

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H23-0369-22 **Applicant:** Mr N Yardley
Proposal: Two storey side extension, single storey rear extension and car port
Location: 109 Broadgate Whaplode Drove Spalding
Terminal Date: 31st May 2022

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

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

National Guidance

National Planning Policy Framework 2021

Section 12 - Achieving well-designed places
Section 15 - Conserving and enhancing the natural environment

Representations:

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

CASE OFFICER ASSESSMENT

PROPOSAL

This is a householder application seeking permission for a two storey side and single storey rear

extensions and a double detached garage to the front. On the ground floor a living room, w/c and a kitchen would be created and on the first floor 2no bedrooms (one with an en-suite shower room) and a bathroom would be created. The two storey side extension would measure 6 metres (width) x 6.7 metres (depth). The single storey rear extension would measure 6.5 metres (width) x 5 metres (depth) and stand at 3 metres in height. The garage would measure 6 metres x 6 metres and stand at 4.4 metres in height (2.4metres to the eaves). The external materials would be a mixture of cladding and matching brickwork and all other external materials would match the existing dwelling.

Some minor external alterations are also proposed to include blocking up of 2no ground floor windows in the southern elevation and 2no new window openings in the side elevation.

SITE DESCRIPTION

The application site is located on Broadgate in Whaplode Drove. It comprises a two storey detached dwelling. The dwelling is red brick built, sitting under a concrete tiled roof. There is a outbuilding to towards the north-east of the dwelling. There is an agricultural building located along the rear boundary and the remaining immediate area is primarily residential comprising a mixture of bungalows and two storey dwellings of varying designs and sizes.

RELEVANT PLANNING HISTORY

H23-0993-06 - Residential development - demolish existing bungalow and erect two dwellings - Refusal

H23-0270-09 - Replacement bungalow - Approved

REPRESENTATIONS

Whaplode Parish Council

Supports the application.

Resident

One letter of representation has been received requesting that the windows overlooking no.111 Broadgate have opaque glass.

PLANNING CONSIDERATIONS

Principle of development

The site is within the Whaplode Drove settlement boundary and the proposed extensions would be sited within the residential curtilage of the existing dwelling therefore the principle of extending the existing dwellinghouse 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.

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 proposed extensions are considered to be sympathetic in design and proportionate to the existing dwelling. Whilst it is accepted side extensions are usually required to have a lowered roof ridge than the existing, in this instance a flush finish can be accepted given the detached character of the dwelling and the separation distance from the neighbouring property. As such it would not

result in a terracing effect. The proposed use of cladding is considered acceptable given the semi-rural character of the area and examples of various materials in the street.

The single storey rear extension would occupy majority of the rear garden, however, the main amenity space for the dwelling is to the front therefore this can be accepted. The scale, mass and bulk of the extension is considered proportionate to the site and the existing dwelling and can therefore be accepted.

The proposed garage would be sited approximately 10 metres from the front boundary therefore it would not appear overly prominent in the street scene. The materials would match the main house therefore it would be in keeping with the main house. In addition the street scene is varied therefore the proposed structure in the front garden is not considered to be at odds with the street scene.

As such the extensions would comply with the aforementioned policies on design, layout and impact upon the character of the local area.

Impacts upon 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 closest neighbour to the proposed development is no.111 Broadgate located to the south-west of the application site. This neighbour has requested that any windows overlooking this property should be obscure glazed. The concerns are noted, however, the ground floor window proposed in the side elevation facing this neighbour would not offer any prominent views as there is an existing boundary fence. The proposed first floor landing window in the side elevation facing this neighbour would sit adjacent to this neighbour's blank side elevation therefore it is not considered that any unacceptable overlooking or loss of privacy would result. The two storey rear extension would not be visible to this neighbour as it would not extend beyond the front/rear elevations of the existing dwelling. The proposed rear extension would be sited close to the shared boundary with this neighbour, however, given its single storey nature and the fact it would be sited adjacent to this neighbour's outbuilding no overbearing impact would result. In addition given the orientation of the property no overshadowing would result. The garage would be sited between 14 and 16 metres from the shared boundary with this neighbour. Given this separation distance unacceptable impact is considered to result from this.

With regards to the neighbour to the north-east at no.107 Broadgate the proposal would bring the application dwelling 6 metres closer to this neighbour. The two storey element would be sited 6 metres from the shared boundary with this neighbour and approximately 10.2 metres from its nearest elevation. Given this separation distance no unacceptable overbearing impact is considered to result. Furthermore no first floor windows are proposed in the side elevation facing this neighbour therefore there are no overlooking or loss of privacy issues. The ground floor rear extension would be sited approximately 11 metres from the shared boundary with this neighbour therefore no overbearing impact or unacceptable overshadowing would result from this. With regards to the garage this would be sited close to the shared boundary with this neighbour, however, given the relationship with this neighbour, the limited height of the garage and the fact the pitch of the roof would face away from this neighbour no overbearing impact would result.

As such the proposal would accord with Paragraph 130 of National Planning Policy Framework (2021) and Policies 2 and 3 of South East Lincolnshire Local Plan (2019).

Parking

In connection with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum requirements for car parking provision. The proposed scheme would increase the number of bedrooms in the property from 2 to 4, increasing the parking requirement for the site from 2no spaces to 3no. The proposed garages would meet the size requirements for enclosed parking spaces and there would be additional space in the driveway to the front. As such the scheme is considered to comply with the current parking standards.

Planning Balance

The proposal will not materially harm the character or appearance of the locality, the amenity of nearby residents or result in parking or biodiversity issues. The planning balance is therefore considered to be in favour of the proposal.

CONCLUSION

In light of the considerations above, the proposal is considered to be in accordance with Policies 1, 2, 3, 28 and 36 of the South East Lincolnshire Local Plan (2019) and Sections 12 and 15 of the National Planning Policy Framework (2021).

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.

RECOMMENDATION

The application can be approved under delegated powers.