

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H16-0746-22 **Applicant:** Mrs E Everett
Proposal: Extensions & Alterations
Location: 30 Osier Road Spalding
Terminal Date: 20th 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

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

This is a householder application, seeking planning permission for a proposed first floor side extension and rear single storey extension to the property at 30 Osier Road, Spalding.

Site Description

The property in question is a detached dwelling of a light facing brickwork. The property has a large driveway to the front, with a small bricked boundary treatment. The dwelling is set back from the road. It has a side access to the rear on the northern side of the property.

The surrounding area is fairly densely populated with similar styled dwellings of a variety of facing

brickwork, on spacious plots.

History

No relevant planning history.

Consultation Responses

No consultation responses received.

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 side northern elevation by approx. 2.3m to match the existing footprint of the ground floor, with a new overall depth of 12.9m including the single storey rear extension. The single storey rear extension will replace the existing study room and utility area and will create a new open plan kitchen and living space, protruding from the rear elevation by approx. 4m , with a width of approx. 8.8m.

The external materials include facing brickwork on walls, concrete roof tiles and white UPVC in fenestration and rainwater goods will match those existing in the property. Thus, the development will appear well blended with the fabric of the house and visual amenity will not be undermined.

The existing front gable roof will be rotated to a side pitched roof to accommodate the new first floor dwelling. The proposed new design of the roof is considered to accord with the surrounding character, due to the neighbouring dwelling also having a similar designed roof and pitch. To the rear extension, this will be a mono pitched roof, including three roof lights with is acceptable in visual amenity terms given its location to the rear.

Internally, the purpose of the development is to gain further internal floor space for enlarging and creating new rooms inside the house. This includes a new utility room, w/c and an open plan kitchen and living space. The existing integrated garage will be slightly reduced in depth, but could still accommodate a small single car. To the first floor, an additional bedroom will be created as well as another bathroom/shower room.

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 proposed extensions and alterations are 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.

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 side elevation windows to the ground floor include a small w/c obscure glazed window, a small utility room window and a kitchen window. Currently, the boundary fence is only 1.3m high and overlooking is inevitable with the dwelling to that side at no.32. No public comments have been received in regards to this, and there would already be overlooking from the rear patio area.

The proposed windows are to the front and rear elevations of the two storey extension. The properties to the rear are a substantial distance 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 not considered that the proposal would overshadow or be overbearing to the neighbouring properties. Neither have side facing windows and the extension to the rear is only single storey.

Taking the above into account, the proposed extensions and alterations are 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 drive to the front is sufficient to accommodate two cars, with one small single garage also.

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 extensions and alterations 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.

Conclusion

The recommendation is therefore for a 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.