DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H16-0864-22**	**Applicant:**	**Mr & Mrs B & E Volker and Bradley**
Proposal:	Demolition of existing garage and timber shed and construction of ground floor side extension		
Location:	63 Stonegate Spalding		
Terminal Date:	27th October 2022		

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- 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 the proposed demolition of the existing garage and timber shed, to construct a single storey side extension to the property at 63 Stonegate, Spalding.

Site Description

The property is a link-attached dwelling situated within the settlement of Spalding. The dwelling is set back from Stonegate to which the front elevation faces. It is situated in a predominantly residential area, with the north side elevation of the dwelling attached to Tesco Express which is

sited on the junction of Matmore Gate.

There are predominantly detached dwellings on similar sized plots to the east of Stonegate. However, on the opposite side of Stonegate there are residential terraced dwellings.

There is access to the rear garden to the south of the dwelling. The rear garden is of a spacious size, which is typically seen throughout most dwellings in this area.

History

No relevant planning history.

Consultation Responses

No consultee 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 single storey side extension will protrude from the south side elevation by approx. 4m wide by 8.4m deep. Overall, having regard to the existing dimensions of the house, the proposed extension is acceptable in terms of scale, mass and bulk.

The proposed external materials include facing brickwork on walls to the side and rear elevation, with a rendered front elevation, which will reflect the existing garage. Roof tiles are proposed to 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 garage is of no particular architectural merit, therefore its loss will not have an adverse character impact.

The roof will be formed from a mono pitched roof which will have a similar pitch to the original hipped roof design. The first floor side elevation window will be replaced with a smaller window to accommodate the new pitched roof. It is not considered to be at odds with the original roof design, as the existing garage is currently a detached mono pitched roof, so it would not be unusual to see a mono pitched roof to the side of the dwelling.

Internally, the purpose of the development is to gain further internal floor space for enlarging and creating new rooms inside the house. This includes opening up the existing dining room and kitchen to create an open plan kitchen/dining room. The new single storey side extension will have a door off of the new kitchen, with access to a new lounge, bathroom and utility room which has access to the rear of the property.

Overall, the proposals will ensure good living conditions for the house occupiers and is in keeping with the residential use of the property.

Although the existing shed and detached garage hold use for good storage and a parking space, it is considered that front driveway is sufficient to accommodate the appropriate parking for the size of the dwelling, in accordance with Appendix 6 of the SELLP. The timber shed can also be replaced elsewhere in the rear garden. Overall, the proposed demolition of these buildings are considered acceptable.

Taking the above into account, the proposed demolition of the existing garage and timber shed, to create a single storey side extension 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.

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 include an obscure glazed bathroom window and a utility window to the south side elevation, with a set of French doors situated to the rear elevation from the utility room. A new lounge window is proposed on the front elevation. This window is considered to be tantamount to a normal frontage relationship with other dwellings opposite on Stonegate. The proposed windows are not considered to overlook unacceptably upon neighbouring residential amenity, due to the single storey nature of the proposal.

It is not considered that the proposal would overshadow or be overbearing to the neighbouring properties, due to the positioning and the single storey nature. The existing garage is already in close proximity to the dwelling to the south and there is boundary screening in between.

Taking the above into account, the proposed single storey side extension 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.

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 single storey side extension 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.