

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H23-0258-21 **Applicant:** Mr & Mrs A White
Proposal: Proposed two storey extension & alterations
Location: 2 Middle Road Whaplode Spalding
Terminal Date: 7th May 2021

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	0	0	0
WARD MEMBER	0	0	0	0
RESIDENTS	1	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a householder planning application that seeks permission for proposed two storey extension and alterations to 2 Middle Road, Whaplode.

Site Description

The site is within the built-up area of Whaplode. In particular, the property is at the crossroads of Mill Lane, Middle Road, and Church Gate.

The site is heavily restricted in depth and significantly long from west to east.

The property is a two-storey detached cottage on the edge of Mill Lane to the south. The land to the rear is partially grassed and has a gravelled driveway accessed from Mill Lane. A 2 metre high closeboarded fence encloses the rear garden. To the front, there is an enclosed area with lower fencing and a patch of grass land adjoining Church Street. A footpath and cul-de-sac lane runs to the north of the site.

The dwellinghouse is set back from the building line onto Church Gate and has direct views from Mill Lane and Middle Road.

History

H23-0341-15 - Single-storey rear extension - Approved

Consultation Responses

Members of the public

One representation from a third party recommending the installation of a minimum of 3 swift nest bricks to provide enhancement for biodiversity.

One resident objected to the proposal on the basis that a first-floor window onto Mill Lane would result a loss of privacy in the neighbouring property.

Planning Considerations

Principle of development

The site is within the settlement boundaries for Whaplode as set out in the Policies Map of South East Lincolnshire Local Plan (SELLP), 2019. Irrespective of spatial planning considerations, the principle of developing an extension that is incidental to the enjoyment of a dwelling is acceptable subject to further material planning considerations.

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. 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 proposed extension would protrude 4 metres from the rear elevation. It would also extend 6.10 metres from the northern wall of the cottage. The apex height and eaves would be as much as those in the cottage. Therefore, the development would appear subservient to the host property in terms of scale, mass and bulk.

Internally, the house enlargement would allow the householders to benefit from a family room on the ground level and ensuite master bedroom on the first-floor level. The nature of the development would be in keeping with the residential use of the property.

Externally, the material schedule is such that the appearance of the proposed extension would match the existing in the house. The roof layout of the proposal would appear an enlargement of the gable pitched roof on the rear elevation.

Residential amenity

Paragraph 127 of National Planning Policy Framework (2019) amongst other matters seeks places

with a high standard of amenity for existing and future users. Policies 2 and 3 of South East Lincolnshire Local Plan (2019) set out residential amenity and relationship to existing development and land uses as main considerations when making planning decisions.

Given the location of the site at the crossroads, there is no other residential properties immediately adjoining the application site. The scale and height of the extension would be proportionate to the host property and sit well within the site in view of the floorspace available to the rear of the building.

The new first-floor bedroom window on the southern elevation would not face directly onto any residential plot but the junction of the cul-de-sac The Tilney with Mill Lane. The other two first-floor windows would face onto the rear garden of the property. Twoway is the opposing dwelling which is approximately 31 metres set back from the windows.

In summary, it is not anticipated any harm upon the amenity of other residents by reason of the proposal.

Car parking provision

In conjunction with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum standards for parking provision upon the use class.

The development would entail one additional bedroom up to 4 bedrooms. The local standards are 3 spaces for dwellings with 4 or more bedrooms.

The existing driveway fills the eastern part of the curtilage with a vehicular access in Mill Lane. It is sufficiently spacious to accommodate three car spaces with a turning point to enter and egress the site in a forward manner.

Planning Balance

The principle of an extension and alterations that are incidental to the enjoyment of a dwelling is acceptable.

The scale and height of the extension is subservient to the host building. The design and appearance would match the existing fabric of the cottage. No harm upon the amenity of other residents would take place by reason of the proposal. There would sufficient car parking provision within the plot after increasing the scale of the dwelling.

On balance, no adverse impact of granting permission would significantly and demonstrably outweigh the benefits of doing so, when assessed against the planning policies taken as a whole.

Conclusion

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.

Taking into account the above, this application accords with Policies 1, 2, 3, 36 and Appendix 6 of South East Lincolnshire Local Plan (2019) as well as Section 12 of National Planning Policy Framework (2019).

Accordingly, it is recommended to approve this 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.