DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H22-0635-22**	**Applicant:**	**Mr & Mrs G Rawlings**
Proposal:	Proposed single storey rear extension & alterations		
Location:	585 Broadgate Weston Hills Spalding		
Terminal Date:	22nd August 2022		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development

National Guidance

National Planning Policy Framework 2021

Section 12- Achieving well designed places

Representations:

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

CASE OFFICER ASSESSMENT

PROPOSAL

This is a householder application seeking permission for a single storey rear extension to create a dining room. It would measure 3.2 metres (depth) x 5.3 metres (width) and stand at 4.3 metres in height (2.6 metres to the eaves). The external materials would match the existing bungalow.

The proposal also includes a new window opening in the side elevation serving the w/c.

SITE DESCRIPTION

The property is a located on Broadgate in Weston Hills. It comprises a new built bungalow on the eastern side of Broadgate. It is part of a group of 7no newly constructed bungalows built outside the

settlement boundary. The bungalows have open frontages with recently planted hedging along part of the front boundary. The site backs onto open fields.

RELEVANT PLANNING HISTORY

H22-0039-20 - Residential Development - Erection of 4 Dwellings - Outline Approval H22-0850-18 - Approved

H22-0297-20 - Residential Development - 4 plots - approved under H22-0850-18. Modification of Condition 5 relating to footpath - Approved

H22-0850-18 - Residential development - 4 plots - Approved

REPRESENTATIONS

No representations received.

PLANNING CONSIDERATIONS

Principle of development

The site is outside any defined settlement boundary, however, the proposed extension would be sited within the residential curtilage of the existing dwelling therefore the principle of extending the existing 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 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 extension would be to the rear of the site therefore there would not be any prominent views from the main public realm. There may be some glimpsed views from the open countryside to the rear however, the extension would be sited at least 7 metres from the rear boundary and would not extend beyond the existing rear projecting element therefore it would not appear overly prominent. The extension would be a small infill, not resulting on overdevelopment of the site and sufficient outdoor amenity space would be retained. Furthermore the use of matching external materials would ensure the extension is in keeping with the character of the existing bungalow.

The proposed new window opening would be in the side elevation, towards the rear of the house therefore it would not be visible from the public realm. Given its location and small size it is not considered to significantly alter the overall appearance of the site.

As such on the proposed development would be acceptable in terms of its impact on the character of the local area and therefore in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan (SELLP), 2019 and Paragraph 130 of the National Planning Policy Framework (NPPF), 2021.

Impacts upon 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 closest neighbour to the proposed development is no.583 Broadgate located to the south of the application site. The proposed extension would be site 1.5 metres from the shared boundary with this neighbour an approximately 3 metres from this neighbours closest elevation. Given this and the limited roof height no overbearing impact would result. In addition, given this neighbour is due south the extension would not result in any unacceptable overshadowing on this neighbour. One new window is proposed in the side elevation facing this neighbour, however, this is not considered to result in any additional unacceptable overlooking given it would not be significantly higher than the boundary fence.

With regards to the neighbour to the north at no.587 Broadgate the proposed extension would largely be blocked by the existing rear projecting element therefore only a small section of the roof would be visible to this neighbour. The extension would be sited some 14 metres from the shared boundary with this neighbour therefore no overbearing impact or unacceptable overshadowing would result.

As such the proposal would accord with Paragraph 130 of National Planning Policy Framework (2021) and Policies 2 and 3 of South East Lincolnshire Local Plan (2019).

Planning Balance

The proposal will not materially harm the character or appearance of the locality or the 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 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

The application is approved under delegated powers.