

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H22-1046-20 **Applicant:** Mr G Little

Proposal: Proposed first floor extension above existing garage and single storey ground floor rear sunroom

Location: 1 Armstrongs Close Weston Spalding

Terminal Date: 18th January 2021

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02 Development Management
03 Design of New Development

National Guidance

National Planning Policy Framework 2019

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 proposed first floor extension above existing garage and single storey ground floor rear sunroom to the property at 1 Armstrongs Close, Weston.

Site Description

The site is situated within the settlement boundary of Weston. It accommodates a detached dwelling and is situated on the south-western side of the cul-de-sac of Armstrongs Close.

The surrounding dwellings are of a similar age and design and are situated on spacious plots.

The front boundary has mature hedging as the boundary treatment, with a small grassed front garden. There is also a drive to the north east of the site, which can accommodate approx. 2 car spaces in front of the attached double garage.

There is side access to the rear of the property. The rear garden is fairly spacious and there are no properties which directly overlook the garden.

History

No planning history relevant.

Consultation Responses

No consultation responses received.

Planning Considerations

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.

The proposed extension would protrude from the first floor side elevation above the garage by approx. 5.2m, which will align with the side wall of the attached garage at ground floor. The proposed depth of the extension will be approx. 7.8m. The proposed sun room will project off the existing rear elevation from the existing back door and utility area. It will protrude approx. 2.4m from the rear wall and have a width of approx. 5.7m. Having regard to the existing dimensions of the house and plot it sits within, the proposed additions are acceptable in terms of scale, mass and bulk.

Facing brickwork on walls, concrete roof tiles and UPVC in fenestration and rainwater goods will match those existing in the property. Thus, the development will appear well blended with the fabric of the house and visual amenity will not be undermined.

The gable roof will be formed on top of the proposed first floor extension, which will match the existing roof structure well. The sun room to the rear, will be a mono pitched roof and is considered to somewhat enhance the design quality of the building and conforms with the overall design of the existing dwelling.

Internally, the purpose of the development is to gain further internal floor space for enlarging and creating new rooms inside the house. This includes an additional bedroom with an ensuite and fitted wardrobe to the first floor extension. It will also include the addition of a sunroom which will extend off of the current utility room and lobby area to the rear elevation.

Overall, the proposals will ensure good living conditions of the house occupiers and in keeping with the residential use of the property.

Taking the above into account, the proposed extensions are deemed to comply with Policies 2 and 3 in the SELLP, 2019 and Section 12 in the NPPF, 2019 in terms of layout, design, size and scale.

Parking Provision

In connection with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum requirements for car parking provision. 3 no. car spaces must be provided within the curtilage for dwellings with more than 4 no. bedrooms. The drive to the front as well as the double garage is clearly sufficient to accommodate this number of vehicles.

Impacts upon Residential Amenity

It is not considered that the proposed first floor extension would have a detrimental overshadowing or overbearing impact upon the property at no. 51 due to the orientation of the dwellings and its rear elevation being approx. 12m away from the proposed extension.

The proposed windows on both the front and rear walls of the first floor extension and the single storey rear extension will not overlook unacceptably to any residential plot neither habitable rooms of other dwellinghouses. There are already first floor rear facing windows and the roof lights to the rear single storey element would be at an angle to no. 53. There will be no side facing windows at first floor.

Taking the above into account, the proposed extensions are deemed to comply with Policies 2 and 3 in the SELLP, 2019 and Section 12 in the NPPF, 2019 in terms of residential amenity.

Planning Balance

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 proposed first floor extension above garage/utility room and the single storey rear extension does not materially harm the character or appearance of the locality or amenity of nearby residents. It is therefore considered to be in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 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.

Conclusion

The recommendation is therefore for a delegated approval.