DECISION DELEGATED TO HEAD OF PLANNING

Application No: H16-0803-21 **Applicant:** Mr I Buckley

Proposal: Extensions and alterations and replacement septic tank

Location: 145 Bourne Road Spalding

Terminal Date: 18th October 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 2021

Section 12- Acheiving well-designed places.

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	1
HIGHWAYS & SUDS SUPPORT	0	0	0	1
WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD	0	0	0	1
RESIDENTS	3	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a householder application seeking permission for proposed extensions and alterations including a replacement septic tank to the property at 145 Bourne Road, Spalding.

Site Description

The property is a detached dwelling situated on the southern side of Bourne Road and is approximately 725 metres east from the centre of Pode Hole.

To the north of Bourne Road are large open fields. The dwelling is situated on a spacious plot and is set back from the road with a gravelled front garden and driveway, with high mature hedging to the front boundary as the boundary treatment.

The dwelling is currently vacant and the rear dwelling is currently neglected and overgrown. The dwellings along this road are varied in aged, size and design.

History

No relevant planning history.

Consultation Responses

Cllr Angela Newton:
First and second floor make the property considerably larger and no.143 Bourne Road is more likely to get overshadowing and loss of light and sun. In fact, as it being proposed to build higher and nearer on the West to no.143 and likely to suffer loss of light, overshadowing and having an overbearing property affecting the quality of life.

Cllr A C Cronin:
Discussed concerns with resident that dimensions of the proposal are greater than the plot size. Also the block plan suggests that the rear extension will not go beyond the building line of number 143 but from looking at Google maps I think it will. In this case the extension will be intrusive to number 143 in terms of lack of privacy and overshadowing. Can you make a condition that the extension does not pass the building line of number 143 or extend any closer to the property boundary.

Welland and Deeping Internal Drainage Board:
The Board insist that the package treatment plant is installed no closer towards the drain brink than the position of the existing septic tank.

Local Highway and Lead Local Flood Authority:
Does not wish to restrict the grant of permission.

Public Objections (2 no.):
- Concern that proposed development will not fit on plot
- Overshadowing and overlooking concerns

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 proposal involves squaring off the front of the dwelling between the side dining room and front lounge elevations, and a minor two storey entrance hall and seating area being constructed to the front of this. The rear extension will project approx. 3.1m from the existing elevation. This would appear to only extend marginally further than the rear extension to no.143. and almost as far as the furthest rear elevation of no. 147. The property will also be extended above the garage, with the

ridge height to match existing. The dwelling will be no wider than the existing footprint by virtue of the development and would remain the same height. Taking into account the size of the property and the plot it sits within, the proposed extensions are considered acceptable in terms of scale, mass and bulk.

The proposed garage will be positioned to the front of the property (adjacent to the front boundary), which will accommodate two cars. The garage will measure approx. 6.3m by 4.3m and will also have a hipped roof similar to the design of the roof on the dwelling. It will be visually in keeping with the dwelling and, although sited well forward of the property and any other buildings fronting Bourne Road, would be well screened/backdropped by existing hedging.

The hipped roof design will be retained, although external materials are still to be confirmed. Therefore, a condition will be added if approved. The proposed front wall and gate would be an attractive addition.

In terms of internal alterations to the dwelling, this comprises of a new lounge and dining room to the front section of the ground floor and a large open plan kitchen, dining room and utility to the rear section. To the first floor, this will include 3 enlarged bedrooms, two with a jack and jill bathroom and the master bedroom with an ensuite bathroom. There will be an additional second floor created, with a bedroom including a walk in wardrobe and ensuite. This is in keeping with the residential use of the property.

Objections have been raised about the dimensions of the proposal being inaccurate, however, there is no reason to believe that the plans are incorrect and overall the scale is considered to be in keeping with the size of the plot and the surrounding character of detached dwellings along Bourne Road.

Taking the above into account, the proposed extension 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.

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 proposal does not include any windows to the side elevations on the first and second floors to the main part of the dwelling. The side facing ground floor window would be to a W/C and therefore obscure glazed. To the front of the dwelling is a two storey project to accommodate an entrance hall at ground floor and a seating area at first floor. The windows to the seating area would not create a material overlooking aspect due to the angles to windows of neighbouring properties. The windows to the front and rear will just have a typical relationship with neighbouring dwellings for a frontage property.

It is not considered that the proposed extensions would be overbearing in nature. The extension to round off the property at the front would be approx. 6m from the neighbouring dwelling and would appear to face a non-habitable room. The dwelling to the east has no side facing windows and the rear extension would extend no further south than either of the neighbouring dwellings.

Given that residential development extends east-west and the rear extension only projects around 3m, it is not considered that there would be a material overshadowing or loss of light impact to neighbouring dwellings.

Taking the above into account, the proposed extensions 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 clearly sufficient to accommodate these cars and enter and egress in a safe and forward manner.

Therefore, the proposals will ensure appropriate car parking provision and comply with Appendix 6 of SELLP 2019.

Highway Safety

The proposed front garden wall and positioning of the garage are all considered to be acceptable in terms of highway safety as no objections have been raised by the Local Highway Authority.

Given the above, the proposal is considered to be in accordance with Policies 2 and 3 of the Local Plan. Policy 2 requires sustainable development considerations to be met, including with regard to access. Policy 3 requires development proposals to consider the layout of parking. It is also in accordance with Section 9 of the National Planning Policy Framework (2021) which requires development proposals to ensure safe and suitable access for all users.

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 extension and alterations will not materially harm the character or appearance of the locality, amenity of nearby residents or highway safety. It is therefore considered to be in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

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 therefore for a delegated approval.