

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H23-0568-21 **Applicant:** S Larratt
Proposal: Two storey extension & alterations
Location: Irby Villa Millgate Whaplode
Terminal Date: 15th July 2021

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 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

CASE OFFICER ASSESSMENT

PROPOSAL

This is a householder application seeking permission for a two side extension to create kitchen/dining area at ground floor and a master bedroom with en-suite on the first floor. The extension would measure 6 metres (width) x 7.1 metres (depth). The external material would match the existing dwelling.

SITE DESCRIPTION

The property is a detached two storey dwelling on located on Millgate in Whaplode. The site it outside any settlement boundary and within the open countryside. The property is red brick built with white door/windows frames. There is a large detached building to the north of the dwelling which is presumably used for storage. The immediate area is mainly open countryside with a couple of derelict buildings/ruins to the south of the site and Irby Hall further to the south.

RELEVANT PLANNING HISTORY

No relevant planning history.

REPRESENTATIONS

Whaplode Parish Council

No comments.

PLANNING CONSIDERATIONS

Principle of development

The site is outside the Whaplode settlement boundary but the extension would be within the residential curtilage of the existing dwelling therefore the principle of a house extension that is incidental to the enjoyment of a 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 127 of the 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.

It is accepted that the proposed extension would have a rather large footprint/side projection and almost double the footprint of the house. However, the site is big enough to comfortably accommodate the proposed extension without result in overdevelopment of the site.

Given the heavy planting along the front boundary there would only be glimpsed views of the proposed extension from the main public realm. There would be views from the open countryside to the rear, however, the proposal is not considered significant enough to cause any harm to the overall appearance of the open countryside.

Two story side extensions are usually required to have a lower ridge height and be set back from the existing front elevation to give it a subservient appearance, however, in this instance a flush finish can be accepted given the fact the application dwelling is detached therefore it would not result in a terracing effect.

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

Impacts upon Residential Amenity

Given the remote location of the dwelling there are no immediate neighbour who would be affected by the proposed development.

As such the proposal would accord with Paragraph 127 of National Planning Policy Framework

(2019) 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 3 to 6, increasing the parking requirement for the site from 2 to 3. The existing driveway to the front has space for at 3no vehicles therefore the scheme complies with the current parking standards.

Planning Balance

On balance, the proposal will not materially harm the character or appearance of the locality or amenity of nearby residents. 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 2, 3 and 36 of the South East Lincolnshire Local Plan (2019) and Section 12 of the National Planning Policy Framework (2019).

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.