

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H01-0052-24 **Applicant:** Mr C Harris
Proposal: Proposed Extension & Alterations
Location: 32 The Pastures Cowbit Spalding
Terminal Date: 27th March 2024

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02 Development Management
03 Design of New Development

National Guidance

National Planning Policy Framework 2023

Section 12 - Achieving well designed and beautiful 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 and alterations at 32 The Pastures, Cowbit.

Site Description

The site is located within the defined settlement boundary of Cowbit as outlined in the South East Lincolnshire Local Plan, 2019 (SELLP). No. 32 is down a small private drive shared with multiple other properties, it is made from red brick with a tiled roof and white uPVC windows and a green front door. The design for dwellings in this area are similar with some differences throughout the estate.

History

No relevant planning history.

Consultation Responses

Cowbit Parish Council

No objections.

Planning Considerations

Key Planning Considerations

The main issues and considerations in this case are (but not limited to):

- Layout, design and impact on the character of the area
- Impact on neighbouring residents/ land users/ land use
- Highway Safety and Parking

Evaluation

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

In this case, the adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019, forms the development plan for the District, and is the basis for decision making in South Holland. The relevant development plan policies are detailed within the report above.

The policies and provisions set out in the National Planning Policy Framework (updated 2023) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Planning Considerations

Layout, Design and Consideration of the Character and Appearance of the Area

Section 12 of the National Planning Policy Framework (December 2023) specifically relates to 'Achieving well-designed and beautiful places' and details that "The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve" and as such, it is generally accepted that good design plays a key role towards sustainable development.

Paragraph 135, contained within Section 12 of the National Planning Policy Framework (December 2023), states that new development should function well and add to the overall quality of the area (including beyond the short term) and should be visually attractive as a result of good architecture and appropriate landscaping. This goes on to establish that it is important that new development should be of the highest quality to enhance and reinforce good design characteristics, and that decisions must have regard towards the impact that the proposed development would have on local character and history, including the surrounding built environment and landscape setting such as topography, street patterns, building lines, boundary treatment and through scale and massing.

Development proposals should also ensure that developments 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 South East Lincolnshire Local Plan outlines sustainable development considerations for development proposals, providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals. Furthermore, Policy 3 accords with the provisions of Section 12 of the National Planning Policy Framework, in that it requires development to comprise good design; identifying issues that should be considered when preparing schemes so that development sits comfortably with, and adds positively to, its historically-designated or undesignated townscape or landscape surroundings.

These policies accord with the provisions of the National Planning Policy Framework and require 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.

Proposals for new development would therefore require the aforementioned considerations to be adequately assessed and designed, including the siting, design and scale to be respectful of surrounding development and ensure that the character of the area is not compromised.

The proposed roof shall match the existing covering with the proposal altering the existing windows and doors to match the cream uPVC of the proposed. This ensures all the windows and doors match and no visual discrepancies should arise. The walls of the extension will be made from facing brickwork reclaimed from the removed gable on the rear extension with the front and side to be Weber 276 Stone Grey Render. Whilst there are no other properties in the area that feature rendering it could be considered that this development would look out of character; however it is important to note that they would be able to render the dwelling without necessarily needing planning permission and therefore due to this it is considered to be acceptable despite the contrast.

The extension will project from the side elevation by around 3700mm and run the same length as the house being 9500mm. It will also be level to the eaves and ridge of the host dwelling, 4800mm and 8000mm respectively. It will add a significant amount of floor space to No. 32 and could be classed as being disproportionate to the host property, despite this the existing house is sizeable meaning the extension will not appear completely out of character and will therefore be acceptable in this regard.

Through the extension they shall be changing the design of the front elevation by widening the existing gable roof, by keeping the same roof design on the front and side elevation this ensures the property still matches others in the immediate area and should not harm the street scene or locality in this instance. On the rear they shall be including a new set of bi-fold doors to allow access into the garden. Every other roof shall remain unaltered and match the extension and other properties.

Some internal alterations will be carried out as part of this development, on the ground floor the front living room area is to be shortened in length and will be converted into a dining room, this shall create access into the side extension which will feature a snug to the front and new living room at the rear where the previous dining room was. On the first floor Bedroom 4 and the shared bathroom will be opened up into the extension to create more room with the en-suite in the master bedroom being converted into a dressing area and the new en-suite to be located within the side extension. As such, new windows will be located in certain locations. Many of these alterations do not require planning permission but have been shown on the plans and therefore detailed in the report.

Taking account of the design and scale of the extension it is considered to conflict slightly with the surrounding area mainly due to it featuring rendering across the front and side elevation and the extension itself being rather substantial. The use of render on a property can be done without needing permission in this instance and therefore this is classed as acceptable. In regard to the size of the extension, the existing house is large and this extension will therefore be proportionate due to this. As such, the proposal as a whole is considered to be acceptable. Although it is not in direct accordance with Policies 2 and 3 of the SELLP and Section 12 of the NPPF the proposal would not cause adverse impact to the character or appearance of the area.

Impact on Residential Amenity/ Land Users

Paragraph 135 of the National Planning Policy Framework (December 2023) states that development should 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; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Policies 2 and 3 of South East Lincolnshire Local Plan (2019) sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

There shall be no material or significant overshadowing that will arise following this development being carried out despite the size of the extension due to the positioning meaning a shadow would only be cast on the hosts rear garden and the large shared driveway area to the front with the

distance between each site meaning no material/ significant shadow will be cast onto the neighbours.

Furthermore, there is not considered to be a material loss of privacy either. The new first floor side elevation window is located within the bathroom and due to the nature of this room this will be obscure glazed, a new window on the rear is for Bedroom 4 however no new issue should arise from this as there is an existing window slightly adjacent to this. Finally, a new front window will also act for an en-suite and should also be obscure glazed. Conditions will be imposed on this application to ensure this.

As detailed above, the scale and design of the proposal is considered to be such that there would be no significant or unacceptable impact on the residential amenities of the occupiers of adjacent properties or land users, when also taking account of the conditions recommended. As such, the proposal is considered to accord with the provisions of the Section 12 of the National Planning Policy Framework (December 2023), and Policies 2 and 3 of the Local Plan.

Highway Safety and Parking

Section 9 of the National Planning Policy Framework (December 2023) specifically relates to 'Promoting sustainable transport'. Paragraph 115 of the National Planning Policy Framework (December 2023) 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".

In respect of highway matters, Policy 2 details that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to access and vehicle generation. Policy 3 details that development proposals will demonstrate how accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways will be secured, where they are relevant to the proposal.

Further, policy 36, to be read in conjunction with Appendix 6 of the South East Lincolnshire Local Plan, sets out minimum vehicle parking standards and requires at least two spaces for dwellings of up to three bedrooms and three spaces for dwellings with four or more bedrooms.

The property shall remain with four bedrooms despite the extension taking place, as such there is no extra spaces needed for the property. No concerns are to be raised surrounding highway safety or parking and the development is considered to be in accordance with Policy 36 and Appendix 6 of the SELLP.

Planning Balance

As detailed above, Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

The proposal represents appropriate development within the defined settlement boundary. The development hereby proposed does not materially harm the character or appearance of the locality, or amenity of nearby residents, and causes no unacceptable impact on the highway, whilst conforming with the South East Lincolnshire Local Plan and the provisions of the National Planning policy Framework when viewed as a whole.

In this instance, there are no material considerations that weigh significantly against the proposal and as such, the planning balance is in favour of the development.

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.

Conclusion

Taking into consideration these factors, the proposal is considered to comply with Policies 2 and 3 of the South East Lincolnshire Local Plan (SELLP), 2019; in addition to the identified sections contained within the National Planning Policy Framework (NPPF) (December 2023). There are no significant factors in this case that indicate against the proposal and outweigh the consideration in favour of the proposal and the policies referred to above.

Recommendation

Based on the assessment detailed above, it is recommended that the proposal should be approved under Delegated Authority.