

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H16-1004-21 **Applicant:** Wellbeing Residential

Proposal: Proposed demolition of existing building and new extension to the side and rear to create new bedrooms, day space and lift

Location: Southernwood House 20 Matmore Gate Spalding

Terminal Date: 26th November 2021

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02 Development Management
03 Design of New Development
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
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	1	1
RESIDENTS	0	1	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a full planning application that seeks permission for the proposed demolition of an existing building and a new extension to the side and rear to create new bedrooms, day space and lift at Southernwood House, 20 Matmore Gate, Spalding.

Site Description

The site is situated within the settlement boundary of Spalding, according to the South East Lincolnshire Local Plan, 2019. It accommodates a care home and is located on the south-western corner of the junction between Matmore Gate and Mulberry Way, in a predominantly residential area, although a car park to Spalding High School is located opposite.

History

H16-1017-07- Proposed extension to Nursing Home- Refused on 06-11-07.

H16-0051-08- Proposed extension (re-submission of H16/1017/07)- Refused on 24-04-08.

Consultation Responses

South Holland IDB-

We would recommend that the proposed drainage strategy is supported by ground investigation to determine the infiltration potential of the site and the depth to groundwater.

SHDC Environmental Protection Officer (noise and odour) -
No objections.

SHDC Environmental Protection Officer (contaminated land) -
No comments or objections.

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

Public (1 comment)-

No objection, but concerns over the 25ft high tree which encroaches neighbouring property and hopes this will be removed.

Planning Considerations

Layout, Design, Size and Scale

Paragraph 127 of National Planning Policy Framework (NPPF), 2019 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. Likewise, Policies 2 and 3 of SELLP 2019 amongst other matters seek to ensure that development respects the character and appearance of the area and the relationship to existing development and land uses.

The proposal includes an extension to the south-east section of the building and will involve the demolition of the building at the rear. This extension would be two storey and project from the existing rear elevation by approx. 12.2m and a maximum overall width of approx. 15.6m. The proposal also includes a first floor extension between what would have been the original building and a subsequent extension as well as a single storey extension projecting from the rear elevation of the original main part of the building to form an orangery off the dining area and loggia. The orangery will protrude a maximum distance of approx. 4.7m and have a width of approx. 13.2m. Having regard to the existing dimensions of the building and the overall curtilage, the proposed two storey extension and orangery are acceptable in terms of scale, mass and bulk.

The proposed materials will include render and brickwork, concrete tiles and singly ply membrane to the flat roof, with brown upvc windows and doors to match the existing. Thus, the development will

appear well blended with the fabric of the house and visual amenity will not be undermined.

The proposed two storey extension will have a combination of a hipped and flat roof. Whilst flat roofs are not the most aesthetically pleasing, it assists in minimising the visual bulk of the extension and views would be limited at public vantage points due to the other parts of the building and boundary hedging.

Internally, the proposed two storey extension at ground floor includes the addition of 6 bedrooms, three store rooms and an emergency exit stairway from the first floor. It also allows a lift and nursing station to be constructed to the existing ground floor. To the first floor, the proposed extension will also include an additional 6 bedrooms, with a sluice and store room and stairway to the rear. As well as this extension, the proposed orangery will provide additional communal living space for the residents.

Taking the above into account, the proposal 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.

Impact upon Residential Amenity

It is not considered that there would be an overbearing, overlooking or overshadowing impact upon the properties to the south. There is a separation distance of approx. 3.1m from no.2 Mulberry Way, which is already in close proximity to an existing building within the care home grounds and no windows are proposed at first floor on the southern facing elevation of the first floor extension. No. 4 Mulberry Way is set at an angle and approx. 17m from the two storey extension.

The extension would be visible to the properties to the east but the windows on the eastern side elevation would have a typical frontage relationship with the properties at no.1 Mulberry Way and no.22 Matmore Gate.

The west facing rooms would face toward the care home garden and there are intervening trees which screen views to the rear garden of the properties to the west along Matmore Gate. It is therefore not considered that there would be a material overlooking aspect in this direction.

Concern has been raised over a large tree which is encroaching over neighbouring property. The application doesn't suggest that this tree will be felled.

Taking the above into account, the proposed extension is deemed to comply with Policies 2 and 3 in the SELLP, 2019 and Section 12 in the NPPF, 2019 in terms of residential amenity.

Car parking provision

In conjunction with Policy 36 of SELLP 2019, Appendix 6 sets out that 1 space per 3 residents, and 1 space per 3 employees, should be provided within the curtilage of a residential care home.

The proposed extension would entail an increase in 12 residents, increasing the overall number to 37. The application form indicates there will be 14 full-time employees and 4 part-time employees.

The applicant has confirmed there are approx. 8 car parking spaces within the curtilage. This is less than the minimum requirement (both as existing and taking into account the increase in residents), however, not all employees and resident visitors are assumed to be at the care home at once. There is also roadside parking available along Matmore Gate. It is not considered that an increase in residents would result in a material adverse impact on highway safety by virtue of vehicles parking on Matmore Gate and the Highway Authority have no objection.

On balance, the proposed arrangements are considered to be acceptable.

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 demolition of an existing building and a new extension to the side and rear to create new bedrooms, day space and lift will not materially harm the character or appearance of the

locality, amenity of nearby residents or highway safety.

It is considered to satisfactorily accord 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.

Conclusion

The recommendation is for a delegated approval.