

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H16-0510-22 **Applicant:** Mr & Mrs K Barfoot
Proposal: Proposed First Floor Extension
Location: 57 Apeldoorn Gardens Spalding
Terminal Date: 14th July 2022

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02 Development Management
03 Design of New Development
28 The Natural Environment
36 Vehicle and Cycle Parking
APPENDIX 6 Parking Standards

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 permission for a proposed first floor extension to the property at 57 Apeldoorn Gardens, Spalding.

Site Description

The proposal site is within the defined settlement limits of Spalding and the surrounding area is characterised by dwellings of a similar age and design. The site is within Flood Zone 3 on the Environment Agency Flood Maps and is not subject to increased flood risk or flood hazard on the 2115 South Holland Strategic Flood Risk Mapping.

The surrounding dwellings are a variety of appearances and design and would appear to be of the same age. The dwelling is situated at the end of the cul de sac and is set back from the main road, with no front boundary treatment and a large front gravelled driveway.

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 extension would sit above the existing attached garage. The first floor extension would protrude from the side elevation by approx. 2.5m and have a depth of approx. 8.4m. Having regard to the existing dimensions of the house, the proposed first floor extension is acceptable in terms of scale, mass and bulk.

The roof structure will consist of a hipped roof which will sit approx. 500mm higher than the original overall height of the gable end roof. As much as a subservient extension roof would be preferred, the design of the roof is considered to compliment the overall roof design and is therefore acceptable in terms of visual amenity.

The first floor extension will be constructed from a timber frame, with the external materials made from black 'Cedral Click' or a similar Fibre Cement boarding on treated timber vertical battens. The existing landing window will be reused to the rear elevation of the proposed extension. The proposed concrete roof tiles and white upvc windows will match those to the existing. As much as the black fibre cement boarding is a contrast to the existing materials, there is also an example of external cladding seen at no.22 Apeldoorn Gardens and therefore, it would not be unduly out of keeping.

Internally, the purpose of the development is to gain further internal floor space for enlarging and creating new rooms inside the house. This includes the addition of two new bedrooms to the first floor.

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

Taking the above into account, the proposed first floor extension is 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.

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.

There are windows to the front and rear elevations of the first floor extension. There are properties to the rear but it would not appear that there would be a detrimental material impact as the proposed windows align with the existing rear elevation windows. The window to the front is

considered to be tantamount to a typical frontage relationship. There is a proposed side elevation window from the landing, but this would not have a material overlooking impact as the window and door on the opposing elevation would only appear to be to non-habitable spaces.

The proposed extension is not deemed to be overbearing and will not create unacceptable overshadowing when considering the positioning of the dwelling and the proposed side first floor extension. It would only impact upon the the neighbouring dwelling to the west which does not have windows to any habitable rooms on its side elevation. The extension would be set slightly forward of the front elevation of the neighbouring dwelling that side but not to such an extent that it would have a material amenity impact.

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 more than 3 no. bedrooms. The drive to the front is sufficient to accommodate two vehicles and the garage can accommodate a further vehicle.

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 first floor extension 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

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.