DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H22-0915-21**	**Applicant:**	**Mr & Mrs Sawyer**
Proposal:	Proposed extensions & alterations		
Location:	43 Austendyke Road Weston Hills Spalding		
Terminal Date:	27th October 2021		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
28	The Natural Environment
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

Section 12 - Achieving well-designed places
Section 15 - Conserving and enhancing the natural environment

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	1	0	0	0
WARD MEMBER	0	0	0	0
RESIDENTS	1	0	0	1

CASE OFFICER ASSESSMENT

PROPOSAL

This is a householder application seeking permission for the following:

·Demolition of conservatory to the rear and erection of ground floor extension with a rear projection of 3.8 metres to create a family room, utility and an office
·First floor front, side and rear extensions to create a family bathroom and a master bedroom with en-suite shower room, dressing room and a balcony
·Replace front door with a window
·Minor fenestration changes
·Replace existing concrete roof tiles with grey slate
·Render the entire property in cream/off-white

SITE DESCRIPTION

The application site comprises a two storey detached dwelling located on Austendyke Road in Weston Hills. The property is buff brick built with part render on the front elevation. There is a single storey element to the front/side. A single attached garage is located to the side and a large gravelled driveway to the front providing off-street parking provision for several vehicles. The immediate street scene comprises a mixture of single and two storey dwellings of varying designs and ages. The site backs onto open countryside.

RELEVANT PLANNING HISTORY

No relevant planning history.

REPRESENTATIONS

Weston Parish Council

The Parish objects on grounds that the new windows on the side of the property will infringe on the privacy of the adjourning property.

Public

A representation has been received recommending installation of a minimum of 5no swift nest bricks be required by a planning condition to provide enhancement for biodiversity.

A local resident has objected to the scheme on grounds that proposed balcony will overlook and overshadow their property.

PLANNING CONSIDERATIONS

Principle of development

The site is within the Weston Hills settlement boundary and the proposed extensions 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 proposed fenestration changes are considered minor and providing a more uniform appearance, not significantly changing the overall appearance of the site.

The proposed extensions are considered proportionate to the existing dwelling and the plot. The site is big enough to comfortably accommodate the proposed extensions without resulting in overdevelopment of the site and would also retain an adequate amount of outdoor amenity space. The proposed gable end is considered to add an element of interest and would to some extent improve the overall appearance of the dwelling as the existing flat storey front/side elements are not considered to be in keeping with the main dwelling.

The wider street comprises a mixture of bricks, render and cladding. As such the proposal to render the dwelling is not considered to be out of character with the area. As it is not always possible to get exact matching bricks so there is usually a noticeable difference between old and new. As such the proposed render is considered to be a better option and would provide a more uniform appearance. The proposed replacement rooftiles are also considered acceptable and would sit well with the rendered dwelling.

As such on balance, the proposed development is considered to comply with the aforementioned policies on design, layout and impact upon the character of the local area.

Impacts upon Residential Amenity

One neighbour at no.47 Austendyke has objected to the scheme on grounds that proposed balcony will overlook and overshadow their property. The concerns are noted, however, it is not considered that the proposals would result in any overshadowing on this neighbour given the closest part of the development would be sited at least 13 metres from this neighbour boundary. The balcony would not offer any direct views of this neighbour as the balcony would be enclosed by walls on the eastern and western elevations therefore it is not considered that any unacceptable overlooking or loss of privacy would result.

The closest neighbour to the proposed development is the bungalow at no.45 Austendyke Road located to the east of the application site. The proposed development would bring the application site approximately 4.7 metres closer to this neighbour at first floor level. It is not clear if this neighbour has any primary windows in the side elevation facing the application site, however, given the extension adjacent to this neighbours side facing windows would be at least 5 metres away it is not considered to result in any overbearing impact. Given the small front/rear projection this separation distance is considered to be sufficient as to not result in any overbearing impact on this neighbour. No new first floor windows are proposed in the side elevation facing this neighbour therefore there are no overlooking or loss of privacy concerns. As such on balance the impact on this neighbour would be within acceptable tolerances.

With regards to the neighbour to the west at no.41 Austendyke Road the closest part of the proposed development would be located at least 8 metres from the shared boundary with this neighbour. This separation distance is considered sufficient as to not result in any overbearing impact or unacceptable overshadowing. In addition, no new window openings in the side elevation at first floor level are proposed on the elevation facing this neighbour therefore there are no overlooking or loss of privacy concerns.

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).

Parking

In connection with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum requirements for car parking provision. The proposed scheme would increase the number of bedrooms on the site from 3 to 4 therefore the parking requirement for the site would also increase from 2 to 3 spaces. At least 3no parking spaces would be retained in the driveway to the front therefore the scheme is considered to comply with the current parking standards.

Other matters

A representation has been received from a third party recommending installation of a minimum of five swift nest bricks to provide enhancement for biodiversity. The comments are noted, and a condition recommended to this effect.

Planning Balance

The proposal will not materially harm the character or appearance of the locality, amenity of nearby residents or result in drainage or highway implications. 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, 28 and 36 of the South East Lincolnshire Local Plan (2019) and Sections 12 and 15 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 can be approved under delegated powers.