

DECISION DELEGATED TO HEAD OF PLANNING

Application No:	H16-0726-23	Applicant:	Mr & Mrs Doolan
Proposal:	Two storey front & side extensions & single storey rear extension		
Location:	Southfields Cowbit Road Spalding		
Terminal Date:	6th October 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 2023**

Section 9 - Promoting Sustainable Transport
Section 12 - Achieving Well Designed Places
Section 14 - Meeting the challenge of Climate Change, Flooding and Coastal Change

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	1	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD	0	0	0	2
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	2

CASE OFFICER ASSESSMENT

Description of Proposal

The proposal seeks full planning permission for the erection of a two-storey front and side extension as well as a rear single storey extension. The storey component would be comparable to the existing protrusion from the principal elevation. All materials would match the host dwelling. The extension would create an additional bedroom, bringing the total to four.

The two-storey component would measure 9000mm in depth, by 5100mm in width. The extension would feature a dual pitch roof, which connects into the hipped roof of the host. The eaves height of this extension is consistent with the host at approximately 4800mm, while the ridge height is slightly lower than the host at 6800mm.

The rear extension would protrude largely from the proposed two-storey extension. The extension would have a depth of 4700mm, with a width of 5900mm. The extension would feature a dual pitch roof that then joins onto the existing flat roof extension. The ridge height would be 4000mm, while the eaves height would be consistent with the host at 2550mm.

Minor modifications are also proposed to the parking arrangement, with a new turning space being added.

Site Description

The site is within the settlement boundaries of Spalding, as outlined within the South-East Lincolnshire Local Plan, 2019. The site is located to the east of the river Welland, approximately 150 metres north of Little London Bridge. The area has a mixture of dwelling types and design. The area is classed a "low hazard" zone on the South Holland Strategic Flood Risk Assessment (SFRA), with flood depths of up to 0.25 metres.

The house itself is of a dark red brick construction, with dark grey tiles. All window frames are white UPVC. An approximately 1.8-metre-high boundary hedge is present to the front, which is replaced by a black brick wall of the same height. The rear garden is considerably lower than the dwelling.

Relevant History

No relevant history

Consultation Responses

The responses received from consultees during the initial consultation exercises, which can be viewed in their entirety through the South Holland website, can be summarised as follows:

Highway and Lead Local Flood Authority

"No objection: Although some off-street car parking space would be lost to the proposed side extension, an additional area of car parking is proposed to be created on what is presently the front lawn area. It is considered that there would therefore be sufficient parking space retained within the curtilage of the property for residents. The existing vehicle access is not proposed to be altered as part of the proposed development. In view of the above and having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety and therefore does not wish to object to this planning application."

CIlr Ashby

"Support. No problems with this build."

South Holland Internal Drainage Board

Works may require Land Drainage Consent. It is recommended that the applicant discuss the proposal directly with Drainage board.

Public Representations

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, no letters of representation have been received.

Key Planning Considerations

Evaluation

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

The adopted South-East Lincolnshire Local Plan 2011-2036, adopted March 2019 (SELLP), is the development plan for the district, and is the basis for decision making in South Holland. The relevant development plan policies are detailed within the report above.

The policies and provisions set out in the National Planning Policy Framework, 2021 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Principle of Development

Policy 1 of the SELLP sets out the settlement hierarchy in respect of delivering sustainable development, which meets the social and economic needs of the area whilst protecting and enhancing the environment; in order to provide enough choice of land for housing to satisfy local need, whilst making more sustainable use of land, and to minimise the loss of high-quality agricultural plots by developing in sustainable locations and at appropriate densities.

Policy 1 expresses this sustainable hierarchy of settlements, ranking the settlements deemed to be most sustainable in descending order. The most sustainable locations for development are situated within the 'Sub-Regional Centres', followed by 'Main Service Centres'. Lower down the hierarchy are areas of limited development opportunity including Minor Service Centres, with areas of development constraint comprising 'Other Service Centres and Settlements'. The countryside is at the bottom of the settlement hierarchy and represents the least sustainable location.

The site is within the settlement of Spalding which is classed as a sub-regional centre within Policy 1. As such development will be permitted that supports Spalding's role as a service centre, helps sustain existing facilities or helps meet the service needs of other local communities.

The development would fall entirely within the residential curtilage of Southfields. The extension would be subservient to the host and would not be tantamount to the creation of a new dwelling. As such, the principle of development is sound.

Layout, Design, Scale and Consideration of the Character of the Area

Section 12 of the NPPF, "Achieving well-designed places", states that "creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve" and as such, it is generally accepted that good design plays a key role towards sustainable development.

Paragraph 130, contained within Section 12 of the NPPF, states that new development should function well and add to the overall quality of the area (including beyond the short term) and should be visually attractive as a result of good architecture and appropriate landscaping. This goes on to establish that it is important that new development should be of the highest quality, to enhance and reinforce good design characteristics, and that decisions must have regard towards the impact that the proposed development would have on local character and history, including the surrounding built environment and landscape setting such as topography, street patterns, building lines, boundary treatment and through scale and massing. Developments 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 outlines sustainable development considerations for proposals; providing a framework for an operational policy to be used in assessing the sustainable

development attributes of all development proposals. Furthermore, Policy 3 of the SELLP requires development to comprise good design; identifying issues that should be considered when preparing schemes so that development sits comfortably with, and adds positively to, its historically designated or undesignated townscape or landscape surroundings.

These policies accord with the provisions of the National Planning Policy Framework and require 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. Proposals for new development would therefore require the aforementioned considerations to be adequately assessed and designed, including the siting, design, and scale to be respectful of surrounding development and ensure that the character of the area is not compromised.

The proposed scale of the extensions, while extremely large, is proportionate to the size of the plot and the host dwelling. The two-storey extension would bring the design of the house more in keeping with the area, where this style of frontage is more common than the existing "L" shape.

All materials would match the host dwelling, ensuring the extension appears visually consistent with the host. The replication of the existing dual pitch roof design and the incorporation of the roof into the hipped roof will further ensure a visual harmony.

The rear extension would not be visible from the street; therefore, the character impact is minimal. That being said the proposal is typical of a rear extension and would not appear out of keeping with the dwelling or the area.

Taking account of the design, scale, and nature of the development, as detailed above, the proposal is considered to be acceptable. The proposal would not cause an adverse impact to the character or appearance of the area and would therefore be in accordance with Policies 2 and 3 of the SELLP and Section 12 of the NPPF.

Impacts Upon Resident Amenity

Paragraph 130 of the NPPF states that development should 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.

Policies 2 and 3 of SELLP sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

The proposal would not increase overlooking concerns. The existing south-west facing window would be removed, reducing the potential for overlooking here. Two windows would be added facing south-east, although one of these windows does connect to a bathroom and therefore would be obscured. There are already windows in this elevation, and it is considered that the addition of a single usable would not significantly exacerbate overlooking concerns.

There is a single, small, obscured glazed within the northern elevation of the southern neighbour (Raylyn). On site, it was visible that large levels of light were already obscured via the existing boundary treatments. This window connects onto a utility room, which is classed as a non-habitable room and therefore the impacts of any loss of light would be low. The window also faces north, and therefore, the level of light that can be expected to reach the window is lower also. Therefore, it is considered, that while the proposed extension would reduce the levels of light reaching this window, it does not amount to significant overshadowing. No potential overshadowing would occur elsewhere.

As detailed above, the scale and design of the proposal is considered to have no significant or unacceptable impact on the residential amenities of the occupiers of adjacent properties or land users, when also taking account of the conditions recommended. As such, the proposal is considered to accord with the Section 12 of the NPPF and Policies 2 and 3 of the Local Plan in terms of impact upon residential amenity.

Highway Safety and Parking

Section 9 of the NPPF is titled 'Promoting sustainable transport'. Within this, Paragraph 111 advises that "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network

would be severe".

In respect of highway matters, Policy 2 details that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to access and vehicle generation. Policy 3 details that development proposals will demonstrate how accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways will be secured, where they are relevant to the proposal.

Policy 36 of the SELLP, in conjunction with Appendix 6, sets out minimum vehicle parking standards and requires at least two spaces for dwellings of up to three bedrooms and three spaces for dwellings with four or more bedrooms.

The proposal would increase the number of bedrooms from three to four. As such, an additional parking space is required. It is considered that three vehicles could park within the driveway of the property, while still being to utilise the proposed turning point, in order to leave safely in a forward gear. No other alteration to the access is proposed.

The proposal would therefore be acceptable and would not have an unacceptable adverse impact on highway safety in accordance with Policies 2, 3, and 36 of the SELLP, as well as Section 9 of the NPPF.

Flooding and Drainage Considerations

Policy 4 of the SELLP, alongside Section 14 of the NPPF, relates to flooding and drainage considerations. As the site is within Flood Zone 3, both are relevant.

The site is within an area classed as "low hazard" on the SFRA, with flood depths expected to reach 0.25 metres. It is not considered that the extensions would increase the vulnerability of the dwelling to flooding. As such, the proposal conforms to Policy 4 of the SELLP despite the lack of adaptation strategy proposed. That being said, the applicants are still encouraged to adopt relevant small-scale mitigation strategies (e.g., raising socket levels, installation of a flood door).

It is not considered that the development would exacerbate any drainage issues. The additional run off could be accounted for within the existing soakaways and drainage system.

Overall, it is considered that the proposal accords with Policies 2, 3 and 4 of the SELLP and the intentions of the NPPF with regards to flood risk.

Planning Balance

As detailed above, Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

The proposal would be visually in keeping with the established character of the area. The scale and design are consistent with the host dwelling. The proposal does not represent a significant overlooking or overshadowing concern.

Taking these factors into consideration, the proposal is considered to comply with Policies 1, 2, 3, 4 and 36 of the SELLP, as well as Sections 9, 12, and 14 of the NPPF. There are no significant factors in this case that would outweigh the benefits of the proposal; therefore, 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.