DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H16-0127-21**	**Applicant:**	**Mr R Pierre**
Proposal:	Proposed two storey side & single storey rear extension including demolition works		
Location:	238 Park Road Spalding		
Terminal Date:	5th April 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 2019

Section 12- Achieving well designed places

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0
RESIDENTS	2	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a householder application seeking permission for a proposed two storey side and single storey rear extension to the property at 238 Park Road, Spalding.

Site Description

The site is situated within the settlement of Spalding. The site accommodates a semi detached property and is situated to the west of Park Road, from which it is set back. The property has a gravelled and block paved front garden and driveway. The rear garden is long at approx. 28m from in length.

The surrounding dwellings are of a similar age and design. Dwellings to the rear are a considerable distance away.

History

No relevant planning history.

Consultation Responses

Public (2 objection received, summarised) -
- Too close to neighbouring dwelling and out-of-scale/imbalanced in relation to neighbouring properties;
- Overbearing;
- Negative impact upon character of the area;
- Foul drainage and disposal of rain water concerns;
- Concern of pressure on parking availability;
- Concern re future maintenance of roofs and gutters with extensions being close to the boundary.

Planning Considerations

Layout, Design, Size and Scale

Paragraph 127 of the 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 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 two storey side extension will protrude approx. 2.5m from the southern side elevation, with a depth of approx. 9.6m. The single storey rear extension will protrude a maximum of approx. 9m from the rear elevation, with a width of approx. 5.6m. The roof of the two storey extension would be marginally lower than the ridge height of the existing dwelling and the rear single storey extension would have a maximum ridge height of approx. 3m. Having regard to the existing dimensions of the house and the plot it sits within, the extensions are considered acceptable in terms of scale, mass and bulk.

The facing brickwork on walls, dark grey concrete roof tiles and white UPVC fenestration and rainwater goods will all match the existing property. A dark grey aluminium is proposed for the rear bi fold doors. The rear extension will have roof lights to allow natural light into the open space kitchen and living area. Both extensions would have a gable roof and would thus appear well blended with the original roof structure and visual amenity will not appear to be undermined.

Internally, the purpose of the development is to gain further internal floor space for enlarging and creating new rooms inside the house. To the ground floor, this includes an addition of a utility room, w/c, home office to the side elevation and a new open plan kitchen and living space to the rear of the dwelling. To the first floor, an additional bedroom is proposed with an en-suite bathroom.

Overall, the proposal will ensure good living conditions of the house occupiers and are in keeping with the residential use of the property.

Concern has been raised that the proposed side extension would have a negative impact upon the character and appearance of the area. However, the proposed design is congruent with the original design features on the dwelling. Furthermore, dwellings along the length of Park Road do vary in terms of design and there are examples where properties sit right on or very close to the boundary. Thus the proposed side extension being in close proximity to the boundary would not be an alien concept to the area. It is not considered that there would be a material adverse impact on the character and appearance of the area that would warrant refusing the application.

It is not standard practice to request drainage strategies for proposals such as extensions where there are existing systems in place.

Taking the above into account, the proposed extensions are deemed to comply with Policies 2 and 3 in the SELLP, 2019 and Section 12 in the NPPF, 2019 in terms of layout, design, size and scale.

Impact upon Residential Amenity

There are windows proposed to the front and rear elevations of the proposed two storey side extension with no windows proposed to the side elevation. Therefore it is not considered that it would overlook unacceptably to the property at no. 236. To the rear extension, there are bi folds doors proposed to the rear elevation. The bi fold doors will not overlook unacceptably the properties to the rear, due to there being sufficient distance from the neighbouring properties to the rear (approx. 50m). The roof lights would be at such a height (approx. 2.6m above floor level at the lowest point) and angle that views towards the neighbouring properties would be minimal.

The public objections raise concerns that the proposed two storey side extension will be too close to the property at no.236 and considered to be overbearing. To the side of the neighbouring dwelling is a small lean to conservatory, however no evidence has been provided that this forms a habitable space and, given the scale of it, it is unlikely to be. The two storey extension would be off-set from the extension to the rear of the neighbouring 236. Taking this into account, it is not considered that the two storey extension would have a material adverse overbearing impact. Given that the two storey extension is to the north of the neighbouring dwelling, it is also not considered that there would be a material overshadowing impact when taking into account the sun path.

The proposed single storey rear extension would have a maximum overall ridge height of approx. 3m and eaves height of approx. 2.4. At such a height it is not considered that this would have a material overbearing or overshadowing impact.

Taking the above into account, the proposed extensions are deemed to comply with Policies 2 and 3 in the SELLP, 2019 and Section 12 in the NPPF, 2019 in terms of residential amenity.

Parking provision

In connection with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum requirements for car parking provision. 3 no. car spaces must be provided within the curtilage for dwellings with 3 no. bedrooms or more.

A public objection raises pressure upon car parking as a concern. There are two spaces maximum within the curtilage of the property, with no on-plot turning. There is an option for on-street parking which, at the time of undertaking the site visit, was witnessed to be plentiful. This, on balance, would be acceptable.

Planning Balance

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 proposed extensions does not materially harm the character or appearance of the locality or amenity of nearby residents. It is therefore considered to be in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

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.

Conclusion

The recommendation is for a delegated approval.