

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H16-0357-20 **Applicant:** Mr N Thompson
Proposal: Proposed extension and alterations
Location: 44 Cley Hall Drive Spalding
Terminal Date: 25th June 2020

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01 Spatial Strategy
02 Development Management
03 Design of New Development
36 Vehicle and Cycle Parking
APPENDIX 6 Parking Standards

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
HIGHWAYS & SUDS SUPPORT	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This a householder planning application for proposed extension and alterations to the dwellinghouse at 44 Cley Hall Drive, Spalding.

This application is in fact a re-submission of the approved works under application ref. H16-1060-18. The differences between approved and proposed works will be detailed and assessed below in the section of planning considerations.

Site Description

The character of the area is solely residential within the built-up area of Spalding. The prevailing housing type is two-storey detached dwellinghouse. A wide range of designs, appearance and ages has been observed across the area. The street pattern is based on cul-de-sac streets stemming from Halmer Gate as the main highway.

The site is long and rectangular. The property is two-storey which stands within the building line along the western side of Cley Hall Drive. The plot benefits from a spacious rear garden. A low brick wall and pillars bound the site to the front. There is also a paved driveway leading to the side garage as well as some landscaping such as bushes and young trees.

The property is opposite the side elevation of No. 43 to the north and also adjoins the rear garden of No. 37 to the south. Both buildings are two-storey.

History

H16-1060-18 - Proposed extension and alterations - Approved

Consultation Responses

LCC Highways/SUDs Authority

No objection.

An informative notice should be added to the decision should permission be granted.

Planning Considerations

Principle of development

The site is within the settlement boundaries of Spalding as set out in the South East Lincolnshire Local Plan (SELLP), 2019. The principle of developing house extensions and alterations ancillary to the dwelling house is acceptable.

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 key material considerations are addressed below.

Design and layout

Paragraph 127 of 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 main difference between the previously approved and proposed works is the replacement of two-storey rear extension for single-storey rear extension. It will project 6.2 metres from the original rear wall of the house and 2.11 metres from the northern side elevation. The longest depth will be 8.40 metres on the northern side elevation and the longest width, 6.65 metres. By virtue of its single-storey nature, the intended extension will entail less material increase than the approved extension, thereby the scale and height will be still be subservient to the property.

On the front elevation, the existing hall will be replaced by a porch of similar dimensions. Its roof will be lowered and set slightly forward keeping the hip pitch. The garage will be still be demolished as it was previously approved but the floorspace this time will be occupied by a car port.

Internally, the rear extension will accommodate an ensuite bedroom dressing room, utility room,

toilet and store room. On the first floor, the approved dormer window serving the landing will be removed and the proposed opening will have the form of two slit windows. The shower room will be converted into a bathroom. Other internal alterations will be partially bricking up the external windows to make them narrower.

With regards to the roof, the resulting layout will be in keeping further with the existing pitches in the property unlike the previously approved re-roofing. It is worth mentioning the flat roof on top of the proposed rear extension although the covering will appear hip pitched from the ground level.

The proposed external materials will remain. Pantile roof tiles will be replaced for Marley Eternit Blue Black Rivendale which would imitate the slate appearance of the roof tiles of No. 42. Most of external walls will be rendered in white colour.

The proposals also includes alterations to the site layout. The most remarkable ones are the removal of a tree to the front of the house and increase of width of the vehicular access. These are not considered to create any detrimental impact to the street scene nor the character of the area. The alterations to the dropped kerb are addressed below in terms of highway safety.

In summary, the scale and height of the development will be reduced in relation to the approved works. Although they contributed to a sympathetic and balanced form of development in the previous permission, the design and layout this time will be further in keeping with the features of the building. Therefore, the proposals accord with the aforementioned policies regarding design, layout and character of the local area.

Residential amenity

As mentioned above, the reduction of the rear extension in scale and height will undoubtedly make the development less prominent in the eyes of neighbours living in the adjacent properties. However, the extension in this application is not solely protruding from the rear wall but also from the northern side wall.

The issue is to ascertain whether the proposed extension will entail or not an adverse effect to the residents of No. 42 which is the nearest property. The separation distance with the boundary line is approximately 900 centimetres. The maximum height will be 4 metres. There might be a potential overbearing impact. However, the existing boundary treatment will conceal most of the bulk and no windows for habitable spaces face the proposed side part of the extension. A nearly 2 metre brick wall and a short section of a higher wall beyond the existing rear elevation will contribute to mitigate any visual impact. With regards to the fenestration on other elevations, there will be unobscured glazed windows but all are at ground floor level. There will be therefore no overlooking onto the property No. 37 as the boundary treatment conceals views from the ground level.

It was concluded in the assessment of the previous application that the roof window on the northern side elevation would face a blank catslide roof slope of No. 42. In any case, such window is now replaced by two slits windows also with obscure glazing. The loss of privacy will remain negligible in account of both the lack of windows on the opposite elevation and the incorporation of obscure glazing.

In summary, the proposals will not undermine the amenity standards of the residents and they comply with one of the key principles of design and development management as set out in Policies 2 and 3 of SELLP (2019).

Highway safety and parking provision

Appendix 6 of SELLP sets out minimum requirements for parking provision. 2 parking spaces are at least required within the curtilage for dwellings with up to 3 bedrooms in order to prevent on-street parking. The total number of bedrooms after developing the proposals will be 4 albeit one of them has small dimensions. The actual number therefore is 3.

The garage is demolished but a car port is provided. Having regard to its dimensions, one single car can be parked under the car port shelter and one further in the driveway, both in tandem. Therefore, the proposed development will be in accordance with Appendix 6 of SELLP.

With regards to the highway safety, the existing dropped kerb will be widened should permission be granted. LCC Highways Authority has raised no objection but requires to add a note to the

permission in order to ensure the works comply with Authority's specification.

Conclusion

Taking into account the considerations above, the proposal is considered to comply with Policies 1, 2, 3, 36 as well as Appendix 6 of the South East Lincolnshire Local Plan (SELLP), 2019; and also Section 12 of the National Planning Policy Framework (NPPF), 2019.

It is accordingly recommended to approve this planning application via delegated powers.

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.