

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H15-0492-23 **Applicant:** Mr J Baker

Proposal: Single storey rear extension, first floor side extension above garage and new roof over porch

Location: 20 Town Drove Quadring Spalding

Terminal Date: 5th September 2023

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

12 - Achieving well-designed places

Representations:

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

CASE OFFICER ASSESSMENT

PROPOSAL

This is a full planning application at 20 Town Drove, Quadring for a single storey rear extension, first floor side extension above an existing garage and a new roof over a front elevation porch. The proposed single storey rear extension projects 3.585 metres from the original rear wall and would contain an open plan kitchen and dining area. Bifold doors will be sited in the south facing rear elevation with three rooflights in the pitched roof approximately 2.7 metres above ground level.

The existing hall, storage, wc and pantry area to the rear of the garage will be redeveloped to become a utility room with a door leading to a shower room. These two rooms will be served by an extractor but will not be served by any external doors or windows on the ground floor side elevation.

The existing garage will not be altered. Above the garage a first floor extension will be provided. This extension will be subservient in height to the existing ridge height and contain a master bedroom, wardrobe and an en-suite. There will be no first floor side elevation windows. A window will be sited to the front elevation of the master bedroom, with a window to the rear elevation serving the en-suite. As a result of the extension, the number of bedrooms at the property will grow from 3 to 4. A tiled pitched roof at a height of 3.04 metres will be provided over the existing flat roof of the porch and garage frontage. The footprint of existing porch and garage will not be extended. Brick and tile is to match that of the existing dwelling and would be conditioned as such.

A site visit was conducted at the property on the afternoon of Tuesday the 18th of July 2023.

SITE DESCRIPTION

The site is within defined settlement limits and the surrounding area is characterised by dwellings of varying ages and designs. Dwellings are sited to the north, east and west with dwellings at Sharpe's Grove, approved under H15-0563-18 to the south. A 1.8 metre high timber fence is sited to the eastern rear side boundary, with a low level wall to the frontage eastern side boundary. A wire mesh fence is sited to the southern side boundary. A wire mesh fence is sited to the western side boundary with established hedging beyond on the boundary. This hedging also forms the frontage boundary either side of the gravelled driveway. The site is in Environment Agency Flood Zone 1 and not subject to increase flood hazard or flood risk on the 2115 South Holland Strategic Flood Risk Mapping.

RELEVANT HISTORY

H15-1041-20

Full - Erection of shed/gym - retrospective - Approved - 11 February 2021.

CONSULTATION RESPONSES

Quadrang Parish Council

No objections.

KEY PLANNING CONSIDERATIONS

The main issues and considerations in this case are (but are not limited to):

Principle
Character
Amenity
Parking provision

EVALUATION

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

In this case, the adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019, forms the development plan for the District, and is the basis for decision making in South Holland. The relevant development plan policies are detailed above.

The policies and provisions set out in the National Planning Policy Framework (updated July 2021) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Furthermore, where a Neighbourhood Plan has been adopted, this alongside the adopted Local Plan, forms part of the Development Plan for the District, and must be considered when assessing development proposals. In this instance, no relevant neighbourhood plans have been adopted.

Principle

Policy 1 of the SELLP directs developments to the most sustainable locations. As Quadring is defined as a Minor Service Centre, it is therefore deemed to be a sustainable location for development. Furthermore, since the property is within central Quadring, access to services is increased, making the site an even more sustainable location.

As such, the proposal is considered to be in accordance with the requirements of Policy 1 of the South East Lincolnshire Local Plan when viewed in principle. This is subject to the assessment against site specific criteria; including (but are not limited to) the impact of the proposal on the character or appearance of the area, impact on the residential amenities of neighbouring occupiers, and parking provision which are discussed in turn as follows.

Character / Appearance

Section 12 of the National Planning Policy Framework (2021) specifically relates to 'Achieving well-designed places' and details that "The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve" and as such, it is generally accepted that good design plays a key role towards sustainable development.

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. That they are visually attractive, as a result of good architecture, and are sympathetic to local character. 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 proposal is not considered to have a material impact on the character of the dwelling or surrounding area. The proposed works do not materially increase the footprint of the building and ample amenity space remains to the western side and southern rear. Proposed brick and tile is to match that of the existing dwelling which will benefit the appearance of the dwelling.

There is not considered to be a material impact on character and appearance from this proposal which accords with the relevant criteria of Policies 2 and 3 of the SELLP.

Amenity

Paragraph 130 of the National Planning Policy Framework (2021) states that development should 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; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Policies 2 and 3 of South East Lincolnshire Local Plan (2019) sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

There are no windows or doors to be included on the western side elevation of the extension. The ground floor windows and doors are not considered to generate a new overlooking aspect. The new windows to the front and rear of the first floor extension are considered to represent a standard frontage / rear orientation and are not closer to neighbouring properties to than the existing first floor windows. The separation distance remains 35 metres to dwellings to the northern frontage and 24 metres to 2 Sharpe's Grove, with 1 Sharpe's Grove 26 metres away at the nearest point to the southern rear. These separation distances do not give rise to overlooking or overshadowing concerns.

As detailed above, the scale and design of the proposal is considered to be such that there would be no significant or unacceptable impact on the residential amenities of the occupiers of adjacent properties or land users, when also taking account of the conditions recommended. As such, the proposal is considered to accord with the provisions of the Section 12 of the National Planning Policy Framework, and Policies 2 and 3 of the Local Plan.

Parking / Highway Safety

Section 9 of the National Planning Policy Framework (2021) specifically relates to 'Promoting sustainable transport'. Paragraph 111 of the National Planning Policy Framework (2021) advises that "development should only be prevented or refused on highways grounds if there would be an

unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe".

In respect of highway matters, Policy 2 details that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to access and vehicle generation. Policy 3 details that development proposals will demonstrate how accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways will be secured, where they are relevant to the proposal.

Furthermore, Policy 36, to be read in conjunction with Appendix 6 of the South East Lincolnshire Local Plan, sets out minimum vehicle parking standards and requires at least two spaces for dwellings of up to three bedrooms and three spaces for dwellings with four or more bedrooms.

The level of manoeuvrability remains on site to allow vehicles to exit the site in a forward gear. The number of bedrooms would increase to four, however, there is enough off road parking provision on site to meet the minimum number of three spaces required for dwellings with four bedrooms or greater under Appendix 6 of the SELLP.

The proposal would therefore be acceptable and would not have an unacceptable adverse impact on highway safety in accordance with Local Plan Policies 2, 3 and 36, and Section 9 of the National Planning Policy Framework.

PLANNING BALANCE

As detailed above, Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

The proposed porch extension as well as first floor side extension and rear single storey extension can be comfortably accommodated on site without materially impacting the character or amenity of the surrounding area. This is because materials of construction are to match those of the existing dwelling, new fenestration is of a standard orientation, and separation distances don't give rise to overlooking or overshadowing concerns.

CONCLUSION

This application is considered to accord with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan, 2019, as well as Section 12 of the National Planning Policy Framework, 2021.

RECOMMENDATION

Based on the assessment detailed above, it is recommended that the proposal should be approved under Delegated Authority.

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.