DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H01-0159-20**	**Applicant:**	**Mr & Mrs W Richardson**
Proposal:	Single storey extension to side of dwelling to form garage, single storey rear extension to form kitchen/dining room and first floor side extension to form an additional bedroom		
Location:	12 Backgate Cowbit Spalding		
Terminal Date:	22nd October 2020		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

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	1	0	0
WARD MEMBER	0	0	0	0
IAN MARSHMAN, HISTORIC ENVIRONMENT OFFICER	0	0	0	1
RESIDENTS	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a householder application at 12 Backgate, Cowbit for a single storey extension to the side of the dwelling to form a garage and a single storey rear extension to form kitchen/dining room and

first floor side extension to form an additional bedroom.

Site Description

The dwelling is situated to the east of Backgate, Cowbit. It is a detached dwelling, which is surrounded by similar designed detached dwellings. The property has a large front garden, with mature hedging, and also a large driveway.

The dwelling is well set back from Backgate. The dwellings along this road are well spread out, mostly situated on large plots of land.

History

H01-1348-00 - Proposed single garage, conversion of existing garage into study and bedroom above - Approved - 04-01-01

Consultation Responses

Cowbit Parish Council - No Objections.

Historic Environment Officer, Lincolnshire County Council - No Archaeological impact.

Public (1 comment received, summarised)
- Concerns raised over proximity of new garage to adjoining property and potential for damp to arise.

Planning Considerations

Size and Scale

There are three elements to the proposal. The first is a single storey side extension off the north elevation of the dwelling (to form a garage), which would project out by approx. 3.1m, with an approx. 270mm gap to the site boundary. Although this gap would be small, it has been confirmed as sufficient by SHDC Building Control as both the proposed garage and the dwelling at no.10 have guttering, and the guttering is shown to the front and rear of the new garage so water would not fall in the direction of no. 10. They advise that as long as the gap is free of building debris, no damp should occur.

The second element is an extension to the rear of the dwelling, which will entail the demolition of the existing conservatory. This extension will project by approx. 4.9m from the existing rear elevation and extend across the full width of the property.

The final element is a first floor extension above the existing garage and utility area off the southern elevation, and would measure approx. 8.5m. in depth.

Taking into account the above comments from SHDC Building Control, as well as the size of the plot the dwelling sits within, it is considered that the proposed extensions are of an appropriate size and scale. Once the new garage extension is constructed, the dwelling will sit tightly within the plot. However, this is also the case for both the dwellings immediately to the north and south and so the form of development is not out of keeping with existing surrounding development.

Given this, the proposal is considered to be in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 in terms of size and scale.

Design and Layout

The existing garage, which is situated to the south of the dwelling, will be converted to a small kitchen/lounge area with a separate shower room. The proposed extension to the first floor will include an additional fourth bedroom with an en-suite.

To the rear of the dwelling, at ground floor, the proposed extension will accommodate a new kitchen and dining area as well as alterations to the interior including a new study area and a new utility room.

The external materials of the side and first floor extensions would match the existing and the rear extension rendering finish is yet to be determined by the applicant, therefore a condition has been added to this application. Windows and doors are also proposed to match the existing white PVCU materials. This is considered acceptable.

The roof of the first floor extension would be cross gable which would create a coherent form of development. Ordinarily, it is expected that the ridge height of any extension should be lower than the existing in order for it to appear subservient. In this case, the height of the proposed first floor extension is the same as the existing ridge height of the host dwelling. Given that it is already a low pitch, it is not considered that it would be suitable visually to reduce the height any further. The very front of the new garage would have a small pitched roof to screen the remainder of the roof, which is flat and less attractive.

Given the above, the proposal is considered to be in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 in terms of design and layout.

Impact upon Residential Amenity

The proposed extensions would not result in the overlooking of neighbouring properties as there are no windows proposed to be installed on the side elevations at first floor. Furthermore, the only windows along the northern elevation of no.14 are both obscure glazed and belong to non-habitable rooms, and there are no windows along the southern elevation at no.10. For these reasons, it is also not considered that the side extensions would be overbearing in nature for adjoining properties and the rear extension is single storey so its visual impact on neighbouring properties would be limited.

With regard to overshadowing/loss of light, there should be no adverse impact upon the neighbouring property to the north at no.10 Backgate, which is the property that would be most affected taking into account the path of the sun. The northern and eastern extensions will both be single storey and, as previously mentioned, there are no facing windows on the southern facing elevation of no. 10.

The dwelling is set within a large plot with a sizeable rear garden and so the proposed rear extension would not have a material adverse impact upon the size of the rear garden, and thus occupants of the property.

Taking the above into account, the proposed extension and alterations are considered to comply with Policies 2 and 3 in the South East Lincolnshire Local Plan, 2019 with regard to residential amenity.

Conclusion

In light of the considerations above, the proposal is considered to be in accordance with Policies 2 and 3 in the South East Lincolnshire Local Plan, 2019, as well as Section 12 of the National Planning Policy Framework, 2019.

The recommendation is therefore 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.