DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H22-0067-21**	**Applicant:**	**Mr & Mrs L Slayven**
Proposal:	Extension to form games room with bedroom above.		
Location:	The Poplars High Road Weston		
Terminal Date:	19th March 2021		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
04	Approach to Flood Risk
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Sections 2, 4, 12 and 14

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

Proposal

Full planning permission is sought for a rear two storey extension with a single storey link to the main house. It would consist of a games room at ground floor level with additional bedroom and en-suite on the first floor. A double garage and static caravan would be removed to accommodate the development.

Site Description

The Poplars is an early 20th Century house located on the southern side of High Road. The site of the proposed extension is currently occupied by a detached double garage and static caravan.

A bungalow (no. 214) is situated to the east beyond a drain and a house (Melandi) to the west.

Planning History

No recent history.

Consultation Responses

Weston Parish Council - No response received.

Public - No response received.

Planning Considerations

The main issues in this case are:

- Principle;
- Character/appearance;
- The likely impact upon the amenity of nearby residents;
- Other material considerations such as highway issues and flood risk.

Principle/Sustainability

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

The site is inside Weston Settlement Limit as defined in the South East Lincolnshire Local Plan (SELLP), 2019. Policy 1 (Spatial Strategy) of the SELLP indicates that within Minor Service Centres, including Weston, development will be permitted that supports their role as a service centre for the settlement itself, helps sustain existing facilities or helps to meet the service needs of other local communities. Development will be limited to allocated and committed sites and infill.

In this case, the proposal is solely an extension to an existing dwelling. Therefore, the principle of development for the proposal is acceptable unless material considerations indicate otherwise, according to section 70(2) of the Town and Country Planning Act 1990.

The proposal is in accordance with Policy 1 of the South East Lincolnshire Local Plan, 2019

Character/Appearance

Existing development along this part of High Road is generally varied in terms of age, design and appearance, and includes both houses and bungalows.

The proposed extension would be located at the rear of the existing property and would be subservient in terms of height and overall scale. It would be constructed in materials to match those existing and would take on the appearance of a rear garage block when viewed from High Road. It is considered acceptable, on balance, in terms of design and appearance and would not materially harm the character or appearance of the existing dwelling or the rural locality.

The proposal therefore generally accords with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 in this respect.

Amenity

A bungalow (no. 214) is situated to the east beyond a drain and a house (Melandi) to the west.

The proposed extension would have a blank elevation facing east towards no. 214 and would be some 15 metres from the western boundary with Melandi, with screening between. French doors and railings are proposed at first floor level on the rear elevation serving the bedroom. However,

there would be no external balcony. The neighbouring bungalow to the east is set further back and overlooking from the French windows would be oblique. No resident objections have been received. It is considered, on balance, that the amenity of neighbouring residents would not be materially harmed in terms of overlooking, lack of privacy, overshadowing, noise and disturbance, etc.

Whilst it is appreciated that there could be some disturbance during the construction phase it would only be temporary.

The proposal therefore generally accords with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 in this respect.

Highway Safety

Ample car parking is available upon the site and would not be affected. There are therefore no highway safety issues in this case.

The proposal is in accordance with Policies 2, 3 and 36 of South East Lincolnshire Local Plan, 2019 in this respect.

Flood Risk

The site is within Flood Zone 3 within the Environment Agency Flood Maps. However, it is within an area of no hazard within the South East Lincolnshire Strategic Flood Risk Assessment. No objections are therefore raised on flood risk grounds.

Planning Balance

The proposal is considered acceptable in terms of design/appearance and would not materially harm the amenity of neighbouring residents. No objections have been received. There are no significant highway or flood risk issues in this case.

The proposed development is generally in accordance with Policies 1, 2 and 3 of South East Lincolnshire Local Plan, 2019 and Section 12 of the National Planning Policy Framework, 2019.

Conclusion

The planning balance lies in favour of the proposal.

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

That the application be approved under delegated powers.