

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H01-1068-20 **Applicant:** Mrs J Laurie
Proposal: Flat roof single storey rear extension
Location: Peak Hill House 30 Peak Hill Cowbit
Terminal Date: 20th January 2021

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	0	0	0
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a householder application seeking permission for a flat roof single storey rear extension to the property at Peak Hill House, 30 Peak Hill, Cowbit.

Site Description

The site is situated approx. 1.2km south of the settlement boundary of Cowbit. The dwelling is considered to be situated in the countryside, according to the SELLP, 2019.

The detached dwelling is situated to the east of Peak Hill, and approx. 300m west of the A16 highway. The front elevation of the dwelling faces west.

The property has a low bricked wall and a variety of shrubbery and trees as the boundary treatment to the front of the property. There is also a large U shaped gravelled driveway with a large grassed front garden.

There is access to the rear of the property, with a long gravelled driveway situated at the south of the site. There is a large rear garden which is mostly grassed, with a garage approx. 48m from the main dwellinghouse. There is also a large patio area which is the entire width of the dwelling.

History

No planning history relevant.

Consultation Responses

No consultation responses received.

Planning Considerations

Layout, Design, Size and Scale

Paragraph 127 of the National Planning Policy Framework (NPPF), 2019 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 is to protrude approx. 4.8m from the rear elevation. The proposed extension will be set back on both sides slightly from the width of the original dwelling, and have a width of approx. 11.4m. The eaves height of the proposed flat roof extension will be approx. 3m and an overall maximum height from the proposed roof lanterns of approx. 3.6m. Having regard to the existing dimensions of the house, the proposed extension is acceptable in terms of scale, mass and bulk.

Rendered block work, GRP Flat roof covering and grey UPVC in fenestration and rainwater goods are proposed for the flat roof rear extension. The materials proposed for the the walls is a positive contrast to the existing brickwork of the original dwelling. The neighbouring dwellings also vary in design, and the render would not be visible from the front of the dwelling.

Internally, the purpose of the development is to gain further internal floor space for enlarging and creating new rooms inside of the house. This includes opening up the existing snug room, to create an open plan sitting room and dining area.

Overall, the proposals will ensure good living conditions of the house occupiers and in keeping with the residential use of the property.

Taking the above into account, the proposed extension is deemed to comply with Policies 2 and 3 in the SELLP, 2019 and Section 12 in the NPPF, 2019 in terms of layout, design, size and scale.

Impacts upon the Residential Amenity

The proposed windows on the rear and side walls of the single storey extension will not overlook unacceptably to any residential plot neither habitable rooms of other neighbouring dwellings. The windows to the rear elevation will face to the east towards open fields and the side facing windows would be at an angle and set back from other frontage properties.

It is also not considered to have an adverse impact in terms of overshadowing or being overbearing due to the single storey nature of the development.

Taking the above into account, the proposed extension is deemed to comply with Policies 2 and 3 in the SELLP, 2019 and Section 12 in the NPPF, 2019 in terms of residential amenity.

Planning Balance

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 proposed flat roof single storey rear extension does not materially harm the character or appearance of the locality or amenity of nearby residents. It is therefore considered to be in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

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

The recommendation is therefore for a delegated approval.