

DECISION DELEGATED TO HEAD OF PLANNING**DECISION DELEGATED TO HEAD OF PLANNING**

Application No: H23-0300-22 **Applicant:** Mr & Mrs S Gray
Proposal: Extension, alterations, re-roof and replacement garage
Location: 12 Chapel Gate Whaplode Drove Spalding
Terminal Date: 10th June 2022

Planning Policies**South East Lincolnshire Local Plan - Adopted: March 2019**

02 Development Management
03 Design of New Development

National Guidance**National Planning Policy Framework 2021**

Section 12- Achieving well-designed places

Representations:

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

CASE OFFICER ASSESSMENT**Proposal**

This is a householder application, seeking permission for a proposed extension, alterations, re-roof and replacement garage to the property at 12 Chapel Gate, Whaplode Drove.

Site Description

The detached bungalow is situated within the defined settlement of Whaplode Drove and is located along Chapel Gate, which is characterised by frontage residential development. The bungalow is set back from main road, with mature hedging as the boundary treatment and a large gravelled driveway. Open fields are to the east of the site. The surrounding dwellings are a variety of ages and designs, with two storey dwellings situated to the south and bungalow situated to the north of

Chapel Gate.

History

No relevant planning history.

Consultation Responses

Whaplode Parish Council

No comment.

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; 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 development includes a side extension to the ground floor on the north elevation, to protrude approx. 2m with a depth of approx. 8.5m. The development also includes an additional floor to be created, measuring approx. 11.9m wide across the original ground floor footprint and a bedroom to the front section measuring approx. 6.6m by 3.7m. Having regard to the existing dimensions of the house and plot it sits within, the proposed extensions are acceptable in terms of scale, mass and bulk.

The replacement garage will measure approx. 7.5m by 7m and would sit on a similar footprint to the existing detached garage. The replacement garage is considered to be acceptable in terms of the scale and size given the size of the plot.

Facing brickwork on walls, concrete roof tiles and UPVC in fenestration will match those existing in the property. The new roof arrangement will reflect the existing, with the dormers adding visual interest as well as being functional. Thus, the development will appear well blended with the fabric of the house and visual amenity will not be undermined.

Internally, the purpose of the development is to gain further internal floor space for enlarging and creating new rooms inside the house. This includes creating a study room, additional w/c, utility room, cupboard, playroom and an en suite bathroom to the existing bedroom on the ground floor. The new first floor will form three good sized bedrooms, with bedroom 1 and 2 including an ensuite and an integrated wardrobe. There will be a large landing with an additional store cupboard and a new family bathroom.

Overall, the proposals will ensure good living conditions for the house occupiers and are in keeping with the residential use of the property.

Taking the above into account, the proposed extension, alterations, re-roof and replacement garage is deemed to comply with Policies 2 and 3 in the SELLP, 2019 and Section 12 in the NPPF, 2021 in terms of layout, design, size and scale.

Residential Amenity

Paragraph 130 of National Planning Policy Framework (2021) 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.

The ground floor will include a new window on the side elevation from the new w/c which will be obscure glazed and will have no material impact upon overlooking to the neighbouring property to

the north.

The new first floor will include two obscure glazed roof lights from the bathrooms and a dormer window from bedroom 1 to the rear elevation, which would overlook the field. A dormer window, a roof light and a window are proposed to the front elevation and would be tantamount to a normal frontage relationship with the dwelling opposite. The front dormer is at an oblique angle to the dwelling to the south. The two roof lights situated of the north roof slope from bedroom 3, will only face the residential front garden to the north.

There appear to be no side facing windows on the dwelling to the north, therefore there would be no material overbearing or loss of light impact in that respect. No. 12 is set back from the property to the south, but the approx. 1.5m height increase in the roof will not have a material impact on that dwelling.

Taking the above into account, the proposed extension, alterations, re-roof and replacement garage are 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

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 proposed extension, alterations, re-roof and replacement garage will not materially harm the character or appearance of the locality or amenity of nearby residents. It is therefore considered to be in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

Conclusion

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.