

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H22-0601-20 **Applicant:** Mr J Ford
Proposal: Widening of existing access and first floor extension
Location: 1 St Marys Close Weston Spalding
Terminal Date: 28th September 2020

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02 Development Management
03 Design of New Development

National Guidance

National Planning Policy Framework 2019

Section 12- Achieving well designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
RESIDENTS	1	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a householder application for the proposed widening of the existing access and first floor side extension at 1 St Marys Close, Weston.

Site Description

The property is a detached dwelling situated on a corner plot at the junction of St Marys Close and Broadgate. The property has a large gravelled driveway to the front, with a grassed garden to the side fronting on to Broadgate. The property has mature hedging to the south-eastern boundary facing Broadgate. The rear garden is spacious

Dwellings in the vicinity are of a similar age and design, all situated on fairly spacious plots.

History

No relevant planning history.

Consultation Responses

LCC Highways/SUDS - Does not wish to restrict the grant of permission.

Public (1 objection, summarised) -

- Concerns regarding proximity of proposed extension to boundary
- Overshadowing
- Overbearing

Planning Considerations

Size and Scale

The proposed extension to the first floor of the dwelling will project from the north-west elevation by approx. 3.8m and will extend the full depth of the property. The extension will project approx. 1.5m further out than the existing ground floor and will be supported by four bricked columns underneath.

It is accepted that the proposed extension would come close to the boundary with the adjacent dwelling (less than 0.5m away). However, there would be approx. 2.2m separation distance between the two properties which is still greater than the separation distance between properties opposite and the dwelling sits within a spacious plot, thus it would not appear unduly cramped.

Furthermore, there would only be the four piers at ground level which would lessen the visual bulk of the development.

On balance, the size and scale of the proposed extension is considered to be acceptable and in compliance with Policies 2 and 3 in the SELLP, 2019.

Layout and Design

The proposed first floor layout plan shows that the extension would accommodate an additional bedroom with an ensuite and dressing area. This is in keeping with the residential use of the property. There would be no internal alterations at ground floor.

The ridge height will be marginally below the existing. It would be preferable for the ridge height to be lower, however this would further decrease the pitch of the roof which would be less attractive visually. The gable roof would be in keeping with the existing property.

The proposed materials of the walls, windows and roofing are to match the existing material of the original dwelling.

Access to the rear garden on the north-western side will be maintained by virtue of the brick columns.

Taking the above into account, the proposal is considered to be in accordance with Policies 2 and 3 in the South East Lincolnshire Local Plan, 2019 and Section 12 in the NPPF, 2019 in terms of design.

Impacts upon Residential Amenity

It is not considered that there will be a material adverse impact on residential amenity in terms of overlooking, loss of light or being overbearing in nature.

There would be no side facing windows at first floor on the proposed extension and the neighbouring dwelling directly to the south-west is approx. 30m away, which is in excess of the generally accepted 21m separation distance to prevent unacceptable overlooking. The rear window would also be obscure glazed given it would belong to a bathroom. There is a typical frontage relationship in a north-eastern direction.

As stated above, there would be approx. 2.2m in between 1 St Marys Close and the adjacent property. 1, 2 and 3 St Marys Close are on a staggered building line and the relationship between no's. 1 and 2 is no different to that of no's 2 and 3. It is noted that both of the latter properties are already two storey at the adjoining boundary.

Furthermore, the closest part of the neighbouring dwelling is a double garage and it sits behind no. 1. Taking this in account, and the path of the sun, it is not considered that there would be a material loss of light to either the adjacent property or its rear garden.

It is noted that there are other properties within the cul-de-sac where there is only a similar separation distance between single storey and two storey elevations - with access to rear gardens in between - as would be the case as a result of the proposed extension. It is therefore not a relationship that is uncommon in the vicinity.

Taking the above into account, the proposal is considered to be acceptable in terms of residential amenity, which is one of the key principles of design and development management as set out in Policies 2 and 3 of SELLP (2019) and Section 12, NPPF (2019).

Highway safety and parking provision

The proposals will entail an increase in the number of bedrooms from 3 to 4, therefore consideration of the impact on car parking provision is required. The existing driveway can currently accommodate three cars which is the highest number of the minimum requirements for car parking provision as per Appendix 6 of SELLP, 2019. The proposal is therefore acceptable in this regard.

The County Highways Authority have been consulted and have not raised any objections in respect of the proposed widening of the existing access.

Conclusion

In light of the considerations above the proposed development is considered to be in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan (2019), as well as Appendix 6, and Section 12 of the National Planning Policy Framework (2019).

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.