

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H16-1191-22 **Applicant:** Mr Clark

Proposal: Proposed single storey side and rear extensions, including changes to fenestration

Location: 2 Miles Bank Spalding

Terminal Date: 7th February 2023

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

Proposal is for several extensions to the dwelling at 2 Miles Bank. The proposed extensions are located on all elevations of the property, comprising of an extension to both northern and southern side elevations of the property, an extension to the porch, a rear extension, and a rear extension to the second storey. The northern extension is composed of two parts, an initial, narrower sitting area, which connects onto a wider living/dining area. Additionally, the proposed works will involve alterations to the windows of the property. No new bedrooms will be created as a result.

The northern side extension will stretch 8240mm to the north. The sitting area will measure 2510mm (width) by 4200mm (depth). The adjoining living area will extend a further 5730mm (width) and 9330mm (depth). This creates an approximate 2500mm discrepancy in depth with the original

dwelling. The extension will feature a dual pitched roof. The approximate height to eaves will be 2400mm, while the approximate height to the peak will be 5200mm. There will be a separation distance of 1519mm from the end of the extension to the border of the neighbouring property. There will be an 8034mm separation distance between the eastern wall and the eastern edge of the curtilage.

The extension to the principal elevation will measure 660mm (depth) by 4000mm (width). This extension will bring the porch inline with the existing second floor overhang. The distance to the highway here will be 6468mm.

The width of the southern elevation extension will measure 4000mm from the existing elevation. The extension will have a depth of 7440mm, making it extend past the original rear of the property. A new door will be created at the rear of this extension. The height to eaves is approximately 2400mm, while the approximate height to the peak is 5800mm. There will be a gap of 2367mm between the end wall and the southern highway.

The final component of the proposed ground floor works is a 1270 (width) by 3145 (depth) rear porch. The extension will have an approximate height to eaves of 2500mm. There will be a distance of 5633mm between the extension and the edge of the curtilage.

A second storey rear extension to the master bedroom is proposed. This will measure 1600mm (depth) by 5255mm (width). There will be new bedroom created here, just an increase in the size of the master bedroom.

There will be a series of alteration throughout the property. Of note is the creation of two Juliette Balconies, both overlooking the garden. A window will be created on the second floor of the southern extension, overlooking the street. The original timber window frames will be replaced with UPVC. All brickwork and tiling will match the existing. There will be the addition of panelling to the property's principle elevation.

Site Description

The site is located towards the northern boundary of Spalding, just south of Vernatt's Drain. The area is characterised by residential properties, with the dwelling being adjacent to properties to the north, south and east. To the west is a small grassy area. The residential properties in the area are of various designs, with a mixture of single and two storey dwellings. The immediate properties are modern but possess features of traditional buildings. The wider area includes several substantial properties in a contemporary style, not dissimilar to the proposed.

The property in question is a two-storey, red brick dwelling. Black bricks edge the property. To the rear is a sizeable double garage with master bedroom above. The curtilage is of significant size, with the garden being separated into two by a north to south boundary wall. The building has been constructed in a traditional style.

The dwelling to the north, 4 Miles Bank, has no windows overlooking the property. A short, wooden border-fence runs between the two houses. The eastern neighbours, 22 Chaldean Way, have one window looking onto the proposed works: a first-floor kitchen window. Again, the properties are separated by a wooden fence.

Relevant History

H16-1074-88 - Outline permission for the erection of a housing estate. Approved 5/9/88.

H16-0731-89 - Section 31A. Modification of condition 2 to allow separate submission of Reserved Matters. Approved 26/09/89.

H16-0683-93 - Full. Erect detached houses including estate roads on plots 64-66 and 72-87, Chaldean Way. Approved 28/09/93.

H16-1108-93 - Condition Compliance. Details of external materials submitted (Condition 2 of H16/0683/93). Approved 14/12/93.

H16-1109-93 - Condition Compliance. Details of type and colour of block paving - Marshalls Keyblok Buff (Condition 11 of H16/0683/93). Approved 14/12/93.

H16-0299-96 - S73A Continuation. Continuation of use without complying with landscaping maintenance condition by removal of frontage hedge. Refused 21/06/96.

Consultation Responses

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. That they are visually attractive, as a result of good architecture, and are sympathetic to local character and history, the surrounding built environment and landscape setting. Likewise, policy 2 of the South-East Lincolnshire Local Plan (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.

All extensions, with the exception of the rear porch, will be visible from the street. As the property is a corner plot and the works are significant, the extensions will have a prominent impact upon the character of the street.

The scale of the proposed extension is substantial, creating an approximate 90% increase in floorspace. This may make the property incongruous to its immediate vicinity, which is predominantly comprised of three-bedroom housing and bungalows; however, within the wider context of the estate, the considerable expansion would not be inconsistent. The wider area is littered with housing of a grand scale, often adjacent to more modest homes. Many of these larger residents are of a greater scale than that proposed here. Therefore, the principle of a substantial increase in floor space is acceptable given the wider context of the area.

Similarly, the proposed design of the extensions and alterations are, on the surface level, incompatible with the immediate surroundings and the host dwelling. The property in its current form, and the two-storey properties in close proximity, are relatively modern buildings which pay homage to traditional designs. The prominence of sash windows and timber frames illustrate this point most clearly. However, examining the wider area, more modern designs appear. Prominent features of the proposed design, such as the gable windows, skylights and additional wooden panelling become more common. Therefore, by virtue of these existing modern designs, the proposed would not be incongruous to the area.

No new bedrooms will be created as a result of this extension, therefore, no further parking is needed.

In summary, the proposed extension is deemed to conform to policies 2 and 3 in the SELLP, 2019 and section 12 in the NPPF, 2021 in terms of layout, design, size and scale.

Impacts Upon Resident Amenity

The distance between the extensions and the property to the east means no overshadowing will occur. The addition of the Juliette Balcony facing the property may create additional overlooking; however, as there is already a window in place here, this concern is considered minor.

As the neighbouring property to the north has no windows facing the proposed extension, the potential for overshadowing is minor. No windows will be created on the northern elevation, meaning the extension will cause no additional overlooking here. The addition of a Juliette Balcony to the master bedroom creates similar concerns as the balcony to the east. However, there is an even greater distance between the master bedroom's balcony and the northern neighbour, reducing the potential for overlooking even further.

The loss of outdoor amenity space as a result of the proposed is regrettable. It will, to some extent, reduce the amenities of potential future occupants. However, the garden space attached to the dwelling is still sizeable. Moreover, the property's proximity to green space, via the nearby park, means that the loss of some garden space is not overly impactful.

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, 2021 in terms of residential amenity.

Planning Balance

The proposal will substantially increase the size of the property and dramatically alter its appearance. These alterations have the potential to make the dwelling an outlier within its immediate surroundings. However, given the wider context of the area, and the significant number of similar large, contemporary housing, the proposed will not conflict with the character of the area.

The impact upon residential amenity will be minimal, with little to no additional overshadowing or overlooking being created.

The planning balance is, therefore, in favour of the proposal.

Conclusion

The proposed is deemed to comply with policies 2 and 3 of the South-East Lincolnshire Local Plan (2019) and the National Planning Policy Framework (2021). Therefore, the recommendation is for 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.