

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H13-0221-20 **Applicant:** Mr & Mrs C Wilson

Proposal: Two storey side extension and single storey rear extension replacing existing conservatory

Location: 16 Thorpe Avenue Moulton Chapel Spalding

Terminal Date: 29th May 2020

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

Section 12. Achieving well-designed places

Section 14. Meeting the challenge of climate change, flooding and coastal change

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 planning application that seeks permission for proposed two storey side extension and single storey rear extension replacing existing conservatory at 16 Thorpe Avenue, Moulton Chapel, Spalding.

Site Description

The site is part of a cluster of semi-detached properties within the countryside. These properties are located approximately 700 metres to the north-east of the built-up area of Moulton Chapel. Thorpe Avenue is a cul-de-sac street stemming from Fen Gate to the west.

The dwelling is close to the cul-de-sac street. In line with the prevailing housing type in the surroundings, the property is also a two-storey semi-detached 'brick-and-tile' dwellinghouse. No. 15 is the other semi-detached dwelling of the pair to the east.

The curtilage boundaries show a long rectangular site. Both width and depth are fairly considerable. The drive is spacious and extends to the front and western side of the property.

There is a timber closeboard fence between the western side elevation and boundary. There is paving slab to the rear and the remainder of the domestic garden is grassed. One brick outbuilding and a timber shed are adjacent to the western boundary.

History

None.

Consultation Responses

None.

Planning Considerations

Principle of development

The site lies in the countryside as set out in the South East Lincolnshire Local Plan (SELLP), 2019. The principle of an extension that is incidental to the enjoyment of a dwelling house 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.

Design and layout

Paragraph 127 of 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 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 will protrude 5.50 metres from the western side elevation and will extend nearly along the full depth of the host property. The eaves will be as much as those of the property. A gable pitched two-storey element will be formed on the rear elevation. In doing so, two gable pitches will be formed, one facing the west (No. 17) and one further facing the north (rear garden). The apex height perceived from both front and side elevations will slightly fall below the ridgeline of the dwellinghouse and the pitch height of the rear element will fairly lower than the main roof of the extension. From the original front wall, the proposed enlargement will be set back 500mm.

Albeit its external footprint nearly doubles the house, the proposed extension on balance will constitute a subservient form of development to the host property in terms of scale, mass and bulk.

Internally, the development will increase floorspace to create large open space for lounge, dining room and kitchen. The existing front lounge will be converted into a bedroom. On the first floor level, there will be 4 no. double bedrooms, one of them ensuite. Internal works such as new walls, wall demolition, brick up and new openings will be carried out to vary the internal distribution for accommodating the proposed spaces. The proposed works will be in keeping with the residential

use of the building.

The external materials will match those existing in the property. Thus, the appearance will be sympathetic with the host property and consequently the built environment in the surroundings.

In summary, the scale and height of the house extension will relate well with the existing dimensions of the semi-detached house. The nature of the development is clearly in connection with the residential use of the property and its site. The external appearance will be in keeping with the existing facing brickwork and roof tiles. Thus, the development accords with the aforementioned policies on design, layout and character of the local area.

Car parking provision

Appendix 6 of SELLP sets out minimum requirements for parking provision. 3 no. car parking spaces are at least required within the curtilage for dwellings with 4 or more bedrooms in order to prevent on-street parking. The total number of bedrooms after developing the proposals will be 5.

The existing drive would be reduced by virtue of the proposed two-storey side extension. However, there will be still 5 metres from the proposed extension and opposing elevation. The front drive will remain unaltered. 2 no. cars can be accommodated side-by-side to the west and one further to the front. Therefore, the development will accord with Appendix 6 of SELLP.

Flood risk and drainage

Policy 4 of SELLP is concerned on flood risk management and states that new development will be permitted if appropriate flood resistance and resilience measures are proposed (criterion c); incorporates the use of Sustainable Drainage Systems (SuDS) (criterion e); and demonstrates that adequate foul water treatment and disposal already exists or can be provided in time to serve the development (criterion g).

The site has no flood hazard according to South East Lincolnshire Strategic Flood Risk Assessment (March 2017). The land has very low risk of flooding from surface water which means that each year this area has a chance of flooding of less than 0.1%.

In spite of low flood risk probability, revised block plan has been submitted under case officer's request in order to incorporate the installation of soakaway in the rear garden to manage sustainably the surface water runoff coming from the proposed extension. In doing so, it is secured that the development is appropriately resilient to the effects of surface water flood risk and overall climate change following Policy 4 of SELLP. No evidence of poor soil permeability is known in the locality. In any case, the suitability of a soakaway will be tested and subsequently approved at a later stage by SHDC Building Control.

Residential amenity

The separation distance between the two-storey side extension with the nearest boundary (west) is 5 metres. There is then a similar distance from the boundary to the opposing elevation of the house at No. 17. The two-storey rear element will back onto the proposed side extension. This part of the development will appear nearly 5.70 from the rear elevation of the adjacent semi-detached No. 15. In view of such distances, no overbearing impact is anticipated to the residents of neighbouring dwellinghouses. For such reason, no significant overshadowing will be casted onto the adjoining properties.

Two medium-scaled windows are proposed on the first-floor level of the side extension. Both lighten an ensuite and a bathroom, both non-habitable spaces, and would be obscure glazed. There is also one further window for the rear bedroom but it is of a high level slot type. In light of these features, no adverse overlooking will occur by the reason of the proposal.

The development thus complies with residential amenity which is one of the key principles of design and development management as set out in Policies 2 and 3 of SELLP (2019).

Conclusion

Taking into account the considerations above, the proposal is considered to comply with Policies 1, 2, 3, 4, 36 as well as Appendix 6 of the South East Lincolnshire Local Plan (SELLP), 2019; and also

Sections 12 and 14 of the National Planning Policy Framework (NPPF), 2019.

It is accordingly recommended to approve this planning application via delegated powers.

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.