DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H16-0710-21**	**Applicant:**	**Mr & Mrs M Alexander**
Proposal:	Extension & Alterations		
Location:	33 Cathedral Drive Spalding		
Terminal Date:	25th August 2021		

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 2019

NPPF 2021
Section 12- Achieving well-designed places.

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0
RESIDENTS	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a householder application seeking permission for a proposed side extension and alterations to the property at 33 Cathedral Drive, Spalding.

Site Description

The site is situated within the settlement boundary of Spalding, according to the South East Lincolnshire Local Plan, 2019, and is within a residential area. The property is situated to the south

of Cathedral Drive and has a large gravelled driveway to the front and side of the dwelling. To the west is a care home and there are residential properties in all other directions.

The dwellings in the area are mostly of the same age and design, which are mostly detached single storey and two storey dwellings, and are situated on spacious plots.

History

No relevant planning history.

Consultation Responses

Member of the public (1 comment) - Recommendation for a planning condition requiring the installation of a minimum of 3 swift nest bricks to provide enhancement for biodiversity.

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 will protrude from the western side elevation by approx. 3.3m and a depth of approx. 7.2m. This will follow the same footprint as the ground floor which is the existing garage, w/c and utility room. Having regard to the existing dimensions of the house, the proposed first floor extension is acceptable in terms of scale, mass and bulk.

Facing brickwork on walls, concrete roof tiles and UPVC in fenestration are all to match existing. To the proposed front elevation of the external wall, a cedral fibre cement cladding in grey is proposed. The cladding to the front elevation is considered to enhance and modernise the overall design of the dwelling. It is not considered to unduly contrast to the overall appearance and character of the surrounding area. The proposed gable roof to the first floor side extension is considered to compliment the existing roof structure. Thus, the development will appear well blended with the fabric of the house and visual amenity will not be undermined.

Internally, the purpose of the development is to gain further internal floor space for enlarging and creating new rooms inside the house. This includes an additional bedroom and ensuite 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 proposal 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.

Impact upon 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.

The proposed windows are to the front and rear elevations of the first floor side extension. There are no properties directly to the rear with them being angled away and to the front it is tantamount to a typical frontage relationship. There would therefore not be a material overlooking impact from the proposal.

It is also not considered that the proposed side extension will be overbearing or have an overshadowing impact upon neighbouring properties as the closest property to the side of the dwelling impacted is approx. 24m away (no. 35 Cathedral Drive), which is considered a sufficient

separation distance.

Taking the above into account, the proposal is deemed to comply with Policies 2 and 3 in the SELLP, 2019 and Section 12 in the NPPF, 2021 in terms of residential amenity.

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 gravelled drive to the front and side of the dwelling is clearly sufficient to accommodate this number of vehicles.

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 above garage/utility room 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.

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.

Conclusion

The recommendation is for a delegated approval.