

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H23-0850-19 **Applicant:** Unique Care Homes Support Ltd

Proposal: Proposed first floor extension to existing care home facility

Location: Chapel Hill House Chapel Hill Road Whaplode Drove

Terminal Date: 24th October 2019

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

- 01 Spatial Strategy
- 02 Development Management
- 03 Design of New Development

National Guidance

National Planning Policy Framework 2019

Section 12. Achieving well-designed places

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

This is a planning application that seeks permission for proposed first floor extension to care home at Chapel Hill House, Chapel Hill Road, Whaplode Drove, Spalding.

Site Description

The property lies on an isolated location within the open countryside. It is approximately 1.13 km due north-east of the village of Whaplode Drove. There is a small pond and agricultural building to adjacent to the south. Agricultural land surrounds the site in all other directions.

The site is rectangular and spacious. The property is fairly set back from the road to the west. There is a drain running in parallel with Chapel Hill Road. The front part of the site has been culverted to gain further land for site access, verge and parking space on the gravelled driveway. The rear garden is ample and turfed.

The property is a large two-storey Tudor style house probably built between late 1970s and early 1980s. There are at least two single-storey extensions to the original building, one to the northern side elevation and one further to the rear.

History

H23-0710-14 - Change of use from house (C3) to care home (C2) incorporating a side extension - with potential for reversion of the extended building to a house (C3) - Approved

H23-1603-05 - Use of premises for children's home - Approved

H23-1868-88 - Alterations and improvements to house - Approved

Consultation Responses

Whaplode Parish Council

Supports this application.

Ward Member

No objection.

Planning Considerations

Principle of development

Given the site is not within the boundaries of any urban settlement provided by the South East Lincolnshire Local Plan, 2019, it is therefore considered that the development would take place within the countryside.

Policy 1 of the Local Plan states that "in the Countryside development will be permitted that is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits". The purpose of the proposed extension is to meet the growing demands of the care home and it cannot be feasibly located elsewhere as a building extension to the main property. Therefore, the principle of development is acceptable unless material considerations on the basis of the development plan indicate otherwise according to Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990.

Design and layout

The footprint of the extension would be as much as the existing side extension on the northern elevation of the property. The height would be slightly lower than the main ridgeline which would remark the sense of scale and hierarchy of the proposal with the house. The development would be subservient with the host property in terms of scale, mass and bulk.

The extension is aimed to increase the first floor floor space to add two further bedrooms to the care home. The gable layout would be tantamount to the roof of the main property as well as existing extensions. Roof tiles and render are confirmed to match those existing in the building. For these reasons, the proposal would be in keeping with the use, character and visual amenity of the property with regards to the design, layout and appearance.

Residential amenity

2 No. triple panel windows would be opened on the external walls, one on the front elevation and one further on the rear elevation. As mentioned above, there are no houses adjacent to the site. Thus, the development would not undermine the residential amenity of any occupier by the reason of overlooking effect.

In light of the subservient scale of the extension, no overbearing impact would result from the proposed development. Sufficient separation distance would be provided with the northern boundary to allow access between the front and rear parts of the site.

Conclusion

Taking into account the mentioned above, it is concluded that the proposal is in accordance with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan, 2019 and Section 12 of National Planning Policy Framework, 2019. No objection has been received. It is accordingly recommended to approve this planning application via delegated decision.

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.