DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H16-0244-26**	**Applicant:**	**Mr M Antonica & Ms T Costianu**
Proposal:	Proposed two storey side extension with attached garage on the ground floor. Garage conversion to habitable space with associated modifications and boundary wall at the north and west with a gate on the west boundary		
Location:	57 Aintree Drive Spalding		
Terminal Date:	14th May 2026		

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 December 2024

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	1	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

Description of Proposal

This is a householder application, seeking permission for a series of extensions and alterations at 57 Aintree Drive. The proposal can be broken down into the following elements:

-ground floor side extension
-first floor side extension above ground floor extension
-change from flat roof to pitch roof, including overhang extension, on the ground floor
-boundary wall
-garage conversion
-creation of additional openings

The ground floor extension would project from the north elevation. It would measure approximately 4.35m (depth) by 10.8m (width). To the eaves, it would measure 2.25m, rising to 3.26m at its apex. All materials would match the host

Above this is proposed a first floor extension. This would measure approximately 7.8m (width) by 2.2m (rising to 4.8m when the works to tie into the roof of the host are considered). To the eaves, it would measure 4.5m (approximately 600mm below that of the host), rising to approximately 6.2m at its apex (300mm below that of the host). The extension would also be constructed of materials to match the host.

The existing flat roof above the existing garage would be converted to a pitched roof, set at 3.26m at its apex. This would continue to form a pitched overhang projecting from the rear elevation, measuring approximately 6m (width) by 2.6m (depth).

A boundary wall, enclosing the front boundary, is proposed. This would consist of 1.28m high pillars placed every 2 metres, with a 1.07m brick wall between these pillars. Above this wall would be two, metal tubes. A metal bar gate is proposed at the existing entrance.

In addition to the existing garage being converted, several internal alterations are proposed, including the creation of a kitchen/ dining area.

The following windows and openings are proposed, these provisions include those created in the original dwelling and the extension:

-1x east facing window, first floor
-2x east facing patio door, ground floor
-2x east facing windows, ground floor
-1x new front door (anthracite grey)
-2x west facing windows (including replacement of existing garage door with window)
-1x garage door
-1x south facing window, ground floor
-3x south facing roof lights, ground floor
-4x north facing windows, first floor (replaces two existing windows).

Site Description

The site is within the settlement boundaries of Spalding, as outlined within the South East Lincolnshire Local Plan, 2019. The proposal is within a residential area of the settlement, located towards Spalding's south-east.

Aintree Drive is relatively consistent in design. 57 is typical of the area, being a two-storey, redbrick house constructed in the late 20th century. It is located on the corner with Ascot Close.

Relevant History

H16-1092-25 - Full - Erection of two storey side extension with attached garage, garage conversion, internal alterations & erection of boundary wall & gate - Refused 06-01-26

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:

Cllr Ashby

I support this

Welland and Deepings Internal Drainage Board

Further to receipt of the above, I confirm that Welland & Deepings IDB have no comment to make with regard to this application.

Highway and Lead Local Flood Authority

No objection - Proposed two storey side extension with attached garage on the ground floor. Garage conversion to habitable space with associated modifications and boundary wall at the north and west with a gate on the west boundary. The proposal does not increase bedroom numbers so there will be no further parking demand, no change to the access or parking therefore the proposal will not have an adverse impact on the public highway.

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, 2024 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

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 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 Spalding, development within this location is considered appropriate. In any event, the proposal solely relates to the extension of an existing and established residential dwelling and therefore, the principle of such development is considered to be appropriate.

As such, the proposal is considered to be in accordance with the requirements of the SELLP when viewed in principle. This is subject to the assessment against site specific criteria; including (but 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 impact on highway safety, which are discussed

in turn in the following sections.

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

Section 12 of the NPPF, "Achieving well-designed places", states 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 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 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, 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.

South Holland do not have a local design guide, meaning that supplementary guidance on design matters is principally driven by national documents, including the National Design Guide (NDG). The NDG outlines broad principles for well designed places.

The positioning of the extensions, towards the corner with Ascot Close, would significantly increase the visibility of the extensions, and therefore their impact upon the character of the plot. Placing the extensions towards such a visible point would increase their perceived bulk further. Given that the extensions are already relatively large, when compared to the existing dwelling, the result is a dwelling which would appear overly large and bulky within its setting. This in turn would result in the dwelling appearing incongruous in its setting.

The first floor extension fails to properly integrate itself into both the host dwelling and the wider area. First floor extensions of this scale are rare in the area, and would appear as an atypical feature here. Moreover, the stepped roof design, between the first and ground floor extensions, is an equally unique feature, which bears little resemblance to the built form of the wider area. The effect this creates is an awkward and atypical development. Given the visual prominence of the corner plot, with this extension facing towards this point, the effects of this atypicality would be exacerbated. The easternmost point of this first floor element would also extend beyond the hipping of the ground floor roof, which itself is an awkward feature which reduces integration.

The proposed eaves height is lower than the host, creating an awkward relationship and preventing the works from being fully integrated into the host. It would also mark the works as a clear later addition, and reduces visual subservience.

When taken as a collective, including the creation of the overhang, the resultant scale of the building would far exceed surrounding dwellings. As a result, the dwelling would appear overly large within its plot, and would fail to reflect the built form of the area.

Paragraphs 53 and 56 of the NDG broadly outline that new development should take into account the existing characteristics of an area. This includes considerations of typical features and scales. It

is felt that the requirements of both paragraphs have not been met.

The proposed wall would only be marginally taller than what could be achieved via development permitted under Schedule 2, Part 2, Class A of the General Permitted Development Order, 2015. The Order does not restrict material choices for boundary treatments. Whilst it is felt that the boundary treatment would impinge upon the sense of openness in the area currently, in light of this fallback position and the marginal level of difference between the proposal and the Order, it is felt that it would be inappropriate to resist the application on this basis.

Taking account of the design, scale, and nature of the development, as detailed above, the proposal is considered to be unacceptable. The proposal would have an adverse impact to the character and appearance of the area and 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.

A significant number of windows are proposed. That being said, adequate separation distances have been maintained to prevent an overly intrusive effect.

The proposal would not result in a significant level of overshadowing.

As detailed above, the scale and design of the proposal is considered to have 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 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 116 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, following mitigation, would be severe, taking into account all reasonable future scenarios".

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 not result in the formation of a new access. No new additional bedrooms would be created by the works. On this basis, it is not considered that the works would have a significant or unacceptable impact upon highway safety.

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

As detailed above, 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.

Paragraph 139 of the NPPF states: "Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes".

The proposal would result in an incongruously large dwelling, which utilises atypical features. The result would be a development at odds with its setting and which fails to reflect the provisions of the NDG. On this basis, significant weight is given against the proposal in line with paragraph 139 of the NPPF.

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

Taking these factors into consideration, the proposal is considered to contrary to Policies 2 and 3 of the SELLP, as well as Section 12 of the NPPF. There are no significant factors in this case that would outweigh the harm identified. Therefore, the planning balance is against the proposal.

Recommendation

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

under Delegated Authority.