DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H01-0086-22**	**Applicant:**	**Mr J Parnell**
Proposal:	Proposed single storey rear extension, two storey front extension & rear extensions, detached garage & alterations to site access - re-submission of H01-0351-21		
Location:	52 Backgate Cowbit Spalding		
Terminal Date:	28th March 2022		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
31	Climate Change and Renewable and Low Carbon Energy

National Guidance

National Planning Policy Framework 2021

12 - Achieving well-designed places
14 - Meeting the challenge of climate change, flooding and coastal change

Representations:

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

CASE OFFICER ASSESSMENT

PROPOSAL

This is a householder application at 52 Backgate, Cowbit for a proposed single storey rear extension, two storey front extension & rear extensions, detached garage & alterations to the site access, and is an amended re-submission of H01-0351-21. The proposal seeks to remove the existing 3 metre high conifer hedging to the front of the site and replace with 1.8 metre high railings with a 900mm high wall at the base.

The amended and extended ground floor will contain a drawing room, study, cloakroom, laundry, boot room, shower, dog room, dog run, entrance hall, combined kitchen / diner / family room, living room, cinema room, playroom, plantroom, two wcs, a changing room, shower, and a swimming pool building which is attached to the property. The amended and extended first floor will contain 6 bedrooms, 2 en-suites, a bathroom, dressing room and a rear elevation flat roof that is surrounded by glazed balustrading. Solar panels are to be sited on the rear elevation, first floor flat roof. The swimming pool building will be constructed from facing brickwork to the side and grey cladding to the rear with a slate tile roof to match the slate tile roof on the extended dwelling. The dwelling will be buff colour rendered, with the exception of the southern elevation which is to be facing brickwork.

The proposed detached quadruple garage to the rear of the site will measure 24.2 metres by 6.6 metres, have an eaves height of 3.276 metres and a ridge height of 6 metres. The building has home study and play area in the roofspace, with rooflights facing the arable field to the south. Three swift boxes are located on the garage roof. The external materials of the garage will be brickwork with interlocking concrete tiles.

The proposal differs from the original approval as there have been some minor elevation and internal changes. Additionally the proposed garage is now set 12 metres from the swimming pool building, when it was previously 6 metres.

SITE DESCRIPTION

The proposal site is within defined settlement limits and the surrounding area is characterised by linear development of dwellings of varying ages and designs. There are dwellings to the north and west, with arable fields to the east and south. Although part of the rear garden is sited in Environment Agency Flood Zone 2, the land to be developed upon is in Flood Zone 1. The site is not subject to increased flood hazard or flood risk on the 1% 2115 South Holland Strategic Flood Risk Mapping.

HISTORY

H01-0086-22

Full - Proposed single storey rear extension, two storey front and rear extensions, detached garage and alterations to site access - Approved - 26 May 2021.

CONSULTATION RESPONSES

None

PLANNING CONSIDERATIONS

Principle of development

The proposal is for residential development on residential land within defined settlement limits. The principle of development in this location is considered to be acceptable.

Assessment against SELLP Policy 2 - Development Management

When assessed against the above relevant criteria the following can be observed:

1. Due to the large area of curtilage land surrounding the plot, the size, scale and layout is considered to be acceptable for the site. As the surrounding area does not have a defined built character, there is not considered to be a material impact on the character and appearance of the surrounding area.

2. The design and orientation is considered to be appropriate for the site. The extended dwelling can be accommodated without material impact on amenity and character.

3. The proposed materials of construction are facing brickwork, buff render and slate roof tiles with grey cladding for the rear elevation of the swimming pool and brickwork for the detached garage. All materials of construction are considered to be appropriate for the site.

4. The proposal provides in excess of a minimum of three off road parking spaces for a dwelling of four bedrooms or more. This provision accords with the requested amount under Appendix 6 of the SELLP concerning off road parking spaces.

5. This proposal is not considered to materially impact community services or infrastructure.

6. The proposed amendments and extensions are not considered to lead to a noise, odour or disturbance impact. With regard to visual intrusion, there is not considered to be a material overlooking, overshadowing or overbearing impact. Whilst the rear elevation flat roof is bordered by glass balustrading, the separation distance to the rear garden of 50 Backgate at the nearest point is 10 metres with the distance to the nearest building standing at 14 metres. This boundary is bordered by established 3 metre high trees on the applicants side with a 2.5 metre high detached garage beyond the boundary. The boundary treatment, combined with the separation distance and viewing angle is not considered to constitute a material overlooking impact. There is agricultural land to the south and east, therefore no amenity impact is anticipated on any dwelling in those directions.

7. Although part of the rear garden is sited in Environment Agency Flood Zone 2, the land to be developed upon is in Flood Zone 1. The site is not subject to increased flood hazard or flood risk on the 1% 2115 South Holland Strategic Flood Risk Mapping.

The proposal accords with Section 2 of the SELLP.

Assessment against SELLP Policy 3 - Design of New Development

When assessed against the above relevant criteria the following can be observed:

1. There is not considered to be a material impact on a sense of place as a result of this proposal. The surrounding area does not have a defined built character and the extended modern designed dwelling can be accommodated on site without materially impacting the amenity of neighbouring land uses.

5. Cycling storage, bin storage and off road parking is not affected by this proposal. The proposal provides in excess of a minimum of three off road parking spaces for a dwelling of four bedrooms or more. This provision accords with the requested amount under Appendix 6 of the SELLP concerning off road parking spaces.

11. The proposed amendments and extensions are not considered to lead to a noise, odour or disturbance impact. With regard to visual intrusion, there is not considered to be a material overlooking, overshadowing or overbearing impact. Whilst the rear elevation flat roof is bordered by glass balustrading, the separation distance to the rear garden of 50 Backgate at the nearest point is 10 metres with the distance to the nearest building standing at 14 metres. This boundary is bordered by established 3 metre high trees on the applicants side with a 2.5 metre high detached garage beyond the boundary. The boundary treatment, combined with the separation distance and viewing angle is not considered to constitute a material overlooking impact. There is agricultural land to the south and east, therefore no amenity impact is anticipated on any dwelling in those directions.

12. Although part of the rear garden is sited in Environment Agency Flood Zone 2, the land to be developed upon is in Flood Zone 1. The site is not subject to increased flood hazard or flood risk on the 1% 2115 South Holland Strategic Flood Risk Mapping.

The proposal accords with SELLP Policy 3.

Assessment against SELLP Policy 31 - Climate Change and Renewable and Low Carbon Energy

When assessed against the above relevant criteria concerning renewable energy the following can be observed:

1. The visual amenity, landscape quality and skyscape are not impacted by the solar panels sited flat against the flat roof to the rear of the building.

2. Due to the solar panels being sited flat on the rear elevation roof there is not a noise, fume, odour, vibration, shadow flicker, sunlight reflection, broadcast interference or traffic impact.

3. There is no highway safety impact.

4. No agricultural land has been utilised to facilitate the installation of the solar panels.

5. Aviation and radar safety is not impacted by the solar panels.

6. Heritage assets are impacted by the solar panels.

7. The natural environment is not impacted by the solar panels.

This application accords with SELLP Policy 31.

PLANNING BALANCE

The amendments and extensions can be accommodated on site without materially impacting the character and amenity of the surrounding area. The proposal therefore accords with Policies 1, 2, 3 and 31 of the South East Lincolnshire Local Plan, 2019, as well as Section 12 of the National Planning Policy Framework, 2021.

CONCLUSION

The recommendation is 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.