DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H16-0721-22**	**Applicant:**	**Mr I Malik**
Proposal:	Two-storey side extension and single-storey front, side and rear extension		
Location:	12 Sandringham Walk Spalding		
Terminal Date:	13th September 2022		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
28	The Natural Environment
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

Section 12 - Achieving well-designed places
Section 15 - Conserving and enhancing the natural environment

Representations:

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

CASE OFFICER ASSESSMENT

PROPOSAL

This is a householder application seeking permission for a two-storey front/side/rear extension and single-storey front, side and rear extensions. On the ground floor a single garage, porch, study, one bedroom with an en-suite shower room, utility, kitchen and an open plan lounge/dining room would be created. On the first floor one existing bedroom would be converted into a shower room and 2no bedrooms would be created; one with an en-suite shower room and one with a walk-in wardrobe/dressing room.

The two storey extension would be a side projection of 3.8 metres, a front projection of 1.6 metres and a rear projection of 5.1 metres. The single storey front porch would measure 1.6 metres (depth) x 2.3 metres (width. The single storey side extension would have a side projection of 3.4 metres. The single storey rear extension would have a rear projection of 5 metres. The external materials would match the existing dwelling.

SITE DESCRIPTION

The application site is located on Sandringham Walk. It comprises a two storey detached dwelling of red brick construction. There is a single attached garage to the side and a small flat roofed canopy element to the front. A low level fence and hedge forms the front boundary and a higher level fence and hedge forming the side boundaries. A bungalow is located to the east of the site and a two storey dwelling to the west. The immediate area is primarily residential comprising a mixture of bungalows and two storey dwellings of varying designs and sizes.

RELEVANT PLANNING HISTORY

No relevant planning history.

REPRESENTATIONS

Residents

Two letters of representation have been received siting the following concerns:

·The existing hawthorn trees along the rear boundary should remain in situ so privacy is maintained
·The existing fence should be higher to match the newer fence panels to ensure
·More vehicles may be parked on the road as the owner does not currently use the driveway
·The size of the house will not be in keeping with the street scene
·If the tree to the front of the site is removed to accommodate a new dropped kerb there would be overlooking and loss of privacy from the new windows on the front elevation

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.

One local resident has raised concerns that the proposed extensions would result in the footprint of the dwelling not being in keeping with the street scene. The concerns are noted, however, the immediate street comprises dwellings of varying sizes and designs therefore there is no string built character form. As such the proposed development is not considered to be out of character with the area or resulting in any unacceptable impact on the street scene.

It is accepted that the proposed extensions would significantly increase the footprint of the dwelling and change its overall appearance. However, the proposals are not considered to result in overdevelopment of the site and the dwelling would not be significantly larger than other in the street. The extensions are considered to be sympathetically designed, not resulting in any unacceptable impact on the street scene. Furthermore the use of matching external materials would ensure the extensions are not out of character with the existing dwelling.

As such the extensions would on balance comply with the aforementioned policies on design, layout and impact upon the character of the local area.

Impacts 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 neighbour at no.3 Sandringham Walk located to the north of the site on the opposite side of the street has raised concerns that if the tree to the front of the site (outside the red line boundary) is removed to accommodate a new dropped kerb there would be overlooking and loss of privacy from the new windows on the front elevation. The concerns are noted, however, there are already primary windows on the front elevation at ground floor and first floor level facing this neighbour therefore the addition of new windows is not considered to result in any new unacceptable impact. In addition, most properties commonly have windows in the front elevation looking directly at neighbours on the other side of the street therefore the scheme could not reasonably be resisted on this basis.

The closest neighbour to the proposed development is no.13 Sandringham Walk located to the east of the application site. The proposed scheme would bring the application dwelling 3.8 metres closer to this neighbour at first floor level. The front projecting element would not extend beyond the front elevation of this neighbour therefore this element is not considered to result in any overbearing impact or unacceptable overshadowing. The rear projecting element would have a rear projection of approximately 4 metres and would be sited approximately 2.2 metres the nearest elevation of this neighbour. Given this the side/rear extension would not obstruct the 45 degree view of this neighbour therefore the scheme could not reasonably be resisted. In addition, this neighbour does not have any primary windows in its side elevation therefore no overbearing impact or unacceptable overshowing is considered to result. Only one first floor window is proposed in the side elevation facing this neighbour, however this would serve a shower room and would therefore be obscure glazed therefore no overlooking or loss of privacy would result from this. As such the impact on this neighbour is considered to be within acceptable tolerances.

With regards to the neighbour to the west at no.10 Sandringham Walk the proposal would bring the application dwelling 3.4 metres closer to this neighbour at ground floor level and would have a rear projection of approximately 5 metres. The extensions would be sited approximately 1.1 metres from the shared boundary with this neighbour and 3 metres from its side elevation. There would be limited views of the extension given the high level boundary hedge. In addition, this neighbour does not have any windows in its side elevation therefore no overbearing impact or unacceptable overshowing is considered to result. The first floor rear projecting element would be sited approximately 10 metres from the shared boundary with this neighbour. This separation distance is considered sufficient given the 5 metre rear projection. No windows are windows are proposed in the side elevation facing this neighbour therefore there are no overlooking or loss of privacy concerns.

The neighbour to the rear at no.42 Sandringham Walk has requested that the existing trees along the rear boundary are retained to avoid overlooking from the proposed balcony and that the existing fence is made higher to match the newer fence panels to ensure privacy is maintained. The concerns are noted, however the proposed development, including the balcony would be sited at least 20 metres from the rear boundary. The separation distance is considered sufficient as to not result in increased levels of overlooking. In addition, the balcony would be juliette style therefore the view from this would not be any different to a window and given the site already has first floor windows in the rear elevation facing this neighbour, no new unacceptable impact is considered to result.

As such the proposal would accord with Paragraph 130 of National Planning Policy Framework (2021) and Policies 2 and 3 of South East Lincolnshire Local Plan (2019).

Parking

In connection with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum requirements for car parking provision. The proposed scheme would increase the number of bedrooms in the property from 3 to 5, increasing the parking requirement for the site from 2no spaces to 3no. The proposed garage would meet the size requirements for enclosed parking spaces and there would be additional space in the driveway to the front for several vehicles. As such the scheme is considered to comply with the current parking standards.

One local resident has raised concerns that the proposed development may result in more vehicles

being parked on the road as the owner does not currently use the driveway. The concerns are noted however, the scheme meets the current parking standards and if the owners/occupants still choose to park on the street then unfortunately this cannot be controlled in planning terms. If the vehicles are parked unlawfully, causing obstructions then they should be reported to parking enforcement.

Planning Balance

The proposal will not materially harm the character or appearance of the locality, the amenity of nearby residents or result in parking or biodiversity issues. The planning balance is therefore considered to be in favour of the proposal.

CONCLUSION

In light of the considerations above, the proposal is considered to be in accordance with Policies 2, 3, 28 and 36 of the South East Lincolnshire Local Plan (2019) and Sections 12 and 15 of the National Planning Policy Framework (2021).

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.

RECOMMENDATION

The application can be approved under delegated powers.