

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H16-0080-24 **Applicant:** Mr M S & Mrs T E Denton

Proposal: Proposed Extensions and Alterations

Location: 30 Alexandra Road Spalding

Terminal Date: 2nd April 2024

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
33	Delivering a More Sustainable Transport Network
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2023

Section 4 - Decision-making
Section 9 - Promoting sustainable transport
Section 12 - Achieving well designed and beautiful places

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	1	0	0
SHDC INTERNAL	0	0	1	0

CASE OFFICER ASSESSMENT

Description of Proposal

The proposal seeks householder planning permission for a series of extension and alterations to 30 Alexandra Road, Spalding. The works can be split into three core areas: a rear extension, a

mansard roof extension to the east, and a two-storey extension to the detached garage to the west of the site.

The rear extension would comprise of a ground floor, semi-circular extension, with a first-floor component above. The ground floor component would project from the rear by 2500mm, with a width of approximately 5500mm. The height would be 3670mm. The first-floor component would measure approximately 4000mm in depth, with a width of approximately 5000mm. The height of this extension would be consistent with the host dwelling. The first-floor extension would create a new master bedroom, which connects onto a semi-circular balcony overlooking the rear garden. All materials used here would match the host.

The mansard extension would be located towards the east of the site, above an existing single storey portion of the house. The mansard extension would cover the entirety of this section of the dwelling, giving it a width of approximately 3700mm, and a depth of approximately 7700mm. The extension would raise the height of this wing to 5375mm. The mansard roof would feature plain clay tiles which would match neighbouring properties. Windows would be created on the north and south elevations. This eastern portion of the house, while connected to the dwelling, is visually separated from the bulk of the house via an approximately 1 metre gap.

The alterations to the garage area comprised of ground-floor and first-floor extension. The ground-floor component would abut the boundary of the plot, bringing the width of the garage to approximately 10,000mm at its widest. A first-floor component is proposed, which would cover the entirety of the garage. This would bring the height of the garage to approximately 5000mm. The extensions would feature a zinc flat roof. Stairs would be created on the exterior of the garage leading to the first-floor storeroom. Two north and two south facing windows would be created in this first-floor extension. The brickwork would match the host.

Site Description

The site is within the settlement boundary of Spalding, as outlined within the South-East Lincolnshire Local Plan, 2019. The site is located in a residential area, towards the south-east of the settlement. The dwelling is located approximately 150 metres south-west of Spalding High School, at the junction of Lime Court and Alexandra Road. There is a clearly defined character within Alexandra Road, with a preference for typical, two-storey, post-war properties.

30 Alexandra Road is unique within the area. The property is somewhat reminiscent of the Art Deco style, with a heavy use of flat roofs and curves within the brickwork. As a result of this atypical design, the dwelling is somewhat of a focal point in the immediate area.

Relevant History

No relevant history.

Consultation Responses

The responses received from consultees during the initial consultation exercises, which can be viewed in their entirety through the South Holland website, can be summarised as follows:

CIlr Ashby

Support - From the information provided I can see no problem with this

Environmental Protection

No comments

Public Representations

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, no letters of representation have been received.

Key Planning Considerations

Evaluation

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

The adopted South-East Lincolnshire Local Plan 2011-2036, adopted March 2019 (SELLP), is the development plan for the district, and is the basis for decision making in South Holland. The relevant development plan policies are detailed within the report above.

The policies and provisions set out in the National Planning Policy Framework, December 2023 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Principle of Development

Policy 1 of the SELLP sets out the settlement hierarchy in respect of delivering sustainable development, which meets the social and economic needs of the area whilst protecting and enhancing the environment; in order to provide enough choice of land for housing to satisfy local need, whilst making more sustainable use of land, and to minimise the loss of high-quality agricultural plots by developing in sustainable locations and at appropriate densities.

Policy 1 expresses this sustainable hierarchy of settlements, ranking the settlements deemed to be most sustainable in descending order. The most sustainable locations for development are situated within the 'Sub-Regional Centres', followed by 'Main Service Centres'. Lower down the hierarchy are areas of limited development opportunity including Minor Service Centres, with areas of development constraint comprising 'Other Service Centres and Settlements'. The countryside is at the bottom of the settlement hierarchy and represents the least sustainable location.

The site is within the settlement of Spalding which is classed as a sub-regional centre within Policy 1. As such development will be permitted that supports Spalding's role as a service centre, helps sustain existing facilities or helps meet the service needs of other local communities.

As the site is within the defined settlement boundary of Spalding and is entirely within an existing residential curtilage, development within this location is considered appropriate. Therefore, the proposal is considered to be in accordance with Policy 1 of the SELLP. The principle of development on this site is considered acceptable subject to other material considerations being met.

Layout, Design, Scale and Consideration of the Character of the Area

Section 12 of the NPPF, "Achieving well-designed and beautiful places", states that "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 135, contained within Section 12 of the NPPF, states that new development should function well and add to the overall quality of the area (including beyond the short term) and should be visually attractive as a result of good architecture and appropriate landscaping. This goes on to establish that it is important that new development should be of the highest quality, to enhance and reinforce good design characteristics, and that decisions must have regard towards the impact that the proposed development would have on local character and history, including the surrounding built environment and landscape setting such as topography, street patterns, building lines, boundary treatment and through scale and massing. Developments 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 outlines sustainable development considerations for proposals; providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals. Furthermore, Policy 3 of the SELLP requires development to comprise good design; identifying issues that should be considered when preparing schemes so that development sits comfortably with, and adds positively to, its historically designated or undesignated townscape or landscape surroundings.

These policies accord with the provisions of the NPPF and require 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. Proposals for new development would therefore require the aforementioned considerations to be adequately assessed and designed, including the siting, design, and scale to be respectful of surrounding development and ensure that the character of the area is not compromised.

The rear component would not be visible from the street; its relative character impact is limited. That being said, the proposed rear extensions appear well integrated into the property and show clear respect for the architectural style of the dwelling.

Likewise, the proposed garage extension is well integrated into the host dwelling, continuing a visual theme and style of the host. The use of a flat roof, while ordinarily unfavourable, is considered to be appropriate given the character of the property and the heavy use of flat roofs on site currently. The use of material to match the host further ensures visual continuity.

That being said, it is considered that the mansard roof is out of keeping with the character of the area. There is no common acknowledgement for mansard roofs, particularly of this scale, in the immediate area. As 30 Alexandra Road currently features flat roofs almost exclusively (with the exception of a mono-pitched rear conservatory), the addition of a pitched roof would clash with the host dwelling. While mansard roofs are suitable for art deco properties, they require clear integration with the host and additional design features such as parapets to incorporate them with the host; these are not present here. The above factors would combine to create an incongruous feature, out of keeping with the area and the host.

Paragraph 124e of the NPPF specifically concerns mansard roof extensions, stating that LPAs "should also allow mansard roof extensions on suitable properties where their external appearance harmonises with the original building". In this instance, it is considered that the extension would not harmonise with the original building, instead appearing discordant with the host. The explanatory text within the NPPF glossary goes on to state that mansard roofs are "generally regarded as a suitable type of roof extension for buildings which are part of a terrace of at least three buildings and at least two stories tall, with a parapet running the entire length of the front facade". 30 Alexandra Road does not entirely conform to this definition, and as such, it is considered that a mansard roof extension is inappropriate for the dwelling.

Overall, the proposed development, for the reasons outlined above would give rise to an unacceptable adverse impact, that would be harmful to the character of the area.

Taking account of the design, scale, and nature of the development, as detailed above, the proposal is considered to be unacceptable. The proposal would cause an adverse impact to the character and appearance of the area and 30 Alexandra Road. The proposal would therefore be contrary to Policies 2 and 3 of the SELLP and Section 12 of the NPPF.

Impacts Upon Resident Amenity

Paragraph 135 of the NPPF 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.

Policies 2 and 3 of SELLP sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

The proposed rear balcony would, due to its semi-circle shape, offer views into neighbouring dwellings. While the large hedging to the east would restrict views into 32 Alexandra Road to a certain extent, occupants would have unobscured views into the rear garden of 1 Lime Court. The potential for overlooking here is exacerbated by the proposed first-floor rear windows of the garage extension, which would look directly into the garden of 1 Lime Court. At the short distances present, the potential for overlooking is significant.

The garage extension would abut the boundary with 1 Lime Court. At a height of 5000mm with minimal separation distance, the proposal would significantly overshadow the front garden of the adjacent dwelling; detrimentally impacting upon the amenity of the occupants.

The proposed mansard roof extension would be located between approximately 750mm and

1250mm from 32 Alexandra Road. While no windows are present in the corresponding elevation of 32 Alexandra Road, the mansard roof would overshadow the rear garden of this neighbouring dwelling. The separation distance and boundary treatments are not significant enough to prevent the extension from casting a significant shadow over the adjacent property. This would be to the detriment of the amenity and wellbeing of the occupants of 32 Alexandra Road.

As detailed above, the scale and design of the proposal is considered to have a significant and unacceptable impact on the residential amenities of the occupiers of adjacent properties or land users. As such, the proposal fails to accord with Section 12 of the NPPF and Policies 2 and 3 of the Local Plan in terms of impact upon residential amenity.

Highway Safety and Parking

Section 9 of the NPPF is titled 'Promoting sustainable transport'. Within this, Paragraph 115 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. Policy 33 further reinforces the need for developments to be accessible via sustainable modes of transport.

Policy 36 of the SELLP, in conjunction with Appendix 6, 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 proposal would increase the number of bedrooms on the site to four. Appendix 6 of the SELLP requires three parking spaces to be provided. It is considered that ample room is provided via the driveway and garage to meet this parking need. The proposal would have no unacceptable highway impact.

The proposal would therefore be acceptable and would not have an unacceptable adverse impact on highway safety in accordance with Policies 2, 3, 33 and 36 of the SELLP, as well as Section 9 of the NPPF.

Planning Balance

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

The proposal would introduce an incongruous form of development, at odds with the character of the area. While 30 Alexandra Road is currently somewhat of an architectural anomaly, the installation of a poorly integrated mansard roof which fails to adhere to the relevant guidance, would bring the property further out of line. This would result in significant harm to the character of the area.

In addition to this, the proposal would create a degree of overshadowing and overlooking. The garden of both adjacent neighbours would see a significant reduction in light, reducing the amenity of the residents.

The proposal would only provide benefits to the occupier's of the host dwelling and the proposal would not comprise benefits that outweigh, or balance the consideration in favour of the development.

Conclusion

Taking these factors into consideration, the proposal is considered to comply with Policies 2 and 3 of the SELLP, as well as Section 12 of the NPPF. The planning balance is against the proposal.

Based on the assessment detailed above, it is recommended that the proposal should be refused 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.