DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H16-0874-22**	**Applicant:**	**Mr S Greenfield**
Proposal:	First floor extension above garage, ground floor extension to rear and detached store and gym		
Location:	16 Ladywood Road Spalding		
Terminal Date:	1st November 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 permission for a proposed first floor extension above the garage, ground floor extension to the rear and a detached store and gym to the property at 16 Ladywood Road, Spalding.

SITE DESCRIPTION

The site is situated within the settlement of Spalding, according to the South East Lincolnshire Local Plan, 2019. The property in question is a detached dwelling located within a suburban neighbourhood. The dwelling is set back from the road, with a driveway suitable for three cars

including the garage, and is situated on a spacious plot. There is also a large grassed front garden. The property has a long and narrow rear garden. The surrounding dwellings are similar in design and age, and are all detached.

RELEVANT PLANNING HISTORY

No relevant planning history.

REPRESENTATIONS

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 above the existing garage will measure approx. 2.5m by 8.3m, sitting slightly back from the front elevation of the garage and leaving the rear section of the garage single storey and flat roofed. The single storey rear extension will protrude a maximum of approx. 3.4m deep by 8.8m wide. Overall, having regard to the existing dimensions of the house and plot it sits within, the proposed extensions are acceptable in terms of scale, mass and bulk.

The proposed detached gym/workshop and store will be situated at the rear of the site, measuring approx. 9m wide by 5m deep, with a maximum ridge height of 3.2m. Given the size of the garden, this building is considered to be of an acceptable size, with there still being ample outdoor amenity space at the rear. It will not have a character impact due to it being sited to the rear.

The external materials include facing brickwork, concrete roof tiles, white UPVC in fenestration and rainwater goods all to match existing. The flat roof at the rear would be fibreglass but would not be visible from public vantage points. The proposed roof to the first floor extension will be side gable, thus resulting in a cross gable arrangement. Overall, the development will appear well blended with the fabric of the house and visual amenity will not be undermined.

Internally, the purpose of the development is to gain further internal floor space for enlarging and creating new rooms inside the house. This includes replacing the existing ground floor garage with a new room and a boiler room. The existing kitchen will be opened up, with a new open plan kitchen and dining area. The room to the side will have a small extension to align with the new rear extension. To the first floor, the side extension will form an additional bedroom and small bedroom/study 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 proposal is considered 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 the 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 the 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 front windows to the proposed first floor extension are tantamount to a typical frontage relationship and the rear windows to both extensions are in excess of 21m from the dwelling to the rear. There are also no side elevation windows that would overlook unacceptably upon the neighbouring dwellings. The outbuilding window would be approx. 19m and 25m respectively from

the rear first floor windows to the neighbouring properties and would be at an angle. There would therefore not be a material overlooking impact from the proposal.

The proposed first floor extension is somewhat of a typical development along Ladywood Road, with another example of a similar development being seen at no.37 Ladywood Road. It is not considered that the proposed first floor and single storey rear extensions and outbuilding would have a material loss of light or be overbearing over neighbouring properties as the dwelling to the north (closest to the first floor extension) only has a side facing landing window (non-habitable space), and the maximum ridge height of the outbuilding is relatively low.

Taking the above into account, the proposed first floor side and single storey rear extension and outbuilding 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.

Parking Provision

In connection with Policy 36 of the 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 and additional parking is available on the road.

Whilst the parking provision does not strictly comply with Policy 36 and Appendix 6 in the SELLP, 2019, there are no on-street parking problems that would preclude a vehicle being parked outside the applicants house.

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 rear extension, first floor side extension and outbuilding will not materially harm the character or appearance of the locality or amenity of nearby residents. The planning balance is therefore considered to be in favour of the proposal.

Conclusion

The proposal satisfactorily accords with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

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

That the application be approved under delegated powers.

N.B. The application was presented to Chairman's Panel on 28th October 2022 and Members were in agreement with a delegated approval.