

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H23-0186-20 **Applicant:** Mr A Sterry-Blunt
Proposal: Double and single storey extensions and partial garage conversion
Location: Matheson House Oxcroft Bank Shepeau Stow
Terminal Date: 1st September 2020

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Section 12. Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	1	0	0
WARD MEMBER	0	0	0	0
RESIDENTS	1	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a householder planning application that seeks permission for double and single storey extensions and partial garage conversion at Matheson House, Oxcroft Bank, Shepeau Stow, Spalding.

The first metres of the extension from the original rear wall of the house will be two-storey and the remainder will be single-storey. A gable pitched shelter will join the single-storey part of the extension with the existing detached garage. The rear part of the garage will be converted into a gym room and shower room.

Site Description

The site forms part of a row of six detached dwellings which is disconnected from the linear development that characterises the built-up area of Shepeau Stow. A high variety of designs, appearances, housing types and ages has been observed in the area.

A set of high brick wall and pillars bound the site on the edge of the highway. The site benefits from two accesses, one for entering and one further for egressing the plot. A spacious drive is to the front of the property laid in gravel. There is a detached garage near the south-western boundary and to the rear of the house. A nearly 2 metre high timber closeboard fence is along the remainder of the boundaries. The rear garden is long and spacious and has a swimming pool.

History

H23-0114-97 - Erection of four dwellings with garages - Refused

H23-1099-97 - Three plots for the erection of dwellings with garages - Approved

H23-0115-98 - Detached dwelling and garage - Approved

Consultation Responses

Members of the public

One representation has been made objecting to the proposals in the following terms:

- Concerns about the genuine use of the extension given its scale.
- Concerns about the excessive proximity and resulting loss of light and overbearing impact of the development.
- The detrimental impact of the proposals will be in addition to the existence nuisance of air conditioning units.

Whaplode Parish Council

No comment.

Planning Considerations

Principle of development

The site is within the settlement boundaries of Shepeau Stow as set out in the South East Lincolnshire Local Plan (SELLP), 2019. The principle of an extension and garage conversion that are incidental to the enjoyment of a dwelling house is acceptable.

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 key material considerations are addressed below.

Design and layout

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; 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 rear extension will be of two-storey nature in the first 3.10 metres from the original rear wall of the house. It will extend 9 metres out of 12 metres of the full width of the house. The remainder of

the rear extension will be around 9.50 metres long and single-storey. The width will be 5.80 metres. Whereas the apex height of the two-storey part will fall approximately 1.70 metres under the ridgeline of the house, the maximum height of the single-storey part will be 3.90 metres.

Having regard to these dimensions, each component of the extension is subservient each other and both of them on balance will appear commensurate with the host property, detached garage, and other properties in the vicinity. Given the area the rear garden covers, the footprint of the development will sit well within the site.

The roof pitches across the extension will be tantamount to the gable shapes of the existing garage and property. The gable ends of the extension will face south-east as it does the rear end of the garage. In contrast, the main roof of the house has both gable ends facing the sides. Taken as a whole, the form of development is sympathetic with the host property as well as the properties in the vicinity.

External materials are confirmed to match the existing in the property. The walls of the extension will be Ibstock Bradgate which will provide a reddish appearance in keeping with the house as it stands. Smooth concrete interlocking double pantile will be used for the roof of extension and shelter. The resulting appearance will be in accordance with the host property and also other properties nearby. It will not represent an adverse impact to the visual amenity of the locality.

Internally, the proposals will allow further internal floorspace to create a large dining room on the ground floor level; and also enlarge bedroom 1 and create two en-suites on the first floor level. The development therefore will be functional to the living needs of the house occupiers and the use will be in keeping with the residential character of the property and, by extension, the local area.

In summary, the proposed development will be in keeping with the host property in terms of scale, external layout and appearance. The purpose of the development will satisfy the functional needs for which it has been conceived. For these reasons, it is concluded that the proposals are in accordance with the aforementioned policies regarding design, layout and impact upon the character of the local area.

Residential amenity

The separation distance between the property and the adjacent dwelling to the north-east (Don-Lee) is approximately 2 metres. Initially, there were some concerns regarding the proximity of the development to this adjoining curtilage and the resident representation pointed out the same issue. After careful considerations, it is though concluded that no unacceptable impact will occur upon the amenity of residents of Dun Lee by reason of overbearing effect.

The rear elevation of Don-Lee is aligned with the application property. Therefore, it is initially assumed that the proposed extension might conflict with the amenity excessive. However, most of the extension is single-storey with a maximum height of 3.90 metres. The existing fencing which will remain is nearly 2 metres high and will contribute to obscure greatly the bulk of the development from the site of Don-Lee. Moreover, this neighbouring plot has currently three outbuildings in tandem along the fence which in fact higher than this means of enclosure. The residents of Don-Lee therefore has currently no open views towards the application site and in such context the proposed extension will not lead to a cumulative impact insofar as it might be unacceptable on the grounds of overbearing effect.

With regards to overshadowing impact assessment, the ridge height of the two-storey rear extension will be lower than the host dwelling. The frontage development faces north-west and therefore the proposed extension will extends towards south-east. Taking into consideration the sun path and the position of the buildings within in, on balance any overshadowing towards Dun Lee will not be unacceptable to the extent that refusal should be warranted to this application.

Accordingly, the development complies with 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).

Car parking provision

The proposed works will not entail the increase of the number of house occupiers neither bedrooms. In this case, the parking provision is not an issue of this application. In any case, provision has been sufficient so far and will remain after carrying out the proposals.

Appendix 6 of SELLP sets out minimum requirements for parking provision. 3 no. car parking spaces at least are required within the curtilage for dwellings with 4 or more bedrooms in order to prevent on-street parking. The total number of bedrooms is 5.

The property benefits from a spacious drive where at least 3 cars can be easily accommodate and their drivers can manoeuvre and reverse to park and egress the site in a safe and forward manner. Therefore, the proposed development will be in accordance with Appendix 6 of SELLP.

Conclusion

The proposed development will be in keeping with the host property in terms of scale, external layout and appearance. Its will satisfy the functional needs for which it has been conceived.

It is considered that the proposal will not create a cumulative impact to the adjacent residents by reason of overbearing effect. Once planning permission is given, the use of the extension is subject to the approved internal distribution so that any concern in this regard is dissipated via development control procedure.

Taking into account the considerations above, the proposal is considered to comply with Policies 1, 2, 3, 36 as well as Appendix 6 of the South East Lincolnshire Local Plan (SELLP), 2019; and also Sections 12 of the National Planning Policy Framework (NPPF), 2019.

It is accordingly recommended to approve this planning application via delegated powers.

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.