

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H16-0171-22 **Applicant:** Mr & Mrs Bellars
Proposal: Proposed extension & alterations to existing dwelling
Location: 24 Meadowgate Lane Spalding
Terminal Date: 15th April 2022

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02 Development Management
03 Design of New Development

National Guidance

National Planning Policy Framework 2021

Section 12- Achieving well-designed places

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

This is a householder application seeking planning permission for a proposed first floor side/front extension and single storey rear extension with alterations to the property at 24 Meadowgate Lane, Spalding.

Site Description

The site accommodates a detached dwelling and lies within the settlement boundary of Spalding, according to the South East Lincolnshire Local Plan, 2019. It is set back from the road and has a large driveway to the front. Other dwellings on Meadowgate Lane are of a similar design and age and on comparably sized plots.

History

No relevant planning history.

Consultation Responses

No consultation responses received.

Planning Considerations

Layout, Design, Size and Scale

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; 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 first floor side/front extension will protrude from the north elevation by a minimum of approx. 2.5m and a maximum of approx. 5.1m. The overall depth of the extension will be approx. 9.9m and will remain in the confines of the existing footprint. The rear single storey extension will protrude from the rear elevation by approx. 4m in depth by 6.3m in width. Having regard to the existing dimensions of the house and plot it sits within, the proposed extensions are acceptable in terms of scale, mass and bulk.

The roof structure on the side extension (front gable) will compliment the existing roof. The single storey rear extension will be formed of a flat roof. As much as flat roof extensions are not considered favourable, due to it being to the rear of the dwelling it will not impact on the overall character of the surrounding area and is considered acceptable.

Internally, the purpose of the development is to gain further internal floor space for enlarging and creating new rooms inside the house. This includes enlarging bedroom three and the existing family bathroom and creating a new office. The rear single storey extension will create a new open plan kitchen and dining space with a snug area. Overall, the proposals will ensure good living conditions for the house occupiers and are in keeping with the residential use of the property.

The proposed materials include roof tiles and white uPVC fenestration to match existing. To the walls at first floor a grey render is proposed. There does not appear to be rendering on nearby dwellings, however, this is not considered to unduly undermine the visual amenity and offers an attractive finish.

Taking the above into account, the proposed extension and alterations are deemed to comply with Policies 2 and 3 in the SELLP, 2019 and Section 12 in the NPPF, 2021 in terms of layout, design, size and scale.

Impact upon Residential Amenity

Paragraph 130 of National Planning Policy Framework (2021) amongst other matters seeks places with a high standard of amenity for existing and future users. Policies 2 and 3 of South East Lincolnshire Local Plan (2019) set out residential amenity and relationship to existing development and land uses as main considerations when making planning decisions.

It is not considered that there would be an overbearing or overshadowing impact upon the neighbouring property to the north which has a separation distance of approx. 2.2m from the side elevation of the dwelling and has no side facing windows to habitable rooms.

The proposed windows are to the front and rear elevations of the two storey extension. There are no properties to the rear and to the front it is tantamount to a typical frontage relationship. However, there is a proposed window to the office which overlooks the neighbouring side elevation. However, the neighbouring window would appear to be a landing window and is considered to be a non-habitable space. There would therefore not be a material overlooking impact from the proposal.

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, 2021 in terms of residential amenity.

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 and alterations will 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.

Conclusion

The recommendation is therefore for a delegated approval.

Additional Considerations

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 more than 3 no. bedrooms. The drive to the front is clearly sufficient to accommodate these cars and enter and egress in a safe and forward manner. The proposal does not include the addition of a bedroom and therefore the existing parking is considered to be acceptable and comply with Policy 36 in the SELLP, 2019

Therefore, the proposals will ensure appropriate car parking provision and comply with Appendix 6 of SELLP 2019.

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.