

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H16-0615-23 **Applicant:** Mr & Mrs J Brown
Proposal: Garage Extension
Location: 45 Woolram Wygate Spalding
Terminal Date: 4th September 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
WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Proposal is for a garage extension at 45 Woolram Wygate. The development would measure 5580mm (width) by 5100mm (depth). The proposed extension would feature a dual pitched roof, measuring approximately 2500mm to the eaves and 5200mm to the peak.

It is proposed that the garage would be constructed of black cladding to match the existing dormer windows. The roof tiles and windows would match the existing dwelling.

It is proposed that the garage would be converted to a kitchen as part of this proposal. Two windows would be installed in this new kitchen facing south and west. The existing kitchen would be converted into a family room with glass doors replacing the windows.

Site Description

The site is within the settlement boundaries of Spalding, as outlined within the South-East Lincolnshire Local Plan, 2019 (SELLP). The footprint of the proposal currently forms part of the site's driveway. A small turning point is located to the north of the site.

Within the wider area of the Woolram estate, detached and extended garages are common. That being said, the black cladding proposed here is not a common feature of the estate and is fairly unique to 45 Woolram Wygate.

A 1.8m high boundary fence is present on the site, located approximately 1.57m from the edge of the proposed extension. The proposed extension would be located approximately 5m from the northern elevation of the adjacent property to the south. There would be a distance of approximately 7.2m to the Highway.

Relevant History

H16-0004-23 - Full. Proposed detached car port & alterations to dwelling. Refused 16/02/23.

H16-0218-23 - Full. Proposed car port and internal alterations - re-submission of H16-0004-23. Approved 11/04/23.

Consultation Responses

Welland and Deepings Internal Drainage Board

"Thank you for your consultation on the revised proposal for the site.

I am pleased to see the submitted drawing reference: 4091-22, 04; dated July 2023 detailing the proposed garage extension to be at least 7.8m away from the Board's Woolram Wygate School Dyke pipeline.

This is agreeable with the Board in principle, subject to the prior written consent of the Board being gained in advance of works commencing on site."

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 scale of development is proportionate to the existing dwelling. While the relative height of the roof's peak is high, it is necessary due to angle of the slope which will ensure a visual continuity of roof design. The proposed width is comparable to the existing garage, again ensuring visual continuity is maintained.

Black cladding is uncommon within the Woolram estate, with the prominence of the cladding already present at 45 Woolram Wygate being somewhat of an anomaly. It is also of note that a previous application, H16-0004-23, was refused partially due to the use of black cladding. That being said, it is considered that the proposal would not appear incongruous by virtue of the cladding already in place at the dwelling. The prevalence of cladding on 45 Woolram Wygate would naturalise the design, ensuring it appears unique, but in character with the dwelling. Woolram is characterised by a variety of materials and designs and therefore, a unique development would appear in keeping with the established character of the area.

The proposed garage would appear unique in the area. That being said, it would not appear incongruous, being a distinctive feature in an area already characterised by unique design features. The proposal therefore conforms to Policy 2 in terms of design.

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 siting of the garage would ensure no overshadowing would occur. While the separation distance to 43 Woolram Wygate is minor, the positioning of the garage to the north means that the actual level of sunlight that would be obscured is minimal. The separation distance to 47 Woolram Wygate is sufficient enough as to ensure the proposal would not impact the property.

The existing boundary treatments would ensure that no overlooking would occur. The proposed window on the southern elevation would provide views of the fence only. 43 Woolram Wygate would not be visible from this window.

It is therefore considered that proposal conforms to Policies 2 and 3 of the SELLP in terms of amenity impacts.

Planning Balance

The proposal would have no significant impacts upon the amenity of neighbouring properties. Due to the boundary treatments present, no overlooking would occur. Moreover, due to the positioning of the extension, no overshadowing would occur.

It is considered that the use of black cladding here would not introduce an incongruous feature into the street scene. There is a mixture of designs and materials present within the Woolram Wygate area, and therefore, a unique design or materials would not appear out of character. Black cladding is currently prevalent on site, ensuring the garage would appear naturalised.

Welland and Deepings Internal Drainage Board have raised no objections to the proposal. The scheme is further from the IDB pipeline than the previously approved car port. They have requested that consent be gained prior to works commencing.

The proposal conforms to Policy 2 of the SELLP and is therefore considered to be satisfactory. 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.