

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H16-0683-22 **Applicant:** Mr S Harris
Proposal: Proposed two storey rear extension
Location: 90 Spalding Common Spalding
Terminal Date: 5th September 2022

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
04	Approach to Flood Risk
28	The Natural Environment
30	Pollution
31	Climate Change and Renewable and Low Carbon Energy
32	Community, Health and Well-being
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

National Planning Policy Framework (NPPF, 2021)

Section 2: Achieving sustainable development
Section 4: Decision-making
Section 9: Promoting sustainable transport
Section 12: Achieving well-designed places
Section 14: Meeting the challenge of climate change, flooding and coastal change
Section 15: Conserving and enhancing the natural environment

Planning Practice Guidance (PPG)

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This application seeks permission for the erection of a two-storey extension at 90 Spalding Common, Spalding. The proposed extension would extend beyond the rear elevation of the existing dwellinghouse by 4.8m, would have a width of 4.4m an eaves height of approximately 5.2m and a ridge height of 6.5m. The proposed two storey extension would be of a gable design and would be constructed with facing brickwork and roof tiles to match the existing dwellinghouse. The proposal also involves raising the ridge height of the existing dwellinghouse from 6.5m to 7.2m to remove the existing two-storey flat roof element.

Site Description

No. 90 Spalding Common is a two-storey detached dwelling in a rural location with sporadic neighbouring residential properties. The existing property is two storey in height and constructed in facing red brick. The property benefits from garden areas to the rear and both sides of the property with an area of off-street car parking immediately south of the dwellinghouse.

History

There is no relevant planning history on the site.

Consultation Responses

No consultation responses received.

Planning Considerations

Scale, Design and Layout

The proposal involves the erection of a two-storey rear extension and an increase in ridge height of the existing dwellinghouse to remove the two-storey flat roof rear element. The proposed extension would extend beyond the rear elevation of the existing dwellinghouse by 4.8m, would have a width of 4.4m an eaves height of approximately 5.2m and a ridge height of 6.5m. The proposed raising of the ridge height of the existing dwellinghouse would see the ridge height increase from 6.5m to 7.2m.

The proposed two-storey rear extension would be constructed of a gable end design that would reflect the style of the existing dwellinghouse and would have a subservient ridge height. Furthermore, the proposed extension would be subservient to the main dwellinghouse in terms of its width and rear projection. The proposed extension would be constructed using matching materials and matching windows to the main dwellinghouse.

It is noted that the proposed extension would be visible from the public highway of Spalding Common, however, given the acceptable design of the proposal, would not result in detrimental impacts on the character or appearance of the streetscene or surrounding area.

Whilst the proposed ridge height of the existing dwellinghouse would increase by 0.7m and would exceed the height of the neighbouring property, given the distance to the neighbouring property, it would not result in any oppressive impacts. Furthermore, the loss of the existing two-storey flat roof element to the rear of the property is considered to be beneficial to the appearance of the dwellinghouse.

Overall, the scale and design of the proposed development is considered to be acceptable and would not result in any harm to the character or appearance of the streetscene or surrounding area. As such, the proposal is considered to be in accordance with Policies 2 and 3 of the adopted South East Lincolnshire Local Plan (SELLP, 2019) and the guidance within the National Planning Policy Framework (NPPF, 2021).

Impact on Neighbouring Amenity

The closest neighbouring property and most likely to be impacted upon as a result of the proposed development is No. 92 Spalding Common.

The proposed development is not considered to result in any detrimental overbearing or overshadowing impacts on the neighbouring property as the dwelling and extension would be approximately 11m from the boundary of No. 92 with the roof of the two-storey rear extension sloping away from the boundary. It is worth noting that the proposal would not extend any closer to the neighbouring property than existing.

The proposal includes the provision of a first floor north-side elevation windows to serve 'Bedroom 3'. Whilst the proposed window would result in some overlooking impacts on the neighbouring property of No. 92, it is noted that due to the distance to the boundary (approximately 11m), the size of the window and the orientation of it to the neighbouring properties private rear amenity space, the impacts are not considered to be severe enough to warrant refusal of planning permission.

On balance, the proposed development is not considered to result in significantly detrimental impacts on neighbouring properties amenities that would warrant refusal of planning permission in this instance. Accordingly, the proposal is considered to accord with the aims of the adopted South East Lincolnshire Local Plan (SELLP, 2019) and the guidance within the National Planning Policy Framework (NPPF, 2021).

Highway Safety

As a result of the proposed development, the number of bedrooms at the property would increase from three to four. Accordingly, three off-street car parking spaces should be provided within the curtilage of the dwellinghouse in line with Policy 36 and Appendix 6 of the adopted Local Plan. It is considered there is adequate space to the south and rear of the property that is hardsurfaced to accommodate three off-street car parking spaces.

The property would utilise the existing access off Spalding Common with no alterations proposed to the existing access.

As such, the proposal is considered to be acceptable in terms of highway safety and would be in accordance with Policy 36 and Appendix 6 of the adopted South East Lincolnshire Local Plan (SELLP, 2019) as well as the guidance within the National Planning Policy Framework (NPPF, 2021).

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 two storey rear extension and raising the existing properties ridge height are not considered to 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

Approve.

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.