

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H16-0438-23 **Applicant:** Mr A Crane
Proposal: Demolition of existing garage and erection of side extension
Location: 37 Bowditch Road Spalding
Terminal Date: 18th September 2023

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02 Development Management
03 Design of New Development
04 Approach to Flood Risk
36 Vehicle and Cycle Parking
APPENDIX 6 Parking Standards

National Guidance

National Planning Policy Framework 2021

Section 9 - Promoting sustainable transport
Section 12 - Achieving well-designed places
Section 14 - Meeting the challenge of climate change, flooding and coastal change

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	1	0	0
OTHER STATUTORY BODIES	0	0	1	0

CASE OFFICER ASSESSMENT

Description of Proposal

The proposal seeks planning permission for the erection of a two-storey side extension and single storey rear extension at 37 Bowditch Road. The proposal also involves the demolition of an existing side extension.

The side extension would measure 5 metres (width) by 9.7 metres (depth). This is an almost identical footprint as the existing garage. The extension would feature a hip-roof, with an eave height of 4.6 metres. The ridge height would measure 7.47 metres. This height is in line with the existing two-storey portion of 37 Bowditch.

A small, rear extension, housing a laundry room is proposed. This extension would occupy a similar footprint to the existing laundry room but would have an increased depth of 0.5 metres. The rear works would extend beyond the proposed side extension. The rear extension would measure 3.2 metres (width) by 2.9 metres (depth) and would feature a mono-pitch roof with ridge height of 3.2 metres.

The dwelling features white cladding on the front two-storey section of the principal elevation, while the garage and side extension is constructed of red brick. It is proposed that these materials would remain consistent, with the new side extension being of red brick construction. All other materials would match the host.

Site Description

The site is within the settlement boundaries of Spalding, as outlined within the South-East Lincolnshire Local Plan, 2019. The site is towards the eastern portion of the settlement, in a predominantly residential area.

The dwelling is a corner plot, located at the intersection of Bowditch Road and Stonegate. The materials seen on the property are typical of the area, however, its size and shape are relatively unique. To the rear of the dwelling is a sizeable garden. Large boundary treatments flank the southern elevation.

Relevant History

H16-0078-87 - Full. Proposed two-storey rear extension with garage to side. Approved 04/03/87.

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

"Support with information provided"

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 Town and Country Planning Act, as amended by the 2004 Act, 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, 2021 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Principle of Development

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.

The proposal would be subservient to its host and not amount to a new dwelling, the principle of development is sound.

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

Section 12 of the NPPF, "Achieving well-designed 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 130, 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 National Planning Policy Framework 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 proposed materials would match the existing dwelling. The use of cladding juxtaposed with red brick is typical of Bowditch Road, where this is the dominant style. Furthermore, there is an example of white cladding and brick in the style of that which is proposed here across the road at 2 Cameron Drive. All other materials would match the host. It is therefore considered that the materials proposed here would be in keeping with the established character of the area.

The proposed extension would occupy a comparable footprint to the existing side extension. The extension would still appear visually subservient to the host. As such, the scale of development is considered to be proportionate.

Currently, the flat roof side extension is somewhat unique the area, making the dwelling appear somewhat out of keeping with the area. The proposal would bring the design of the dwelling more in line with the established character of the area.

The addition of two bedrooms would not be out of keeping with the area, as there are already a number of larger dwellings in the locale.

Taking account of the design, scale, and nature of the development, as detailed above, the proposal is considered to be acceptable. The proposal would not cause an adverse impact to the character or appearance of the area and would therefore be in accordance with Policies 2 and 3 of the SELLP and Section 12 of the NPPF.

Impacts Upon Resident Amenity

Paragraph 130 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 proposal would not cause any additional overshadowing. The existing boundary treatments are of significant size as to prevent any shade being cast upon the neighbours to the west. Furthermore, there is a significant separation distance of approximately 15 metres to 35 Bowditch, which would further reduce the potential for overshadowing.

The proposal would not cause any additional overlooking. No first-floor windows are proposed on the eastern or western elevations, preventing overlooking here. To the rear, two new windows are proposed, one of which would be obscured, to add to the existing window in this elevation. It is considered that the addition of these windows would not significantly increase levels of overlooking to the rear. The new windows would not offer increased views of any neighbour, when compared to the existing potential for overlooking.

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 the Section 12 of the NPPF and Policies 2 and 3 of the Local Plan in terms of impact upon residential amenity.

Parking and Highway Safety

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. As such, the proposal would require an additional parking space.

It is considered that there would be ample space for three vehicles within the curtilage of the property. The garage proposed here could accommodate a vehicle, while two more could be accommodated in the paved area to the front of the dwelling. The proposal therefore would conform to Policy 36 and Appendix 6 of the SELLP.

Flooding Considerations

Policy 4 of the SELLP, alongside Section 14 of the NPPF, place flooding as a key factor in the decision-making process. Policy 4 is reinforced by the local Strategic Flood Risk Assessment (SFRA). Within this document, the district is divided into categories of flood risk. The SFRA classifies this site as "danger for all", with expected flood depths of over 2 metres.

As the proposal is a householder development and as the proposed flood depths are so high, the potential for mitigation methods to be incorporated are limited. The proposal would not introduce new elements to the property which would be exceptionally vulnerable to the impacts of flooding.

It is considered that proposal would not create an increase to flood risk elsewhere and would not increase on site drainage concerns.

As such, it is considered that the proposal conforms to Policy 4 of the SELLP and Section 14 of the NPPF in terms of flood risk.

Planning Balance

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

The proposal represents appropriate development within the defined settlement boundary. The development hereby proposed does not materially harm the character or appearance of the locality, or amenity of nearby residents, and provides adequate parking, whilst conforming with the SELLP and the provisions of the NPPF when viewed as a whole.

The proposal would not create significant overlooking or overshadowing concerns, while appearing well blended into the character of the area. The use of materials in keeping with the character of the

area would ensure the development is naturalised into the locale.

It is not considered that the development would increase the vulnerability of the dwelling to the impacts of flooding.

It is considered that the proposal conforms to Policies 1, 2, 3, 4, 36 and Appendix 6 of the SELLP, as well as Section 2, 12 and 14 of the NPPF.

The planning balance is in favour of the proposal.

Conclusion

It is considered that the proposal conforms to Policies 1, 2, 3, 4, 36 and Appendix 6 of the SELLP, as well as Section 2, 12 and 14 of the NPPF. The benefits of this proposal far outweigh any potential negatives.

The recommendation is for delegated approval.

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.