DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H23-0658-21**	**Applicant:**	**Mr & Mrs Almey**
Proposal:	Proposed conservatory to rear of dwelling		
Location:	1 Wesley Road Whaplode Spalding		
Terminal Date:	6th September 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 2021

NPPF (2021)
Section 12. Achieving well-designed places.

Representations:

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

CASE OFFICER ASSESSMENT

PROPOSAL

This is a householder application seeking planning permission for a conservatory extension to the rear to measuring 4 metres (width) x 4 metres (depth) and standing at 3.5 metres in height (2.4 metres to the eaves).

SITE DESCRIPTION

The property is a two storey detached dwelling located on a corner plot on Wesley Road in Whaplode. It is within the Whaplode settlement boundary. The dwelling is red brick built with part render on the upper half of the front gable. There is a small canopy element above the front door. The front garden is gravelled and has parking provisions for several cars. The south of the site is

enclosed by a high level boundary fence.

RELEVANT PLANNING HISTORY

None.

REPRESENTATIONS

Whaplode Parish Council

Support.

PLANNING CONSIDERATIONS

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 extension is considered proportionate to the existing dwelling. There would be views from the south of the site, however, given its modest footprint and limited height ensures it would not appear overly prominent in relation to the existing dwelling. The extension would not result in overdevelopment of the site and sufficient outdoor amenity space would be retained.

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

Impacts upon Residential Amenity

The closest neighbour to the proposed development is no.3 Wesley Road located to the north of the application site. The extension would not be visible to this neighbour as it would be blocked by the applications existing garage located on the shared boundary with this neighbour. As such no impact would result on this neighbour.

With regards to the nieghbour to the north-west at no.5 Wesley Road the proposed extension would be located some 11 metres. Given the relationship with this neighbour this separation distance is considered sufficient as to not result in any overbearing impact or unacceptable overshadowing.

With regards to the nieghbour to the west at no.156 High Road the extension would be located approximately 9 metres from its rear boundary. Given the single storey nature of the extension this separation distance is considered sufficient as to not result in any overbearing impact or unacceptable overshadowing.

As such the proposal accords 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 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 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 can be approved under delegated powers.