

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H16-0569-23 **Applicant:** Mr J Kirk

Proposal: Single storey side extension with first floor extension above existing garage and utility

Location: 21 Meadowgate Lane Spalding

Terminal Date: 16th August 2023

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02 Development Management
03 Design of New Development
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
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SHDC INTERNAL	0	0	1	0

CASE OFFICER ASSESSMENT

Proposal

Proposal is for single storey side extension on the south elevation of 21 Meadowgate Lane. As well as this, a first-floor extension above the garage is proposed. Within these extensions, an additional bedroom would be formed, taking the total number to four.

The ground-floor extension would measure 5950mm (width) by 4280mm (depth). The extension would feature a dual pitched roof, with a height of approximately 2500mm to the eaves. At its peak it would measure 3500mm.

The first-floor extension would form an additional bedroom. It would occupy the same footprint as the garage below. The width of the extension would be approximately 2900mm, with a depth of 8750mm. The extension would have a dual pitched roof, with a height to eaves of 4700mm. The peak height would be 6600mm, in line with the host dwelling.

All materials and finishes 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 (SELLP). The site is towards the west of the settlement, in an area characterised by residential developments.

The dwelling itself appears to be more modern in style to its adjacent counterparts. It is constructed of a light-brown brick, with brown UPVC fittings. The property occupies a corner plot, with a 1.8 metre-high, black close-boarded fence surrounding the southern garden.

Relevant History

H16-0482-82 - Full. Residential development (21 plots). Approved 27/07/82.

H16-0602-00 - Full. Erection of fence (Retrospective). Refused 23/08/00.

H16-1230-00 - Full. Erection of fence. Approved 13/10/00

H16-0370-20 - Full. Re-Location of Boundary Fence. Approved 02/06/20.

Consultation Responses

Highway and Lead Local Flood Authority

"No objection. The proposal is for a single storey side extension with first floor extension above existing garage and utility, and it does not have an impact on the Public Highway or Surface Water Flood Risk."

Requested the following condition: "It is noted from the proposed site layout drawing that Site Boundaries and associated setting out have been taken from an OS Map so all critical setting out dimensions should be checked on site prior to any work commencing. We would also ask that the applicant or their agent contacts Lincolnshire County Council Local Highways Team on 01522 782070 to obtain a current Liability for Maintenance Plan indicating the adoptable highway to ensure there is no encroachment of the proposed building on highway land."

Environmental Protection

No comments.

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, that they are visually attractive, as a result of good architecture, and are sympathetic to local character. 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 extension would appear well blended into the fabric of the dwelling due to the use of matching materials. There is already a prominence of extensions above garages in the area, naturalising the design of the first-floor extension.

While the corner plot will increase the prominence of the side extension within the street scene, the extension would not appear overbearing or incongruous within the locale. Again, the use of matching materials will make the extension appear in keeping with the host dwelling.

Impacts Upon Resident Amenity

Paragraph 130 of the NPPF amongst other matters, seeks places with a high standard of amenity for existing and future users. Policies 2 and 3 of the SELLP set out residential amenity and relationship to existing development and land uses as main considerations when making planning decisions.

The amenity impacts of the development would be minimal. The side extension, due to the significant distances present and the relatively low height of the extension, would have no material amenity impacts.

No windows are proposed on the side elevation of the proposed first floor extension. This ensures that no overlooking would occur. Furthermore, there are no windows within the southern elevation of 19 Meadowgate Lane. This ensures that no overshadowing would occur as a result of the first-floor extension.

The proposal therefore conforms to Policies 2 and 3 of the SELLP in terms of amenity impact.

Parking and Highway Safety

Under Policy 36 and Appendix 6 of the SELLP, three parking spaces are required for dwellings with four or more bedrooms. The dwelling has ample space to accommodate this additional parking need.

The entry to the site will not be affected by the proposal, ensuring safe access to the site is maintained.

Planning Balance

The proposed extensions would appear well blended into the fabric of the property due to the matching materials. Comparable designs already exist within the area, naturalising the development.

The proposal would not create any additional amenity impacts. The positioning of windows and the nature of the development would create no additional overlooking. The placement of windows on 19 Meadowgate Lane would ensure no overshadowing occurs.

There is ample room within the curtilage of the property to accommodate the additional parking facilities required.

The relevant consultee from the Environmental Protection department has raised no observations on the proposal. The consultee from the Highway authority has raised no objection, however, has requested a condition be imposed to ensure that no encroachment on Highway land occurs.

The planning balance is in favour of the proposal.

Conclusion

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.