

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H16-0921-22 **Applicant:** Mr A Pocius
Proposal: Two storey side extension
Location: 1 The Green Spalding
Terminal Date: 16th 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
IAN MARSHMAN, HISTORIC ENVIRONMENT OFFICER	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a householder application, seeking planning permission for a proposed two storey side extension to the property at 1 The Green, Spalding.

Site Description

The dwelling is situated just outside of the Spalding Conservation Area within a cul-de-sac, which comprises of several residential and industrial buildings, with the Spalding Police Station situated to the west of The Green. The Castle Sports Centre is situated to the north of the dwelling with several open parks and fields.

History

No relevant planning history.

Consultation Responses

Historic Environment Officer

No archaeological input required.

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 development will involve the demolition of the existing garage/outbuilding adjacent to the property and the proposed two storey side extension will protrude from the south side elevation by approx. 4.9m with a depth of approx. 8.78m. Overall, having regard to the existing dimensions of the house and the plot, the proposed extension is acceptable in terms of scale, mass and bulk.

The external materials include facing brickwork at ground floor, cream cladding to the first floor, concrete roof tiles and white UPVC in fenestration and rainwater goods 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.

For the proposed roof, it was considered whether it would be appropriate to seek a reduction in the ridge height of the extension to make it subservient to the original roof, but it was decided against as the roof pitch would have been too shallow. Therefore, the proposed hipped roof will match the existing roofline which would not, on balance, impact upon the visual amenity of the overall street scene.

Internally, the purpose of the development is to gain further internal floor space for enlarging and creating new rooms inside the house. This includes the addition of an attached garage, with a utility room with a potential for a w/c. To the first-floor extension, two new bedrooms will be formed with a new family bathroom and a larger landing with storage facility. 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 two 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 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 proposed windows are to the front and rear elevations of the side two storey extension, with an obscure glazed window to the side elevation on the first floor. There are no residential properties

situated less than 20m away to the rear and to the front, with a large, corrugated steel outbuilding situated to the rear of the dwelling, and a business premises to the side with no windows. Therefore, there would not be a material overlooking impact from the proposal.

The element of the extension that projects past the rear elevation of the host property is not considered to be overbearing or would cause overshadowing upon the adjoining dwelling given it sits approx. 7m from the adjoining boundary and is only approx. 3.5m deep.

Taking the above into account, the proposed two storey 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.

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, with also the new single garage accommodating one space.

Therefore, the proposed parking provision complies with Policy 36 and Appendix 6 in the SELLP, 2019.

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 two 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.