

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H16-0068-22 **Applicant:** Mr N Revill
Proposal: Proposed Extension & Alterations
Location: The Stables 7 Churchill Drive Spalding
Terminal Date: 25th March 2022

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01 Spatial Strategy
02 Development Management
03 Design of New Development
29 The Historic Environment

National Guidance

National Planning Policy Framework 2021

12 - Achieving well-designed places
16 - Conserving and enhancing the historic environment

Representations:

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

CASE OFFICER ASSESSMENT

PROPOSAL

This is a householder application for a proposed extension and alterations at The Stables, 7 Churchill Drive, Spalding. The proposed extension seeks to provide a bedroom, en-suite, wc, utility, snug and entrance room at ground floor level. A staircase in the entrance room will lead to a landing with a door to the right leading to an en-suite, dressing room and a bedroom. The two storey extension to the front of the building will be glass fronted with spanish slates and brick to match the existing dwelling. The single storey extension will have a lead effect standing seam roof.

SITE DESCRIPTION

The site is in the defined settlement limits of Spalding and in the south-eastern corner of Spalding Conservation Area. The surrounding area is characterised by dwellings of varying ages and design. 43a Cowbit Road is located to the north of the site with 44 Cowbit Road to the west, a large garden and 1 Churchill Drive to the south, and a two storey curtilage building to the east with a tennis court beyond. The site is in Environment Agency Flood Zone 3, and subject to a "Danger for All" hazard with a maximum predicted flood depth of in excess of two metres. As the proposal is for an extension to the existing dwelling there is not a requirement to raise finished floor levels to address flood risk.

RELEVANT HISTORY

None

CONSULTATION RESPONSES

Members of the public - Support - 1

No overshadowing impact
The appearance of the building will be enhanced.

Members of the public - Comments - 1

No objections but hope that no external lighting will be added to the site.

PLANNING CONSIDERATIONS

Principle of development

This application is for residential development on residential land within defined settlement limits. The principle of development in this location is considered to be acceptable.

Assessment against SELLP Policy 2 - Development Management

When assessed against the relevant criteria the following can be observed:

1. The size, scale and layout of the extension is considered to be subservient to the main dwelling and appropriate for the site. No trees will be removed to facilitate this proposal. There is not considered to be a material impact on the character and appearance of the area, nor adjacent land uses from the proposed works.
2. The design of extension is considered to enhance the overall appearance and the orientation seeks to minimise impact on the amenity of neighbouring properties.
3. The proposed brick and tile is to match that of the existing dwelling and will be conditioned as such. The proposed lead effect standing seam roof on the single storey extension is considered to be appropriate for the site and does not materially impact the overall appearance of the dwelling.
4. Access and vehicle generation levels are not affected by this proposal and off road parking spaces exceed three, which is the minimum amount requested for dwellings with four bedrooms or greater under Appendix 6 of the SELLP.
5. The capacity of existing community services and infrastructure is not considered to be impacted by the proposal.
6. There is not considered to be a noise, odour or disturbance impact from the proposal. With regard to visual intrusion the following can be observed:

Overdevelopment - Substantial amenity space remains to the south and east of the proposed extension. This proposal is not considered to represent overdevelopment.

Overbearing / Overshadowing. The proposed single storey element of the extension has a 2.5 metre eaves height and a ridge height of 3.85 metres. The two storey extension element has a 4.35

metre eaves height and a ridge height of 6.65 metres. Using right to light calculations there is not considered to be an overshadowing impact on 44 Cowbit Road which is 12 metres away at the nearest point. The single storey extension is approximately 0.3 metres from the northern boundary, beyond which 43a Cowbit Road is sited. When a right to light calculation is made to the three panel window beyond there is not considered to be a material loss of light. There is not an overbearing impact to the east or south of the extension by virtue of the distance to properties in these directions.

Overlooking - The single storey element of the extension is not considered to constitute an overlooking impact by virtue of the 1.8 metre high fencing to the north, west and south. With regard to the two storey extension element there is already an overlooking impact to the south by virtue of the existing south facing first floor windows. A narrow west facing first floor window will serve the proposed staircase which is 23.5 metres from 44 Cowbit Road at the nearest point. There is not considered to be a material overlooking impact from this window, and there is not considered to be an overlooking impact to the north and east from the proposal.

7. The site is in Environment Agency Flood Zone 3, and subject to a "Danger for All" hazard with a maximum predicted flood depth of in excess of two metres. As the proposal is for an extension to the existing dwelling there is not a requirement to raise finished floor levels to address flood risk.

This application accords with SELLP Policy 2.

Assessment against SELLP Policy 3 - Design of New Development

When assessed against the relevant criteria the following can be observed:

1. There is not considered to be an impact on a sense of place from the proposal. The size, scale and layout of the extension is considered to be subservient to the main dwelling and appropriate for the site. No trees will be removed to facilitate this proposal. There is not considered to be a material impact on the character and appearance of the area, nor adjacent land uses from the proposed works.

5. Ample space remains on site for cycle and bin storage. Access and vehicle generation levels are not affected by this proposal and off road parking spaces exceed three, which is the minimum amount requested for dwellings with four bedrooms or greater under Appendix 6 of the SELLP.

11. There is not considered to be a noise, odour or disturbance impact from the proposal. With regard to visual intrusion the following can be observed:

Overdevelopment - Substantial amenity space remains to the south and east of the proposed extension. This proposal is not considered to represent overdevelopment.

Overbearing / Overshadowing. The proposed single storey element of the extension has a 2.5 metre eaves height and a ridge height of 3.85 metres. The two storey extension element has a 4.35 metre eaves height and a ridge height of 6.65 metres. Using right to light calculations there is not considered to be an overshadowing impact on 44 Cowbit Road which is 12 metres away at the nearest point. The single storey extension is approximately 0.3 metres from the northern boundary, beyond which 43a Cowbit Road is sited. When a right to light calculation is made to the three panel window beyond there is not considered to be a material loss of light. There is not an overbearing impact to the east or south of the extension by virtue of the distance to properties in these directions.

Overlooking - The single storey element of the extension is not considered to constitute an overlooking impact by virtue of the 1.8 metre high fencing to the north, west and south. With regard to the two storey extension element there is already an overlooking impact to the south by virtue of the existing south facing first floor windows. A narrow west facing first floor window will serve the proposed staircase which is 23.5 metres from 44 Cowbit Road at the nearest point. There is not considered to be a material overlooking impact from this window, and there is not considered to be an overlooking impact to the north and east from the proposal.

12. The site is in Environment Agency Flood Zone 3, and subject to a "Danger for All" hazard with a maximum predicted flood depth of in excess of two metres. As the proposal is for an extension to the existing dwelling there is not a requirement to raise finished floor levels to address flood risk.

This application accords with SELLP Policy 3.

U]Assessment against SELLP Policy 29 - The Historic Environment

The relevant section of this policy is titled Conservation Areas. When assessed against the above relevant criteria the following can be observed:

1. Retain buildings/groups of buildings, existing street patterns, historic building lines and ground surfaces;
2. Retain architectural details that contribute to the character and appearance of the area;
3. Where relevant and practical, remove features which are incompatible with the Conservation Area;
4. Retain and reinforce local distinctiveness with reference to height, massing, scale, form, materials and plot widths of the existing built environment;
5. Assess, and mitigate against, any negative impact the proposal might have on the townscape, roofscape, skyline and landscape;
6. Aim to protect trees, or where losses are proposed, demonstrate how such losses are appropriately mitigated against.

When assessed against the above relevant criteria the following can be observed:

1. Existing buildings are retained, as are existing street patterns, building lines and ground surfaces.
2. Architectural details that contribute to the character and appearance of the area are not being materially altered.
3. There are no new features that are incompatible with the conservation area and this dwelling is not prominently sited within Spalding Conservation Area.
4. The proposal is considered to respect local distinctiveness with regard to height, massing, scale and form, as well as materials and plot widths.
5. The dwelling is not visually prominent and will not materially impact the townscape, roofscape, skyline or landscape of the conservation area.
6. No trees are to be removed to facilitate this proposal, and there are no trees subject to preservation orders anywhere on site.

This application accords with SELLP Policy 29.

PLANNING BALANCE

It is considered by virtue of the design, proposed materials and distance to neighbouring properties that the proposed extension will not materially the impact the amenity and character of the surrounding area, nor Spalding Conservation Area in which it is located. This application is considered to accord with Policies 1, 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019, as well as Sections 12 and 16 of the National Planning Policy Framework, 2021.

CONCLUSION

This application is recommended for approval.

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.