DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H16-1027-23**	**Applicant:**	**Mr O Isakunle & Miss D Eudocile**
Proposal:	Demolition of existing garage/wc/utility, erection of single storey rear extension and two storey side extension including alterations.		
Location:	50 Woolram Wygate Spalding		
Terminal Date:	30th January 2024		

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 2023

Section 12 - Achieving Well Designed and Beautiful Places

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

This is a householder application seeking permission for the demolition of an existing garage, WC and utility to erect a single storey rear extension and two storey side extension including some alterations.

Site Description

The site is located within the defined settlement boundary as outlined in the South East Lincolnshire Local Plan, 2019 (SELLP). The dwelling is part of a pair of semi-detached properties which are built from the same materials and feature the same design and layout externally. There is a varying design of dwellings along Woolram Wygate featuring different materials, layouts, designs and plot sizes.

History

No relevant planning history.

Consultation Responses

Lincolnshire County Council Highways Authority

No Objections

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.

Comments:

The proposal is for the demolition of an existing garage/wc/utility, erection of single storey rear extension and two storey side extension including alterations. The proposal will increase the bedrooms for 3 to 4. There is sufficient parking on site to accommodate this increase therefore the proposal will not have an adverse impact on the public highway. As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to drainage and surface water flood risk on all Major applications. This application is classified as a Minor Application and it is therefore the duty of the Local Planning Authority to consider the surface water flood risk and drainage proposals for this planning application.

Welland & Deepings Internal Drainage Board

No comment.

South Holland District Council Environmental Protection

No comments.

Public Representation

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, no letters of representation have been received.

Key Planning Considerations

The main issues and considerations in this case are (but not limited to):

- Layout, design and Impact on the Character of the Area
- Impact on Neighbouring Residents/ Land Users/ Land use
- Highway safety and Parking

Evaluation

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

In this case, the adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019, forms the development plan for the District, and is the basis for decision making in South Holland. The relevant development plan policies are detailed within the report above .

The policies and provisions set out in the National Planning Policy Framework (updated 2023) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Furthermore, where a Neighbourhood Plan has been adopted, this alongside the adopted Local Plan, forms part of the Development Plan for the District, and must be considered when assessing development proposals. In this instance, no relevant neighbourhood plans have been adopted.

Planning Considerations

Layout, Design and Consideration of the Character and Appearance of the Area

Section 12 of the National Planning Policy Framework (December 2023) specifically relates to 'Achieving well-designed and beautiful places' and details that "The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve" and as such, it is generally accepted that good design plays a key role towards sustainable development.

Paragraph 135, contained within Section 12 of the National Planning Policy Framework (December 2023), states that new development should function well and add to the overall quality of the area (including beyond the short term) and should be visually attractive as a result of good architecture and appropriate landscaping. This goes on to establish that it is important that new development should be of the highest quality to enhance and reinforce good design characteristics, and that decisions must have regard towards the impact that the proposed development would have on local character and history, including the surrounding built environment and landscape setting such as topography, street patterns, building lines, boundary treatment and through scale and massing.

Development proposals should also ensure that developments 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 South East Lincolnshire Local Plan outlines sustainable development considerations for development proposals, providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals. Furthermore, Policy 3 accords with the provisions of Section 12 of the National Planning Policy Framework, in that it requires development to comprise good design; identifying issues that should be considered when preparing schemes so that development sits comfortably with, and adds positively to, its historically-designated or undesignated townscape or landscape surroundings.

These policies accord with the provisions of the National Planning Policy Framework and require 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.

Proposals for new development would therefore require the aforementioned considerations to be adequately assessed and designed, including the siting, design and scale to be respectful of surrounding development and ensure that the character of the area is not compromised.

This application proposes to use facing brickwork to match the existing dwelling whilst also using concrete interlocking roof tiles in sand toft to also match the existing dwelling as near as possible. The windows and French doors shall be brown uPVC which also is in keeping with the colour of the frames on the existing property. Furthermore, the fascia, soffits and gutters will also be white uPVC. The front door shall be composite, there are multiple different design to the doors on the principle elevation therefore there shall be no impact following this change. Overall, the materials used will match as closely to the existing to ensure no visual discrepancies arise following development.

The two storey side extension will have the same eaves and ridge as the existing dwelling, this means it shall not extend above the height of the dwelling, similarly, the height of the front and rear extension will come up just below the windows and sit around half the height of the original house. The front section shall project from the principal elevation by around 1125mm and have a total length of 2399mm, directly adjacent to this the two storey extension protrudes from the side by around 3712mm and has a total length of 8975mm which is the same length of the house. Finally, it shall project from the rear elevation by approximately 4388mm in total which is broken down into 2700mm and 1688mm on the opposite side due to the layout of the build, it has the same length of the existing house which is 6772mm (split into 4265mm and 2507mm). The front section of this proposal is considered to be acceptable due to changing from an outside exposed porch to a porch with external walls staying at a similar size the only addition being the walls and roof, furthermore, the rear extension is also considered to be acceptable as it represents a proportionate design allowing for extra floor space whilst respecting the original dwellings size and character. Finally, the two storey side extension will be just over half the width of the original house whilst having the same length and being level with the eaves and ridge height, whilst not being set back or subservient to the existing site it is still considered to be acceptable due to the fact the new size of the plot will be similar to other dwellings most notably the larger homes across the road. This ensures it will not appear out of character within its plot and street scene. The measures of the side and rear extensions are therefore considered to be proportionate and acceptable.

The design of the extension includes a gable roof for the two storey side extension, pitched on the front section and gable at the rear. This incorporates identical designs to that of the existing house and other properties in the immediate area and therefore ensure it is in keeping with the character and appearance along Woolram Wygate.

Within the application alterations will be carried out involving changes to windows/ doors and roofs etc. Four windows along the southern elevation will be removed to be replaced with one window on the ground floor within the utility and one smaller window in the downstairs WC (this shall be obscure glazed), within the rear extension a new set of French doors shall be situated facing towards the south. At the rear, two windows and one door on the ground floor are to be replaced with a back door from the utility, bi-fold doors within the family room for further outside access in this setting and a window within the kitchen, on the first floor a new window shall be sited within the proposed en-suite (similar to the downstairs bathroom, this shall also be obscure glazed). Both a new front door and garage door are proposed on the front elevation with a new window being located on the first floor facing the highway. The existing overhanging porch shall be converted into one with external walls with a new pitched roof sloping towards the dwelling running the full length towards the garage.

Internally they shall be removing the existing external door/ frame to allow for a new internal door with the new front door being located in the proposed reception area, leading into the main house through the internal door. In the lounge they shall also be removing the existing door by filling it in to remove the access from the lounge to the dining room, similarly, the brickwork between the kitchen and dining room will be demolished to make this area open plan whilst swapping the layout over. Also within this area they shall demolish the kitchen units for storage to create more floor space. Within the existing dining room there is a set of French door which are to be demolished for the room to flow into the rear extension for the kitchen to further extend for more floor space. On the adjacent side behind the garage, both the WC and utility are to be extended slightly to create extra floor space. On the first floor the access to the airing cupboard will be relocated due to a change within the bathroom. Many of these alterations do not necessarily require planning permission, mostly the internal ones, but have been included within the plans and therefore mentioned within the report.

Taking account of the design, scale and nature of the development, as detailed above, the proposal is considered to be acceptable. The proposal would not cause an adverse impact to the character or appearance of the area and would therefore be in accordance with policies 2 and 3 of the South East Lincolnshire Local Plan and Section 12 of the National Planning Policy Framework (December 2023).

Impact on Residential Amenity/ Land Users

Paragraph 135 of the National Planning Policy Framework (December 2023) states that development should 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; and where crime and

disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Policies 2 and 3 of South East Lincolnshire Local Plan (2019) sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

There shall be no material overlooking as a result of this application being carried out, they shall be removing and not replacing windows on the side elevation facing the nearby neighbour therefore reducing any potential overlooking. The addition of a first floor window on the rear elevation will act for the proposed en-suite, due to the nature of this room, the window shall be obscure glazed and not result in any loss of privacy. Furthermore, there shall be five windows/ doors positioned on the ground floor, four of these are in similar places to already existing windows/ doors and therefore present no new issues. In any case, these four plus the proposed one in a new location should not provide any view into a neighbouring property due to their positioning on the ground floor and the existing boundary treatments surrounding the site.

Although there is a minimal distance between the proposal and the northern curtilage, the positioning of the extension means that no significant unacceptable shadow would be cast onto the northern neighbour throughout the course of the day, there is an adequate distance to the rear with a total distance of around 17600mm which therefore means no adverse shadow should be cast onto the neighbour at the rear and effect their light.

As detailed above, the scale and design of the proposal is considered to be such that there would be no material or significant or unacceptable impact on the residential amenities of the occupiers of adjacent properties or land users, when also taking account of the conditions recommended. As such, the proposal is considered to accord with the provisions of the Section 12 of the National Planning Policy Framework (December 2023), and Policies 2 and 3 of the Local Plan.

Highway Safety and Parking

Section 9 of the National Planning Policy Framework (December 2023) specifically relates to 'Promoting sustainable transport'. Paragraph 115 of the National Planning Policy Framework (December 2023) advises that "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe".

In respect of highway matters, Policy 2 details that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to access and vehicle generation. Policy 3 details that development proposals will demonstrate how accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways will be secured, where they are relevant to the proposal.

Further, policy 36, to be read in conjunction with Appendix 6 of the South East Lincolnshire Local Plan, sets out minimum vehicle parking standards and requires at least two spaces for dwellings up to three bedrooms three spaces for dwellings with four or more bedrooms. The extension create room for the addition of one extra bedroom along the side elevation, as such, the dwelling now features a total of four bedrooms further requiring three car parking spaces. The drive to the front provides more than an adequate amount of room for three cars to be parked within the curtilage of the site and off of the highway, in addition, whilst the garage does not conform directly to the measurements set out within Appendix 6 it appears adequate for storage of a vehicle as well.

The proposal would therefore be acceptable and would not have an unacceptable adverse impact on highway safety in accordance with Local Plan Policies 2, 3 and 36, and Section 9 of the National Planning Policy Framework (December 2023).

Planning Balance

As detailed above, Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

The proposal represents appropriate development within the defined settlement boundary. The

development hereby proposed does not materially harm the character or appearance of the locality, or amenity of nearby residents, and provides adequate parking, whilst conforming with the South East Lincolnshire Local Plan and the provisions of the National Planning policy Framework when viewed as a whole.

In this instance, there are no material considerations that weigh against the proposal and as such, the planning balance is in favour of the development.

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

Taking the above considerations into account, the proposal is considered to be in accordance with Policies 2, 3 and 36 (including Appendix 6) of the South East Lincolnshire Local Plan (SELLP) (2019), along with the identified sections contained within the National Planning Policy Framework (NPFF) (December 2023). The are no significant factors in this case that indicate against the proposal and outweigh the consideration in favour of the proposal and the policies referred to above.

Recommendation

Based on the assessment detailed above, it is recommended that the proposal should be approved under Delegated Authority.