amenity space. The extension would have a lower ridge height than the existing roofline and be set back from the existing front elevation to give it a subservient appearance. In addition, the use of matching external materials would ensure the extension is not in keeping with the existing dwelling.

The proposed black feather edged boards on the walls would not match the existing dwelling, however, they are not considered to unacceptably impact or change the appearance of the existing dwelling and can therefore on balance be accepted.

As such the extensions would on balance comply with the aforementioned policies on design, layout and impact upon the character of the local area.

Impacts upon Residential Amenity

The only immediate neighbour is the attached neighbour to the north at no.5 Draw Dyke. The proposed extension would not extend beyond the existing two storey front/rear elevations of the application site therefore the extension would be blocked by the applicants existing house and

would not be visible to this neighbour. As such no unacceptable impact would result on this neighbour.

All other neighbours are located a significant distance away therefore they would not be impacted by the proposed development.

As such the proposal would accord with Paragraph 127 of National Planning Policy Framework (2019) and Policies 2 and 3 of South East Lincolnshire Local Plan (2019).

Parking

In connection with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum requirements for car parking provision. The proposed scheme would not increase the number of bedrooms in the property therefore the parking requirement would not change. There would be sufficient space retained to the front/side of the dwelling for several vehicles. As such the scheme complies with the current parking standards.

Planning Balance

On balance, the proposal will not materially harm the character or appearance of the locality or amenity of nearby residents. The planning balance is therefore considered to be in favour of the proposal.

CONCLUSION

In light of the considerations above, the proposal is considered to be in accordance with Policies 1, 2, 3 and 36 of the South East Lincolnshire Local Plan (2019) and Section 12 of the National Planning Policy Framework (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.

RECOMMENDATION

The application can be approved under delegated powers.