

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H16-0559-24 **Applicant:** Mr Scotney

Proposal: Proposed two-storey side extension, single-storey rear extension, replacement of existing dormer roofs and internal alterations

Location: 127 Edinburgh Drive Spalding

Terminal Date: 21st August 2024

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 2023

Section 9 - Promoting Sustainable Transport
Section 12 - Achieving well designed and beautiful development

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	1	0

CASE OFFICER ASSESSMENT

Description of Proposal

The proposal seeks householder planning permission for a series of extensions and alterations at 127 Edinburgh Drive. These works include: a two-storey side extension, a single storey rear extension, alterations to the rear and front dormers, and minor internal alterations. All materials would match the host.

The two-storey side extension would project from the north elevation of the property. It would have a width of approximately 3.1 metres, maintain a distance to the boundary of 1.236 metres. The proposal would have the same depth of the host dwelling, at approximately 8 metres, with a steep dual pitch roof to match the host. A front facing dormer window would be added, along with two rear facing roof lights. On the ground floor, a rear facing window would be added, to accompany the relocated side door and window. A garage door, similar to the one currently present, is proposed. The extension would form two additional first floor bedrooms, a workshop and an office.

The ground floor rear extension would replace, and then expand upon, an existing conservatory. The extension would measure 4.6 metres (width) by 3.6 metres (depth). The proposal would feature a steep dual pitch roof, running perpendicular to the host. The height of the extension would measure 2.5 metres to the eaves, rising to approximately 5 metres at its peak.

It is proposed that the existing flat pitch dormers, located to the rear and front of the property, are altered to feature dual pitch roofs. To the rear, this would result in an apex height of approximately 7.55 metres (consistent with the host). This section of roof would be integrated into the aforementioned proposed rear extension. The two front dormers would see their maximum height rise to 6.45 metres.

Site Description

The site is within the settlement boundaries of Spalding, as outlined within the South East Lincolnshire Local Plan, 2019. The area is residential in nature, featuring a good mix of dwelling types and styles. 127 Edinburgh Drive is one of three dwellings located between Sandringham Walk and Windsor Drive.

127 Edinburgh Drive is fairly typical of the area. It is constructed of brown bricks, with grey roof tiles. White UPVC windows are present, along with a black door.

Relevant History

No relevant history.

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:

South Holland Internal Drainage Board

After reviewing the documents supplied in support of this application, the Board have no comments to make.

Cllr Ashby

"concerned that if the house to the right of the plot has side windows these will be blocked by the proposed extension. This is not shown or mentioned"

Environmental Protection

No observations

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, December 2023 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Principle of Development

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 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.

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, comprising an appropriate form of development for the location.

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 and beautiful 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.

The proposed side extension would result in a relatively significant increase in the scale and visual prominence of the dwelling. As a result of the works, the dwelling would occupy the majority of the residential plot. That being said, there are examples of comparable developments in the wider area, and therefore, the presence of this extension here would not immediately appear out of place. The design of the extension is well integrated into the host dwelling, appearing as a natural addition to the house.

The existing box dormers, while not uncommon in the wider area, are not abundant in the immediate locale and are less common than pitched dormers. As such, the decision to create pitch roofs here would, to a certain extent, move 127 Edinburgh Drive more in line with the existing character of the area. In any event, this alteration constitutes a positive impact.

The proposed alterations to the rear of the property would result in a significant visual change. The move to a pitched roof of such a significant height would result in the property becoming somewhat more visually imposing. That being said, the proposed alterations would only be visible from a small number of dwellings, and would only be clearly visible from the street between 38 and 40 Windsor Drive. As a result, the tangible impact upon the character of the area resulting from this development are significantly reduced.

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 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.

The proposed side extension would be located 1.236 metres from the boundary line with 40 Windsor Drive, with the southern elevation of 40 Windsor Drive sitting approximately 1.2 metres beyond that. Two windows are present in the relevant elevation of 40 Windsor Drive, although it appears that only one leads onto a habitable room. Concerns were raised, in particular by the comments of the local Councillor, regarding this arrangement and the potential loss of light this would create; although no objections have been received from the neighbouring residents. In order to ensure no such impact would occur, a shadow analysis was requested.

The submitted information shows that the extension would only have an extremely minor impact in terms of overshadowing and only during the winter months. From this submitted information, it is considered that the proposal would not have an unacceptable impact with regard to overshadowing, as to warrant refusal.

The proposed west facing windows, connected to bedroom 4, would be located approximately 1.8 metres above first floor level (measured from the bottom of the window). At this height, the vast majority of users would not be able to gain views from this window, and as such, the actual level of overlooking generated by this change is lowered.

No other window would represent an overlooking concern. The proposed extensions would not impact significantly upon the southern neighbour due to the orientation of the buildings.

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.

Highway Safety and Parking

Section 9 of the NPPF is titled 'Promoting sustainable transport'. Within this, Paragraph 115 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 would be severe".

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.

As the total number of bedrooms would rise from two to four, an additional parking space is required. Despite the proposal removing some of the driveway, it is considered that adequate room has been maintained on site to accommodate this parking level.

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.

Recommendation

Based on the assessment detailed above, it is recommended that the proposal should be approved under Delegated Authority.

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.

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.

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.

Conclusion

Taking these factors into consideration, the proposal is considered to comply with Policies 1, 2, 3, 33, and 36 of the SELLP, as well as Sections 9 and 12 of the NPPF. There are no significant factors in this case that would outweigh the benefits of the proposal; therefore, the planning balance is in favour of the proposal.