

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H01-0158-23 **Applicant:** Mrs H Cooke
Proposal: Single storey side extension to provide utility and home working spaces
Location: 36 Stone Gate Cowbit Spalding
Terminal Date: 17th April 2023

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 2021

Section 12- Achieving well-designed places.

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 seeking permission for a single storey side extension to create an office, pantry and laundry room. The extension would measure 3 metres (width) x 6.4 metres (depth) and stand at 4.2 metres in height (2.5 metres to the eaves).

The walls would have black timber effect composite rainscreen cladding to match the existing single storey rear element and all other external materials would match the existing two storey dwelling.

SITE DESCRIPTION

The site is located on Stone Gate in Cowbit. It comprises a two storey detached dwelling located on

the northern side of Stone Gate. The dwelling is situated on a wide plot and benefits from a long gravelled driveway to the front/side, providing off-street parking provision for several vehicles. The site backs onto open fields to the rear. The street scene comprises dwellings of varying ages and designs.

RELEVANT PLANNING HISTORY

H01-0176-22 - Erection of two storey extension - Approved

H01-0995-12 - Demolition of existing single-storey rear extension and re-build two-storey rear extension and erection of detached double garage - Approved

REPRESENTATIONS

No representations received.

PLANNING CONSIDERATIONS

Principle of development

The site is within the Cowbit settlement boundary as set out in the South East Lincolnshire Local Plan (SELLP), 2019 and the proposed extension would be sited within the existing residential curtilage therefore the principle of a development associated with an existing dwelling is considered 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 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; 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.

The proposed extension would be visible from the public realm, however, given its modest side projection and the fact it would be set back from the front boundary by some 19 metres, it is not considered to appear overly prominent in the street scene. Its design is also considered sympathetic in appearance and does not detract from the existing dwelling or the wider street scene.

The proposed introduction of cladding is considered acceptable given it would match the existing single storey rear element and the fact there are a mixture of different materials in the area therefore the development would not be out of character with the existing dwelling or the area.

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

Impacts upon Residential Amenity

Paragraph 130 of National Planning Policy Framework (2021) amongst other matters seeks places with a high standard of amenity for existing and future users. Policies 2 and 3 of South East Lincolnshire Local Plan (2019) set out residential amenity and relationship to existing development and land uses as main considerations when making planning decisions.

The closest neighbour to the proposed development is no.38 Stone Gate located to the east of the application site. The proposal would bring the application dwelling 3 metres closer to this neighbour and would be sited approximately 1.4 metres from the shared boundary and a further 1.2 metres from its side elevation facing the application site. Given the modest footprint and height of the extension, this separation distance is considered sufficient as to not result in any overbearing

impact or unacceptable overshadowing.

With regards to the neighbour to the west at no.34 Stone Gate the proposed extension would not be visible to this neighbour as it would be blocked by the applicant existing house therefore no impact would result on this neighbour.

As such the proposal would accord with Paragraph 130 of National Planning Policy Framework (2021) and Policies 2 and 3 of South East Lincolnshire Local Plan (2019).

Planning Balance

The proposal will not materially harm the character or appearance of the locality or the 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 1, 2 and 3 of the South East Lincolnshire Local Plan (2019) and Section 12 of the National Planning Policy Framework (2021).

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.