DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H23-0673-23**	**Applicant:**	**Mr & Mrs P Elms**
Proposal:	Rear Extension & Alterations		
Location:	270 High Road Whaplode Spalding		
Terminal Date:	22nd September 2023		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

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

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
OTHER STATUTORY BODIES	0	0	1	0

CASE OFFICER ASSESSMENT

Proposal

This is a householder application seeking permission for a rear extension and alterations at 270 High Road. The extension on the ground floor will slightly extend the rear conservatory and make it 6076mm by 3418mm, they will also be extending the kitchen to 6037mm by 3026mm. Finally, there will be a new study which will be 1952mm by 3199mm. On the first floor a new bedroom will be built and will be 3293mm by 3199mm.

Site Description

The site lies within the settlement boundaries of Whaplode as outlined within the South East Lincolnshire Local Plan, 2019 (SELLP). The property is made of bricks with a tiled roof and white uPVC doors and windows. There is a small porch area on the principle elevation of the dwelling. Down a long gravel driveway there is a double garage at the very rear of the property adjacent to a boundary fence. In the rear garden there is a conservatory coming off the house with a greenhouse situated slightly behind this, at the bottom of the garden is a small children's playing area. Throughout the front and rear garden there are a variety of trees with a large hedge acting as the boundary treatment on one side.

History

H23-0100-93 - Demolish existing glasshouses and garages and erect double garage - Approved

H23-1080-94 - Details of roof materials submitted (Condition 2 of H23-0100-93) - Approved

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, that they are visually attractive, as a result of good architecture, and are sympathetic to local character. 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 proposal will slightly make the existing conservatory at the rear slightly longer and make the whole room 6067mm by 3418mm. The kitchen will also be opened up into the extension making it longer and will be 6037mm by 3026mm. Finally, adjacent to this there will be a new study room which will be 1952mm by 3199mm. On the first floor there will be a new bedroom protruding 3293mm from the east elevation and is 3199mm in width. It can be considered that these measurements are acceptable and proportionate when compared to the host dwelling and will provide extra floor space for the residents.

The materials being used on the extension are all in keeping and match the existing dwelling. The walls, windows and doors will be the same material that is currently there. This ensures that the extension will blend in and not create any visual discrepancies. The roof for the development on the ground and first floor will be a flat roof, flat roofs are not commonly favourable by LPA's. The rear section at the rear of the proposal can be considered to be ok as only some of it will be visible from the highway meaning it won't effect the locality or street scene drastically and there are a large amount of hedges around the front and side boundary providing cover. Despite the extension on the first floor slightly protruding from the side elevation and therefore being somewhat visible from the highway, only a small section of it will be seen and therefore can be considered to be acceptable. It can also be noted that there is a variety in roof styles and designs in the immediate vicinity, this includes hipped, gable and other flat roof extensions at the rear. This can therefore be considered to be acceptable.

Internally there will be some alterations taking place, the existing conservatory will be turned into a dining/family room with a set of bi-fold doors at the rear to provide access into the garden. The existing breakfast area will be turned into a small snug room with the kitchen next to it being opened up into the extension. One of the front bedrooms will be shortened by 900mm to make the new width 3320mm to allow for a hallway to lead into the proposed new bedroom.

Impact upon Resident Amenity

Paragraph 130 of the NPPF amongst other matters, seeks places with a high standard of amenity for existing and future users. Policies 2 and 3 of the SELLP set out residential amenity and relationship to existing development and land uses as main considerations when making planning decisions.

The single storey nature of the rear extension makes any overlooking very unlikely as the windows are at ground floor level. It could be considered that as a result of the proposed new bedroom on the first floor that some overlooking concerns could arise, there will be a window situated on the rear elevation of this new room and therefore this could provide a view into the neighbouring properties rear garden. However, the angle they will need to view it at would not provide a clear and direct view and there are a variety of trees in this garden that could provide cover and it is therefore considered that this window would not result in a loss of privacy and no material loss of amenity would occur.

As the development is level with the existing eaves, lower than the ridge height and set back slightly from the principle elevation it can be considered that no overshadowing will occur as a result of the development due to it being smaller in size than the existing house and therefore no new issues will arise. The neighbours to the east have a small side window, this window appears to be situated on what can be considered as their front elevation due to it being above the front door, therefore the room this window would provide light into is most likely a landing area and therefore not a main living space so any loss of light that could occur would only effect the resident minimally. There is also a window on the other elevation and therefore there are two windows that provide natural light into this area so if the window was to be effected there is another way to let natural light in. As mentioned, the extension is set back and slightly smaller than the main dwelling so it is not considered to overshadow or result in loss of light.

Naturally, after the initial construction, which itself would take place over a short period, minimal additional noise pollution would be caused as a result of the development. The proposal will also not be overbearing on the area due to it incorporating a similar design to that of the properties nearby.

The proposal is therefore in accordance with Policies 2 & 3 of the South East Lincolnshire Local Plan and Section 12 of the National Planning Policy Framework.

Parking Provision

Section 9 of the National Planning Policy Framework (2021) specifically relates to 'Promoting sustainable transport'. Paragraph 111 of the National Planning Policy Framework (2021) advises that "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe".

Policy 36 (Appendix 6) of the South East Lincolnshire Local Plan outlines the minimum required parking spaces that must be provided within the curtilage of a house. Three spaces must be provided for dwellings with four or more bedrooms, as this property will now have four bedrooms following the extension it must meet this standard. It can be considered that there is adequate parking to the front and side of the property to accommodate the minimum spaces required and it won't effect highway safety.

It can be considered that as a result of this application it won't cause an unacceptable impact on highway safety, therefore it should not be refused on highway grounds.

The development is therefore in accordance with Policy 36 (Appendix 6) of the South East Lincolnshire Local Plan and Section 9 of the National Planning Policy Framework as it provides enough vehicle parking and will not cause an unacceptable impact on highway safety.

Planning Balance

The proposed two storey extension would not materially harm the character or appearance of the area. There would be minimal overshadowing and overlooking that would arise due to the placement of the windows and there being other windows within one room. The overall design and materials being used are in keeping with the property in which the application is going.

This proposal is therefore considered to be in accordance with Polices 2, 3 & 36 (Appendix 6) of the SELLP and Section 9 & 12 of the NPPF.

Conclusion

The recommendation is 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.